

# **Application Packet for Zoning Board of Appeals**



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## APPLICATION REQUIREMENTS FOR A VARIATION

- A completed and signed copy of the application form, attached hereto as Exhibit A. **(5 hard copies and 1 electronic copy in PDF format)**
- A nonrefundable application fee in the amount of two hundred and fifty (250) dollars for a Single-Family Residential variation or five hundred (500) dollars for a Multi-Family, Commercial, or Industrial variation.
- A deposit in the amount of four hundred (400) dollars to cover third party costs such as preparation of meeting minutes, preparation of public hearing transcripts, legal notice publication, and final document recordation. Upon notification by the City, the deposit shall be replenished if the fees incurred exceed the initial deposit amount. Any remaining balance on a deposit will be refunded in a timely manner once all fees have been paid.
- A current Plat of Survey stamped by a licensed surveyor showing existing conditions, buildings, and proposed changes for the property. The Plat of Survey may be no more than one (1) year old. **(5 hard copies and 1 electronic copy in PDF format)**
- A letter of intent describing the variation(s) being requested and why. **(5 hard copies and 1 electronic copy in PDF format)**
- Provide written evidence showing compliance with the Standards for Variations, attached hereto as Exhibit B. **(5 hard copies and 1 electronic copy in PDF format)**
- A list of property owners' names and addresses with respective parcel numbers within 500 feet of the subject site. This information can be obtained from the Kane County Supervisor of Assessments. See Exhibit C.
- Two sets of unsealed, unstuffed, stamped self-adhesive envelopes addressed to each of the property owners within five hundred (500) feet of the subject property. The envelopes shall list the city of Geneva as the return address, not the applicant. See Exhibit C
  - Return Address: City of Geneva – Building Division  
109 James Street  
Geneva, IL 60134
- Affidavit of Accuracy, attached hereto as Exhibit D.

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**All required items shall be submitted together. Staff review shall not begin until staff has determined that all required items have been submitted and are complete. All documents shall be folded to fit into a legal size folder. All electronic copies shall be sent to [PDF@geneva.il.us](mailto:PDF@geneva.il.us). It is strongly suggested that the applicant schedule an appointment with the Building Commissioner prior to and at the time of submittal so that the submittal documents can be reviewed for accuracy and completeness.**

\*\*\*\*\*

Questions may be directed to the Building Division at (630) 262-0280.

Building and Zoning  
109 James Street  
Geneva, Illinois 60134



Phone: (630) 262-0280  
Fax: (630) 262-0286

## ***EXHIBIT A***

### **APPLICATION FOR A VARIATION**

#### **Applicant Information**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

#### **Property Owner Information (if different from the applicant)**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

#### **Property Information**

Address \_\_\_\_\_

Current Zoning \_\_\_\_\_ Current Use \_\_\_\_\_

Legal Description (please attach a separate sheet if necessary)

Dimensions of Property \_\_\_\_\_

Type of Variation Requested (City Code, Section 11-14-5)

- |                                  |                                   |
|----------------------------------|-----------------------------------|
| _____ Setback                    | _____ Maximum Fence Height        |
| _____ Lot Area or Lot Width      | _____ Traffic/ Access Regulations |
| _____ Maximum Gross Floor Area   | _____ Lot Coverage                |
| _____ Reduce Off-Street Parking  | _____ Yard Use                    |
| _____ Maximum Height Requirement |                                   |

Description of Variation (Please attached please attach a separate sheet if necessary)

The Zoning Board of Appeals meets at 7 p.m. on the second and fourth Wednesday of each month as needed. Your request will be heard by the Board 15-30 days after the publication of the Legal Notice.

Approval by the Zoning Board of Appeals pertains only to the requirements of the Zoning Ordinance with respect to your property. All other ordinance and requirements of the City, including subdivision regulations, building codes and, in certain locations, Historic Preservation Commission review, must be complied with as well, before building permits are issued and occupancy is permitted

**Application Certification**

I certify that I have received a copy of the submittal requirements, review procedures and meeting dates as they relate to this request. I have reviewed the Geneva City Code requirements which relate to this petition and I certify that this application submittal is in conformance with such ordinance(s). I further certify that all the information provided above and the information contained in any documents submitted herewith is true and accurate.

I consent to the entry in or upon the property described in this application by any authorized official of the City of Geneva for the purposes of inspection or review of the site in order to provide information for the formal determination of this request.

