



VILLAGE OF BOURBONNAIS
 600 Main Street NW
 Bourbonnais, Illinois 60914
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 villageofbourbonnais.com

BOURBONNAIS ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

Office Use Only		
Date Filed: _____	Case No: _____	Fee Paid: _____
Publish Date: _____	Hearing Date: _____	

Purpose. The variation procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this Code that create practical difficulties or particular hardships. When such difficulties or hardships are more appropriate for remedy, if at all, pursuant to other provisions of this Article, the variation procedure is necessarily inappropriate.

Petitioner(s) _____
 Petitioner's Address: _____
 Phone: _____ Fax: _____ E-mail: _____

If owner, proof of ownership provided: yes no

Interest in the property, if not the owner: _____

If petitioner is different than owner, please list name and address of owner(s)

Name: _____
 Address: _____

NOTE: If the owner is a corporation, trust, partnership, and/or LLC, the names and addresses of all officers and directors and of all stockholder/shareholders owning in excess of 20% shall be submitted with and attached to this application.

Petitioner's Attorney: _____
 Address: _____
 Phone: _____ Fax: _____ E-mail: _____

Registered architect or civil engineer _____
 Address: _____
 Phone: _____ Fax: _____ E-mail: _____

Common Address of Subject Property: _____

Parcel Identification Number (PIN): _____ Current Zoning of Property: _____

Detailed legal description of property: _____

Provide the following information:

- ✓ The specific feature or features of the proposed use, construction or development that require a variation.
- ✓ The specific provision of our Code from which a variation is sought and the precise variation therefrom being sought.
- ✓ A statement of the characteristics of the subject property that prevent compliance with the said provisions of our Code.
- ✓ A statement of the minimum variation of the provisions of our Code that would be necessary to permit the proposed use, construction or development.
- ✓ A statement of how the variation sought would satisfy the standards set forth in Finds of Facts listed below.
- ✓ A statement concerning the conformity or lack of conformity of the approval being requested to The Village of Bourbonnais Comprehensive Land Use Plan and Official Map. Where the approval being requested does not conform to The Village of Bourbonnais Comprehensive Land Use Plan or the Official Map, reasons justifying the approval despite such lack of conformity will be stated.
- ✓ A survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.
- ✓ A site plan that generally illustrates the layout of the proposed project.

Please list the name and addresses of all adjacent properties that includes all properties that adjoin the subject property and all properties located directly across a public or private street from the subject property, as appearing from the tax records of the Kankakee County Assessor's Office. Also list the current use or zoning of each property (Add additional sheets if necessary):

Name: _____

Address: _____

Current Use/Zoning: _____

PIN: _____

Name: _____

Address: _____

Current Use/Zoning: _____

PIN: _____

Name: _____

Address: _____

Current Use/Zoning: _____

PIN: _____

Name: _____

Address: _____

Current Use/Zoning: _____

PIN: _____

Findings of Fact

The Zoning Board of appeals is required to make findings of fact when considering a variance. The ZBA shall make findings based upon the evidence presented to it in each specific case, upon, among others, the following matters:

- a) Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

- b) Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or her predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.

- c) Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

- d) Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship will not be a prerequisite to the grant of an authorized variation.

- e) Code and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of The Village of Bourbonnais Comprehensive Land Use Plan.

f) Essential Character of the Area. The variation would not result in a use or development on the subject property that:

i) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity

ii) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity

iii) Would substantially increase congestion in the public streets due to traffic or parking

iv) Would unduly increase the danger of flood or fire

v) Would unduly tax public utilities and facilities in the area

vi) Would endanger the public health and safety

h) No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

The Undersigned Petitioner(s) having been duly sworn under oath, hereby affirm that the forgoing information is true and correct to the best of his/her knowledge.

The undersigned further acknowledges that they shall be financially responsible for any review costs as may be incurred by the Village in consideration of the application.

Petitioner's Signature: _____

Petitioner's Signature: _____

Petitioner's Signature: _____

Subscribed and sworn to before me this

_____ day of _____, _____.

Notary Public