



# FARMER CITY PLANNING & ZONING

Farmer City - City Hall  
105 S. Main Street  
Farmer City, IL 61842  
Phone 309-928-3412

## A SUMMARY OF THE REQUIREMENTS AND PROCEDURES FOR FILING AN APPLICATION FOR A VARIANCE

1. Please refer to Page 7 of the application form for details as to the meaning of the term “variance,” the intent of the variances and the general instances when the granting of a variance may be warranted and instances when a variance may not be approved.
2. Before any application for a variance can be processed and placed on the various agendas you must complete the application. The application has two (2) parts. The first part provides space for the name of the owner and applicant, the legal description and common location of the property and the present and requested use of the property. It also provides space for you to insert a detailed explanation as to what it is you are requesting. The second part is completed by filling in the names and addresses of all owners of property within 250 feet of your property. Usually, you can obtain these names and addresses by visiting the Supervisor of Assessments Office which is located at DeWitt County.
3. Along with the completed application, you will be required to pay a filing fee. This fee is established by the City Council and is assessed according to the fee schedule. You will also be required to pay the cost of publishing the notice of the hearing in the newspaper. The City Manager will mail a copy of the statement to you a week or so before the hearing. This fee should be paid directly to the newspaper. The amount shown on that notice must be paid prior to the hearing date or your request may be continued to a later meeting. *The filing fee is nonrefundable.*
4. The completed application and the filing fee are submitted to the City Manager.
5. All applications are reviewed by the Planning Commission/Zoning Board for compliance with the various elements contained in the Comprehensive Plan. A public hearing is held before the Planning Commission/Zoning Board. Both of these bodies prepare a recommendation which is sent to the City Council for their final decision. The City Council may approve your request for rezoning, or they may deny it.
6. The City Manager will forward your application to the members of the Planning Commission/Zoning Board, and the City Council at the appropriate time during the review process.
7. The City Manager will place your application on the proper agenda at the proper time, set the date, time and place of the various meetings, make the necessary arrangements to have the required public notice published in the newspaper, will provide you with written notice of the Planning Commission/Zoning Board meetings and may send courtesy notices to all owners of property within 250' of the property

in question. The Planning Commission/Zoning Board has set meeting dates throughout the year and can only accept new applications at these meetings. You may obtain a copy of the regular meeting dates from the City Manager.

8. It is advisable for you to attend the Planning Commission/Zoning Board meeting. You may, however, decide to appear by a representative specifically designated by you to speak on your behalf. You may also appear with or be represented by an attorney. If you appear with or represented by an attorney you are required to file that individual's name, business address and daytime telephone number as part of your application.
9. It is extremely important that you or your officially named representative be present at the Planning Commission/Zoning Board hearing. Failure to appear before the Planning Commission/Zoning Board may result in your application being continued to a future meeting or having your request dismissed.
10. The City Council meeting is a public meeting and anyone may attend. If you desire to speak at the City Council meeting, you must notify the City Clerk and request that you be placed on the Council's agenda.
11. The City Manager will provide you with written notification of the City Council's decision if you do not attend the meeting.
12. Approval of your request for a variance does NOT constitute nor guarantee the issuance of any permits for construction. Permits are required for all construction and land use changes. Approval of your variance application by the City Council authorizes the Manager to issue permits IF the particular permit application complies with the provisions of the Farmer City Code and is in harmony with and in conformity to the authority granted to the Manager by the City Council.
13. In formalizing your presentations before the Planning Commission/Zoning Board it is important for you to understand that the City is NOT required to approve your request. The decision on whether your application is approved is in part dependent upon the evidence you present. The burden of proof is your responsibility. Although there are many other factors which may affect the final outcome of your request it is important that you be prepared to offer testimony, present exhibits and provide factual information on the reasons for your request and its effect on your area. You may wish to appear with persons who can provide testimony which backs your position. You may want to present photographs, use overheads or show a videotape as part of your testimony. If you should need video equipment at the Planning Commission/Zoning Board meeting, you must provide the Manager with a few days' notice prior to the meeting date.

PLEASE NOTE THAT WE IN THE CITY CANNOT COMPLETE THE APPLICATION FOR YOU. WE LIKEWISE CANNOT PROVIDE YOU WITH LEGAL ADVICE. WE CAN HOWEVER EXPLAIN THE PROCESS AND THE PROCEDURES WHICH WILL BE FOLLOWED.

IF YOU HAVE ANY QUESTIONS CONCERNING THE APPLICATION OR THE PROCESS INVOLVED DO NOT HESITATE TO CONTACT THE CITY FOR ASSISTANCE.

