

CITY OF HARVEY



VARIANCE PETITION PACKET

PROCEDURE FOR OBTAINING A VARIANCE

1. Complete all sections of the attached application.
2. Attach all required exhibits designated in the application.
3. Submit application and exhibits as follows to the:
City of Harvey
Planning and Zoning Board
15320 Broadway Avenue
Harvey, Illinois 60426
4. Upon receipt of the application and exhibits, staff will review the submitted information for completeness and accuracy. This process normally takes 7 days.
5. A pre-hearing conference with staff will be scheduled if needed.
6. Public Hearing before the Planning and Zoning Board will be scheduled. (Third Wednesday of the month at 7:00 p.m. or a special hearing will be scheduled upon the recommendation of the Mayor, City Council, Department Staff or Planning and Zoning Board Chairman.)
7. State law requires that notification of the public hearing be published at least 15 days no more than 30 days prior to hearing date.
8. The Planning and Zoning Board will hold a Public Hearing to consider requests for a Variance Permit. The applicant must be in attendance to answer any questions that the Planning and Zoning Board may have regarding the petition.
9. During the public hearing, the Planning and Zoning Board shall either recommend to the City Council to approve, approve with conditions, reject, or continue the hearing should they determine the additional information is necessary to render a decision.
10. Within 14 days of the Planning and Zoning Board meeting, a recommendation to approve or deny request is forwarded to the City Council for their consideration.
11. The City Council will discuss the recommendations from the Planning and Zoning Board and the during the City Council meeting (Second and Fourth Monday of the month at 7 p.m.) The Council will vote to accept or reject the Planning and Zoning Board's recommendations. If the variance request is approved; the City Attorney will assist the City Clerk with drafting the appropriate ordinance.
12. The Ordinance will be presented at next City Council Meeting for approval and adoption (Second and Fourth Monday of the month at 7:00 p.m.).
13. Once the variance is granted, including any special conditions or provisions attached thereto, is good for a period of one year or until a valid Building Permit or Certificate of Use and Occupancy has been issued.

PLEASE NOTE: City staff will assist you with expediting your request. Due to the local and state laws regarding hearing publication requirements, meeting schedules and the complexity of your request, the entire processing time for a Variance could take as long eight (8) weeks.

Planning and Zoning Board:

The Planning and Zoning Board is the City of Harvey's appointed body responsible for reviewing, conducting public hearings, and rendering recommendations to the City Council regarding Variance petitions. The Board is comprised of 12 members including a Board Attorney, appointed by the Mayor with the approval of the City Council. The Planning and Zoning Board meets on the Third Wednesday of the month at 7 p.m. in the Council Chamber in City Hall located at 15320 Broadway Avenue, Harvey, Illinois 60426.

City Council:

The City Council of the City of Harvey is the elected body responsible for the authorization of Variance petitions within the City. The City Council is made up of six Alderman and the Mayor. City Board meetings are held on the second and fourth Monday of the month at 7 p.m. in the Council Chambers in the Harvey Municipal Center located at 15320 Broadway Avenue on the 2nd Floor.

Variance Defined:

A zoning variance is an adjustment to the specified standards and regulations within an established zoning district as set forth in the Zoning Ordinance. Variances can only be granted for adjustments to the bulk regulations of the district (i.e., yard setbacks, height, floor, area ration, size.) and cannot be granted for changes to the permitted uses identified under the zoning classification.

For a variance to be granted by the Planning and Zoning Board the applicant must prove a particular difficulty or hardship as defined under the Illinois Municipal Code. The Planning and Zoning Board are authorized to grant the following variances if they find that:

- Special Conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands or structures in the same district.
- Literal interpretation of the provisions of this title would deprive the applicant of the rights commonly enjoyed by other properties in the same district
- The special conditions and circumstances do not result from any inaction by the applicant.
- No nonconforming use of neighboring lands or structures in the same district and no permitted or nonconforming use of lands or structures in other districts shall be considered grounds for the issuance of a variance

PLEASE PRINT OR TYPE



CITY OF HARVEY
PLANNING DEPARTMENT
15320 BROADWAY AVENUE
HARVEY, IL 60426
(708) 210-5350 – PHONE
(708) 210-5368 – FAX

OFFICE USE ONLY

Date Received: _____

Hearing Date: _____

Case Number: _____

PETITION FOR A VARIANCE

(PUBLIC HEARING REQUIRED BEFORE THE PLANNING AND ZONING BOARD)

Applicant: _____ Date: _____

Address: _____ Phone: _____

Property Owner: _____

Address: _____ Phone: _____

Legal Description of the Property or PIN: _____

Current Zoning Classification of Property: _____

Current Use of Property: _____

Address of Property: _____

Area of Subject Site: _____

(Stated in square feet if the area is less than one acre, and in acres and fractions thereof if one acre or more.)

Legal Description of Property: Please attach to this application.

Filing Fee: \$125.00 Please attach to application. Please make checks payable to the City of Harvey.

Exhibits Required: Provide twenty (20) copies of the Site Plan, drawn to scale, of property. Twenty (20) copies are required of any other data or materials submitted as exhibits.

The following information is requested to assist City staff, Planning and Zoning Board, and the City Council in determining the impact appropriateness of the requested variance. Please type or neatly write as much detailed information to ensure an effective evaluation of the petition. If additional space is necessary, please write on the back of the appropriate sheet.

A. Background information

1. Statement of the circumstances, factors and arguments that the petitioner offers in support of the proposed variance. (Please be specific, state the ordinance in which you are requesting a variance, the reasons why the variance should be granted, and if the variance is granted state the changes that will be made in the property.):

2. Explain the reasons why the granting of this Variance will not be contrary to the public interest; character of the existing zoning of the area; and the proposed use will not detract from the desirability of using adjoining properties for their present uses due to the following conditions (Please be specific by explaining how the variance will effect the existing structure and will conform to the adjoining properties):

3. Will additional utilities or roadway improvements, right of way acquisitions, enlarged floodplains, need to be provided to service the variance? Please explain Why or why not.

4. Will special design features be included in the plans to prevent any detrimental effect on abutting properties or the general vicinity of the site in question? If so, please explain:

5. Will the variance generate any odor, noise, vibration, light or particulate that will negatively impact surrounding land-uses or individuals?

6. Can you state that the characteristics impeding the property are not the result of actions by anyone with a property interest in land after the Zoning Ordinance or applicable section thereof were adopted. If cannot state this, please indicate why you feel those characteristics should not be regarded as self imposed?

B. Additional Information

1. Attach a plan drawn to scale showing the dimensions and square footage of the variance. The accuracy of the site plans is vital to the effectiveness of the plan review and will not be accepted if it cannot be easily read and evaluated.

2. A \$125.00 application fee must be submitted with the aforementioned to cover administrative costs associated with the petition review. All checks must be made payable to the City of Harvey.

City of Harvey
Variance Application

Eric J. Kellogg
Mayor

I (We) hereby affirm that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (We) hereby acknowledge my (our) obligation to reimburse the CITY OF HARVEY for all necessary and reasonable expenses incurred by the City in the review and certification of any documents submitted in conjunction with this application.

Applicant

Property Owner (mandatory)

Signed and subscribed before me on
this _____ day of _____, 20__

Notary Public

This application was filed with the Planning Department on _____.

Planning Department Staff

Attest:

City Clerk