

VILLAGE OF LANSING
PLANNING & ZONING BOARD OF APPEALS
PETITION

INCOMPLETE PACKAGES WILL NOT BE ACCEPTED FOR CONSIDERATION

- | | |
|----------------------------------|----------------------|
| 1) REZONING _____ | 4) SUBDIVISION _____ |
| 2) VARIATION OF ZONING USE _____ | 5) SPECIAL USE _____ |
| 3) VARIATION OR ORDINANCE _____ | 6) OTHER _____ |

PRESENT ZONING: _____ REQUESTED ZONING: _____

PROPERTY DESCRIPTION

COMMON DESCRIPTION: (a street address or location) _____

P.I.N. NUMBER: _____

What change of zoning, variation of zoning, variation or ordinance and/or subdivision are you requesting?

SUBMISSION PACKAGE MUST INCLUDE THE FOLLOWING WHEN POSSIBLE IN 8 1/2" BY 11" FORMAT:
1) PLAT OF SURVEY OR OTHER DOCUMENT WITH CLEARLY LEGIBLE LEGAL DESCRIPTION.
2) LEGAL PROOF OF TITLE AND/OR DOCUMENTED PROOF OF OWNER CONSENT.
3) PLAT OF SURVEY WITH MOST CURRENT CONDITIONS OF THE PREMISES.
4) ADDITIONAL PAGES SHOULD BE ATTACHED DESCRIBING PERTINENT INFORMATION ON PROPOSED REQUEST, APPROPRIATE DRAWINGS, SITE PLANS, ETC.

NAME OF PETITIONER AND OWNER:

TITLEHOLDER'S NAME AND ADDRESS: _____

PETITIONER'S NAME AND

ADDRESS: _____ TELEPHONE: _____

PETITIONER IS: OWNER _____ CONTRACTOR _____ ARCHITECT _____ ATTORNEY _____

OTHER (indicate interest) _____

ALL OVERSIZED MATERIAL MUST BE SUBMITTED IN 25 COPIES.

FOR VARIATION ONLY: ATTACH EVIDENCE THAT ADJOINING PROPERTY CANNOT BE ACQUIRED OR THAT NO VACANT PROPERTY IS AVAILABLE.

PLANNING AND ZONING BOARD OF APPEAL MEETINGS ARE SCHEDULED ON THE SECOND AND FOURTH WEDNESDAYS OF EACH MONTH. APPLICATIONS MUST BE SUBMITTED THREE WEEKS PRIOR TO A MEETING AND BE ACCOMPANIED BY CHECK MADE PAYABLE TO VILLAGE OF LANSING ACCORDING TO FEE SCHEDULE ATTACHED PLUS THE COST OF LEGAL PUBLICATION. ALL PROPERTIES MUST BE POSTED SEVEN DAYS PRIOR TO THE HEARING.

DATE _____ SIGNATURE OF PETITIONER(S) _____

FOR OFFICE USE ONLY

FEE PAID _____ DATE OF PUBLIC HEARING _____

STAFF REVIEWING APPLICATION _____

03/04

NOTE: ALL HEARINGS BEFORE THE PLANNING AND ZONING BOARD ARE RECORDED AND TAPES ARE HELD AS PERMANENT RECORD OF THE PROCEEDINGS

VILLAGE OF LANSING
PLANNING AND ZONING BOARD OF APPEALS

HEARING FEE SCHEDULE AND NOTICE HEARING

FEE SCHEDULE

FOR PETITIONERS PRESENTLY WITHIN:

ZONING CLASSIFICATION

1) RESIDENTIAL DISTRICTS.....	\$ 50.00
2) BUSINESS DISTRICTS.....	100.00
3) MANUFACTURING.....	150.00

IF PETITIONER IS PETITIONING TO CHANGE THE CLASSIFICATION OF THE UNDERLYING ZONING, THE CHARGE SHALL BE BASED ON THE HIGHER OF THE TWO CLASSIFICATIONS.

**FOR SUBMISSION OF A PLAT OF SUBDIVISION
 FEES BASED ON THE NUMBER OF LOTS**

NUMBER OF LOTS IN THE SUBDIVISION	FEE
1 TO 2	\$ 50.00
3 TO 5	100.00
6 TO 10	200.00
OVER 10	200.00 PLUS \$20. FOR EACH ADDITIONAL LOT OVER 10

FOR OTHERS

PLANNED RESIDENTIAL DEVELOPMENT	500.00
PLANNED UNIT DEVELOPMENT	500.00 PLUS \$50 PER HOUR OF BOARD TIME

PUBLIC NOTICE FEES

ALL PETITIONERS WILL BE CHARGES FOR PUBLIC NOTICE.