# CITY OF FARMER CITY - PLANNING & ZONING

105 S. Main Street  
Farmer City, Illinois 61842

**THIS SPACE RESERVED FOR CITY USE**

Date Filed _____	Variation Case # _____
Fee Amount _____	Date Paid _____
Comments _____	Check # _____

## APPLICATION FOR (VARIATION) (PART 1)

NOTICE TO THE APPLICANT: Supply answers to all of the questions which apply.

A VARIATION is hereby requested in conformity with the powers vested in the Planning Commission/Zoning Board of Appeals to permit or grant the following (please explain the nature of the variance you are requesting): \_\_\_\_\_

The VARIATION is requested to be granted for construction which is proposed on the following described property (you may attach the legal description as a separate sheet): \_\_\_\_\_

The address of this property is \_\_\_\_\_

The present use of this property is: \_\_\_\_\_

What is the property currently zoned? \_\_\_\_\_

Were any permit applications made which are relative to this request? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, were there any appeals made with regard to that application? Yes \_\_\_\_\_ No \_\_\_\_\_

Applicant Name(s) \_\_\_\_\_

Address(es) \_\_\_\_\_

Daytime Phone \_\_\_\_\_

Owner Name(s) \_\_\_\_\_

Owner Address(es) \_\_\_\_\_

Daytime Phone \_\_\_\_\_

The Applicant's Interest in the Property \_\_\_\_\_

## REASONS FOR YOUR REQUEST FOR VARIATION

The following questions are based on criteria established by City Code and Illinois courts. The intent of these questions is not only to determine the conditions which may apply to your property and whether these conditions may warrant the granting of a variance, but also to assist you in adequately presenting the facts and other information to the members of the Planning Commission/Zoning Board and other interested persons prior to the required public hearing. The answers which you supply to these questions are used as one source of information to acquaint the Planning Commission/Zoning Board and others to the conditions which you intend to address at the hearing. Not all of the following questions will apply to all conditions. You need only complete those questions which are applicable to your request. The questions must be answered completely. If additional space is needed you may use the reverse side or attached extra pages to this application.

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1. What characteristics of your property prevent its being used for any of the uses permitted in your zoning district?

Too small _____	Visibility _____	Soils _____
Too shallow _____	Slope _____	Subsurface _____
Too narrow _____	Shape _____	Other _____

2. Describe in detail those items checked above. Provide distances, dimensions, etc. where appropriate. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. How do the above site conditions prevent you from reasonably using your property for purposes contained in the Zoning Code? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. To the best of your knowledge, can you affirm and under oath state that the hardship described above was not created by an action of anyone having property interests in this property after the adoption of the Zoning Code, or any amendment to the Code?  
YES \_\_\_\_\_ NO \_\_\_\_\_

If you answered "NO," explain why the hardship should not be regarded as self-imposed? (NOTE! Self-imposed hardships are not entitled to variations.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Are the conditions on your property the result of other man-made changes, such as the relocation of a road or highway? YES \_\_\_\_\_ NO \_\_\_\_\_

6. Which of the following modifications will allow you a reasonable use of your land?

A Change in:

Setback requirements \_\_\_\_\_ Change in off-street parking spaces \_\_\_\_\_  
Side yard restrictions \_\_\_\_\_ Lot coverage requirements \_\_\_\_\_  
Area requirements \_\_\_\_\_ Other (specify) \_\_\_\_\_

7. Explain the variance which is being requested, giving distances, dimensions, etc., where appropriate. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Are the conditions surrounding your request for variation true only of your property or are they present on other properties located in the same zoning district?

YES \_\_\_\_\_ NO \_\_\_\_\_ If these conditions are present on other properties please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. If this variance is granted to the extent that you have requested, will it be in harmony with the neighborhood and not adversely affect other nearby properties?

YES \_\_\_\_\_ NO \_\_\_\_\_ Please elaborate: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Are you requesting this variance so as to increase the value or income potential of the property? YES \_\_\_\_\_ NO \_\_\_\_\_

11. If this variance were to be granted would it cause detriment to the public or impede the enjoyment of other properties in the vicinity the subject property? YES\_\_ NO \_\_

12. If this variance is granted as requested will the supply of light or air to adjacent property be restricted? YES \_\_\_\_\_ NO \_\_\_\_\_

13. Will the granting of this variance increase the amount of traffic in the area?  
YES\_\_ NO \_\_

14. Will the granting of this variance create any hazards to the motoring public or to pedestrians in the area? YES \_\_\_\_\_ NO \_\_\_\_\_

15. If this variance is granted will the danger of fire be increased? YES \_\_\_\_\_ NO \_\_\_\_\_

16. Will the granting of this variance diminish or impair the value of other properties near to or in the general area of the subject property? YES \_\_\_\_\_ NO \_\_\_\_\_

## **NOTICE TO APPLICANTS**

A variance is a zoning adjustment which allows minor changes of certain district regulations where it is shown that both harsh and unique circumstances exist on an individual property if a strict application of the law were imposed. The Planning Commission/Zoning Board's power to grant variances is restricted and the degree of variation is limited to the minimum change necessary to overcome the burdens which are found in the property. Please be aware that so called "use variances" are specifically prohibited.