In addition to the application fee and deposit, I agree to reimburse the City of Geneva for any professional services or costs, including but not limited to, attorneys, engineers, planners, architects, surveyors, or other consultant fees that are incurred by the City which are associated with the City of Geneva providing a formal determination on this request.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner, if different from the applicant

\_\_\_\_\_  
Date

**Staff Use Only**

This petition was heard before the Zoning Board of Appeals on \_\_\_\_\_.  
The Board, based on the evidence and testimony presented at this hearing find the petitioners' request, (is) (is not) justified and hereby (grants) (denies) this petition.

Vote of the Board: \_\_\_\_\_ Ayes                      \_\_\_\_\_ Nays

Chairman, Geneva Zoning Board of Appeals:

\_\_\_\_\_



## ***EXHIBIT B***

### **STANDARDS FOR VARIATIONS**

The Zoning Board of Appeals may only approve a variation if the applicant presents evidence at the public hearing establishing compliance with each of the following standards. Please provide staff with written responses presenting evidence, including photos and illustrations if desired, to all of the following standards.

#### **1. Reasonable Return**

The property in question cannot yield a reasonable return if to be permitted to be used only under the regulations of district in which it is located.

#### **2. Unique Hardship or Practical Difficulty**

The shape, topography or other conditions of the land is such that it is extremely difficult to comply with the regulations generally applicable to the property.

#### **3. Character of the Area**

The applicant must show that the variation requested will not be materially detrimental to the public welfare or materially injurious to the enjoyment, use or development of property or improvements permitted in the vicinity; will not materially impair an adequate supply of light and air to properties and improvements in the vicinity; will not substantially increase congestion in the public streets due to traffic or parking or increase the danger of flood or fire; will not unduly tax public utilities and facilities in the area; or will not endanger the public health, safety or welfare. (Ord. 95-28, 5-1-1995)

#### **4. Minimum Variation**

Any variation considered by the zoning board of appeals shall be considered the minimum variation necessary for the reasonable use of the land. (Ord. 95-79, 12-18-1995)

Building and Zoning  
109 James Street  
Geneva, Illinois 60134



Phone: (630) 262-0208  
Fax: (630) 262-0286

## ***EXHIBIT C***

### **PROPERTY OWNER NOTIFICATION**

#### **Petitioner's instructions for preparing envelopes to property owners within five hundred (500) feet of the subject property.**

1. A list must be submitted containing all property owners' names and addresses with their respective parcel numbers who reside within five hundred (500) feet of the subject property.

A list of property owners can be obtained from the Supervisor of Assessments at the Kane County Government Center located at 719 Batavia Avenue, Building C. The phone number for the Supervisor of Assessments is (630) 208-3818.

2. Provide staff unsealed, unstuffed, self-adhesive envelopes addressed to property owners and stamped with current postage. **PLEASE DO NOT RUN THROUGH A POSTAGE METER.**
3. The envelopes shall list the city of Geneva as the return address, not the applicant.

Return Address: City of Geneva – Building Division  
109 James Street  
Geneva, IL 60134

4. The City will write the legal notice regarding the proposed variance and mail it to the property owners using the supplied envelopes. The notices must be mailed at least fifteen (15) and no more than thirty (30) days prior to the public hearing.

***EXHIBIT D***

STATE OF ILLINOIS        )  
  )  
COUNTY OF \_\_\_\_\_ )       SS

**AFFIDAVIT**

The undersigned, being duly sworn on oath, deposes and says that the attached list of property owners comprises, to the best of the Affiant's knowledge, a true and complete list containing the names and addresses of the persons to whom the current real estate tax bills are sent for those premises lying within 500 feet in all directions of the property lines of the Subject Property, together with a list of said property owners with parcel numbers.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

Subscribed and sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public



**City of Geneva  
Zoning Board of Appeals  
2017 Meeting Dates**

<b>Application Deadline</b>	<b>Meeting Dates</b>
12/16/16	1/11/17
12/30/16	1/25/17
1/13/17	2/8/17
1/27/17	2/22/17
2/10/17	3/8/17
2/24/17	3/22/17
3/17/17	4/12/17
3/31/17	4/26/17
4/17/17	5/10/17
5/5/17	5/24/17
5/19/17	6/14/17
6/2/17	6/28/17
6/16/17	7/12/17
6/30/17	7/26/17
7/14/17	8/9/17
7/28/17	8/23/17
8/18/17	9/13/17
9/1/17	9/27/17
9/15/17	10/11/17
9/29/17	10/25/17
10/13/17	11/8/17
11/17/17	12/13/17