FOR PROPERTY IN RESIDENTIAL DISTRICTS	\$75.00
FOR PROPERTY IN COMMERCIAL OR INDUSTRIAL DISTRICTS	\$100.00

VILLAGE OF LANSING
NOTICE REQUIREMENTS

AS OF MAY 1, 2003, ALL PETITIONERS TO THE PLANNING AND ZONING BOARD OF APPEALS ARE REQUIRED TO POST A SIGN ON THE PROPERTY IN A PROMINENT LOCATION AT LEAST SEVEN (7) CONSECUTIVE DAYS IMMEDIATELY PRIOR TO THE HEARING. THE SIGN SHALL BE PROVIDED BY THE VILLAGE AND SHALL NOTIFY THE PUBLIC OF THE SCHEDULED HEARING TIME, DATE AND LOCATION IN SUBSTANTIALLY THE FOLLOWING FORM:

“NOTICE: A HEARING CONCERNING THE ZONING OR THE GRANTING OF A VARIANCE FOR THIS PROPERTY IS SCHEDULED ON _____, 20_____, AT 7:30 PM AT 2710 170TH STREET, LANSING ILLINOIS . A COPY OF SAID PETITION CAN BE OBTAINED FROM THE VILLAGE CLERK’S OFFICE.”

IN THE CASE OF AN IMPROVED LOT, A PROMINENT LOCATION SHALL BE DEFINED AS THE FRONT YARD (OR IN THE SIDE YARD IF IT IS A CORNER LOT WITH AN IMPROVED STREET ALONG THE FRONT AND SIDE OF THE PROPERTY) NEAR A SIDEWALK OR PUBLIC RIGHT OF WAY, AND TO BE SO LOCATED SO THAT IT CAN BE SEEN BY AUTO AND PEDESTRIAN TRAFFIC IN THE MOST CONVENIENT MANNER. WHEREVER POSSIBLE, THE SIGN SHOULD BE PLACED ON THE PRIVATE PROPERTY SIDE OF THE PROPERTY LINE.

IF THE PROPERTY IS VACANT AND/OR UNIMPROVED, THE SIGN SHALL BE PLACE IN SUCH LOCATION NEAR THE CLOSEST RIGHT OF WAY TO ALLOW FOR MAXIMUM VISIBILITY TO AUTO AND PEDESTRIAN TRAFFIC.

IF THE PROPERTY IS DEVELOPED COMMERCIALY TO THE LOT LINE, THE SIGN SHALL BE PLACED IN THE WINDOW OR ATTACHED TO THE BUILDING AS TO MAXIMIZE IT’S VISIBILITY.

THE APPLICATION OF A HEARING FROM THE PLANNING AND ZONING BOARD OF APPEALS, SIGNED BY THE PETITIONER, SHALL ACKNOWLEDGE RECEIVING A COPY OF THE REQUIREMENTS FOR POSTING THE PROPERTY AT THE TIME THE PETITION IS ACCEPTED BY THE VILLAGE. **VILLAGE STAFF WILL POST THE PROPERTY A WEEK PRIOR TO THE MEETING IN COMPLIANCE WITH REGULATIONS.**

THE SIGN POSTING NOTICE IS IN ADDITION TO ANY OTHER VILLAGE ORDINANCES STATUTES AND IS NOT A SUBSTITUTE FOR ANY SUCH REQUIRED NOTICE.

03/04

VILLAGE OF LANSING
NOTICE TO APPLICANTS

VARIANCE PROVISION

A variance is a zoning adjustment which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree limited to the minimum change necessary to overcome the inequality inherent in the property. Use variations are specifically not allowed. "Variation" means the modification of the requirements of the underlying zoning district and does not include the substitution of the uses assigned to other districts.

1. A variation recognizes that the same district requirements do not effect all properties equally; it was invented to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. The petitioner must prove that the property in question is affected by a special circumstance or unusual condition. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where hardship conditions extend to other properties a variation cannot be granted. The remedy for a general hardship is a change of the map or the text of the Zoning Ordinance.
2. The petitioner must prove that the combination of the Zoning Ordinance and the uncommon conditions of the property prevents the petitioner from making reasonable use of the property as permitted by the underlying zoning district. **The burden of proof is upon the petitioner. The petitioner must present evidence to the Board of Appeals indicating that you are entitled to a variance based on the following reasons:**
 - a) because of the particular physical surroundings, shape or topography of the property, a particular hardship to the petitioner would result, as distinguished from a mere inconvenience, if the strict letter of regulation was applied and the request was denied;
 - b) the conditions upon which the petition for variation is based are unique to the property for which the variation is sought and are most applicable, generally, to other properties within the same zoning district;
 - c) the alleged difficulty or hardship is caused by the Zoning Ordinance and has not been created by any person presently having any interest in the property for which the variance is sought;
 - d) the granting of the variation will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood in which the property is located;
 - e) the proposed variation will not impair an adequate supply of light or air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger public safety, or substantially diminish or impair property values within the neighborhood.
3. Since Zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a variation:
 - a) proof that a variation would increase the financial return from the property,
 - b) personal hardship,
 - c) self-impose hardship - deliberate creation of conditions after the enactment of the Zoning Ordinance would be considered violation of the law.
4. No variation may be granted which would adversely affect surrounding property or the general neighborhood. All variations must comply with the intent and purpose of the Zoning Ordinance.