



VARIANCE APPLICATION

**98 East Third Street
Manteno, IL 60950
815-929-4800**

APPLICATION INSTRUCTIONS FOR A VARIANCE

Please read and follow all instructions carefully!

1. **APPLICATION FORM:** The attached application must be completed in its entirety, providing all information requested. Incomplete applications will not be processed until all information has been provided. If the applicant is other than the owner of the property, the owner must sign the petition.
2. **SITE PLAN:** The applicant shall provide a site plan, drawn to scale, which shows the location and dimension of all property lines, existing structures, setbacks, easements and any proposed buildings or structures.
3. **APPLICATION FEE:** The application fee of \$400.00 shall be paid at the time the application is submitted. Please make check payable to the "Village of Manteno". The fee is non-refundable.
4. **APPLICATION SUBMITTAL SCHEDULE:** The application must be submitted to the Village Hall at least **twenty (20) days prior** to the Planning Commission meeting. Planning Commission meetings are held on the second Tuesday each month, unless there are no agenda items.
5. **LEGAL NOTICE:** The Village will place the appropriate legal notice of the public hearing in a newspaper of general circulation in the Village, not more than 30 days nor less than 15 days prior to the public hearing, in accordance with state law.
6. **PROPERTY OWNER NOTIFICATION:** It is the responsibility of the applicant to send notice to all property owners within One Hundred Fifty (150') Feet of the subject site. Said notice shall be sent by certified mail, return receipt requested, not less than five (5) days prior to the hearing. The applicant shall furnish the green return receipt cards to the village clerk's office at least **24 hours prior to the public hearing**, for verification.
[Failure to supply the green cards will result in a continuance of the hearing.]
7. **PROPERTY OWNER NOTICE CONTENT:** The required notice shall state the name and address of the applicant, the name and address of the owner of the subject property; a brief statement of the nature of the variance requested and the date, time and location of the public hearing. A copy of the published notice furnished by the Village Clerk shall suffice as the notice to send to the required property owners.
[Please request a copy if you intend to use the Clerk's published notice.]

PUBLIC HEARING PROCEDURE

Public Hearings are held at the Hassett Center located at 211 N. Main Street

1. The applicant may appear on their own behalf or be represented by counsel or agent.
2. All witnesses shall testify under oath.
3. The applicant or his representative may make a statement outlining the nature of his request prior to introducing evidence.
4. Evidence shall be presented in the following order:
 - a. Applicant presents evidence
 - b. Board cross examines applicant, witnesses, or evidence
 - c. Attendees may ask questions of applicant, witnesses, or evidence
 - d. Objectors present evidence
 - e. Board cross examines objector, witnesses, or evidence.
 - f. Attendees may ask questions of objector, witnesses, or evidence
 - g. Rebuttal by applicant
 - h. Rebuttal by objectors
 - i. Closing of public comment portion of hearing
 - j. Compilation of findings of fact by Board
 - k. Recommendation by Board
5. The Board shall not be bound by the strict rules of evidence, but it may exclude irrelevant, immaterial, incompetent or unduly repetitious testimony or other evidence.
6. An applicant or objector, or his agent or attorney, may submit a list of persons favoring or opposing the application. Such list will be accepted as an exhibit if it contains nothing more than a brief statement of the position of the persons favoring or opposing the appeal, together with the signature of the persons subscribing to such statement.
7. The Chairman shall rule on all questions relating to the admissibility of evidence, which may be overruled by a majority of the Board.
8. It shall take a concurring vote of four (4) members of the Planning Commission to recommend approval of any petition. All recommendations shall be made at a public meeting by motion made, seconded, and the Chairman polling the membership by a roll call vote. Said recommendation shall be in writing and submitted to the Village Board within sixty (60) days after the final public hearing.
9. The Village Board, upon recommendation of the Planning Commission, may grant or deny any proposed variance in accordance with applicable Illinois statutes, or may refer it back to the Planning Commission for further consideration.
10. Right of appeal, if denied, shall be in accordance with state law.

Please detach and keep these pages for your reference.

PLANNING COMMISSION
VILLAGE OF MANTENO, ILLINOIS
PETITION FOR VARIANCE

<u>Village Use Only</u>
Application Rec'd: _____
Fee Paid: _____
ZBA Hrg. Date: _____
ZBA Action: _____
Vill. Bd. Date: _____
Vill. Bd. Action: _____

Case No. _____

Pursuant to the Village Code of Manteno, as amended, the undersigned hereby files this Petition, with the applicable filing fee, to the Planning Department requesting a variance in accordance with the provisions of the Zoning Ordinance of the Village of Manteno, Kankakee County, Illinois.

Applicant: _____

Business Name: _____

Address _____

Phone _____

FAX _____

Email _____

Owner, *[if not applicant]*: _____

Address _____

Phone _____

FAX _____

Email _____

Address of Subject Site: _____

Attorney, *[if applicable]*: _____

Address _____

Phone _____

FAX _____

Email _____

1. This is a request for a variance in a _____ zoning district,
from Section _____, of the Village of Manteno
Zoning Ordinance to allow: _____

2. Parcel ID Number: _____

3. Lot Size: _____ Sq. Ft. or _____ Acres

4. Legal Description as shown on the deed: *[Or submit a copy of the deed]*

5. Present use of property: _____

6. The property interest of the applicant, if not the owner is:

7. Current zoning of the subject property: _____

8. Description of any improvements currently existing on the property:

9. State the reason for the variance: _____

10. The following are all of the individuals, firms or corporations owning property within 250 feet of the subject property, as appears from the tax records of the Kankakee County Assessor's Office.

Owner's Name	Owner's Address	Property Address	Parcel ID Number

11. Address each of the following standards, indicating how they relate to your request.

(a) Explain how the subject property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located:

(b) Explain how the conditions and circumstances of your request are unique to the subject site, structure, or building and are not applicable to other lands, structures, or buildings in the same zoning district:

(c) Explain how the granting of the variance will not be injurious to the public welfare and will not negatively impact adjacent properties:

(d) Explain, *if applicable*, how the request is based on a hardship due to the physical character of the property, including dimensions, topography, soil conditions, or by other extraordinary situation or condition:

(e) Explain how the request is not a self-inflicted or personal hardship:

I hereby verify, under oath, that I am personally familiar with all of the facts stated herein and that such are true and correct:

Applicant

Date

Owner, *[if different from applicant]*

Date

I, _____, a Notary Public in and for the State of Illinois, hereby state that on the _____ day of _____, 20____. the above captioned applicant appeared before me and, under oath, stated that all matters contained in this zoning petition are true.

Notary Public

My Commission Expires: _____

If owner is a corporation or trust, attach the name of all officers, trust name, trust number, trust date, and a list of all trustees.