The term "variance" or "variation" means the minor modification of a particular zoning district's regulations as they relate to a particular property. The term does not include the substitution of uses assigned to other districts.

1. A variance recognizes that the same district regulations do not affect all properties equally. The variance procedure was established to allow minor changes from such requirements as minimum setbacks, number of parking spaces, height of buildings, etc. The procedure is intended to allow properties which are at a disadvantage through some demonstrative hardship to enjoy equal opportunities with properties similarly zoned. A variance may not be granted for convenience. You must prove that your property is affected by special circumstances or unusual conditions. These must result in uncommon hardships and unequal treatment under the strict application of the Zoning Code. Where hardship conditions extend to other properties, a variance may not be granted. The remedy for general hardship or practical difficulties is the filing of an application for a change of zoning district or an amendment to the text of the Code.
2. You must prove that the combination of the Zoning Code and the uncommon conditions present on your property prevent you from making or enjoying any reasonable use of your property as permitted in the present zoning district. Since zoning regulates land use and not people, the following conditions cannot be considered pertinent to any application for a variance: a. That the variance would increase the financial gain or return from the land; b. Personal hardship, desire, or convenience; c. Situations or conditions which have been or are self-imposed. In the case of (c.) the recognition of conditions created after the enactment of the Code or subsequent amendment thereto, would encourage people to violate the provisions of the law and would condone such violations.
3. Variances will not be granted which would adversely affect surrounding or nearby properties. All variances must be in harmony with the intent and purposes of the Zoning Code.

I/We hereby certify that to the best of our knowledge and belief all statements and information submitted in this APPLICATION FOR VARIATION and any attachments, papers or plans submitted herewith are true, correct and complete. By our signatures below I/We consent to the entry in or upon the premises described in this Application by the City Manager or any authorized official of the City of Farmer City, IL, for those purposes relating to that applied for herein.

### **Applicants**

### **Owners**

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Signature

Date

Signature

Date

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Signature

Date

Signature

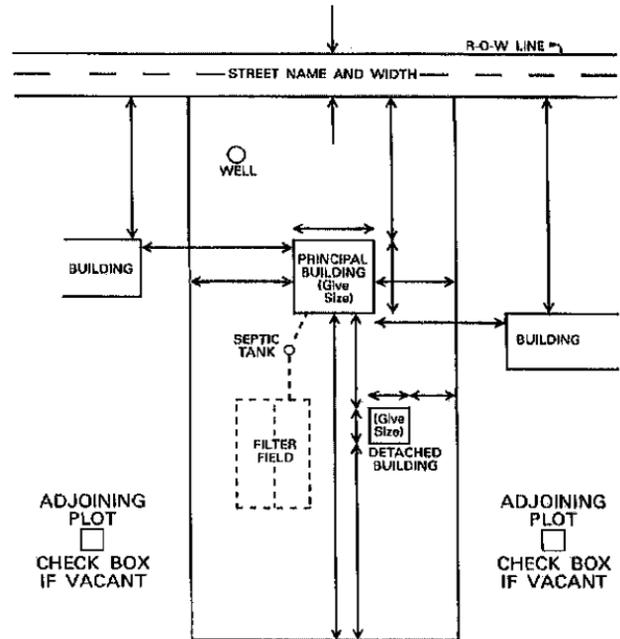
Date



# PLOT PLAN

## IMPORTANT DATA REQUIRED

1. Show all dimensions, lot size, and lot shape
2. Show all utilities, easements, buildings, and water courses
3. Locate all buildings/structures on lot with dimensions of each to the property lines and road right-of-ways
4. Show all buildings within 100 feet of your lot line on either side
5. Show proposed structures, accessways, parking areas, loading and unloading areas, sign location
6. State if your facility is existing or proposed
7. Show profile of ground surface, whether flat, or direction of slope(s)
8. Arrow indicating NORTH direction



EXAMPLE

## SKETCH YOUR PLOT PLAN BELOW BY SUPPLYING COMPLETE INFORMATION

(NOTE SEE EXAMPLE ABOVE)

**No deviation from Plot Plan below unless approved by City Manager**

FOR SIGNS: In addition to items 1-8, applicable above, record hereon, exactly, the wording as it is will appear on the sign face. Supply dimensions of sign, and whether it will be single or double faced. NO FLASHING LIGHTS ARE PERMITTED.