



## Community Development Department

City Hall

222 E. 9<sup>th</sup> Street, 2<sup>nd</sup> Floor

Lockport, IL 60441

(815) 838-0549, Option 4

[www.cityoflockport.net](http://www.cityoflockport.net)

# Plan and Zoning Commission Variance Application

*Last revised 08/18/2021*

## **APPLICATION REVIEW PROCESS—A SUMMARY**

### **PRE-APPLICATION MEETING**

Every applicant is encouraged to participate in a pre-application meeting to initiate the review process for each variance case. The pre-application meeting allows the applicant to familiarize themselves with the City's development objectives and procedures, and to learn about any special circumstances that may exist or be applicable to the subject property.

Staff conducts pre-application meetings on Tuesday mornings. The request for pre-application meeting should be made to the City Planner not less than one (1) week prior to the desired date of the meeting. If the applicant has any site plan, maps, data, or other information which may be necessary to illustrate or describe the characteristics of the proposed development, the developer shall deliver such information to the City Planner (typically a minimum of eight (8) hard copies or electronically via email) no later than Wednesday afternoon before the scheduled meeting date. If this information is not received, the meeting may be cancelled.

### **STAFF REVIEW**

City staff will review each Variance application, and any accompanying drawings, supporting documentation and statements, in order to determine the extent to which such application is consistent with all City requirements, and the standards for a Planned Development and Special Use.

The City Staff shall distribute such drawings, and supporting documentation to such City departments, consultants, or other persons as may be necessary.

After City Staff has reviewed the submittal, the Zoning Administrator shall schedule the project on the next available Plan and Zoning Commission agenda and shall submit a staff report to Plan and Zoning Commission and to the applicant. The staff report will analyze the plans compliance with the requirements of this Chapter; raise any concerns that arise throughout the review process, and advise if any City plans, policies or projects that may affect the proposed subdivision or development.

### **PLAN & ZONING COMMISSION REVIEW**

Upon completion of the Staff review of the application, the City Planner shall prepare a staff report and recommendation based upon his/her evaluation of the proposal and the input from other departments and agencies. The City Planner shall circulate copies of the variance application and any drawings, statements, and a report of compliance or non-compliance to the Plan & Zoning Commission. At the applicable regularly scheduled meeting, prior to the Plan & Zoning Commission meeting, Staff will advise the applicant of the required number of additional plans and documents. These plans and documents are distributed to City Staff and the Plan & Zoning Commission members. Electronic copies of the same will be distributed to City Council members.

The Plan and Zoning Commission shall review the variance request at a public meeting and provide feedback to City Staff and the applicant as to items noted in the staff report, other potential benefits or concerns noted about the variance, and any additional information it considers useful. The Plan & Zoning Commission is responsible for interpreting the City's development goals and objectives and making recommendations concerning land use and land development in the City to the City Council. The Commission can make recommendations to vary the requirements of the Development Code and, in some instances, the Zoning Ordinance.

The Plan & Zoning Commission relies upon the evaluations/recommendations of the City Staff and Consultants and the input of the public in determining the course of action on each variance request. The Plan & Zoning Commission may accept, reject, or modify any Staff recommendation. It is the responsibility of the applicant to present the facts pertinent to his/her case. It is the applicant's responsibility to demonstrate that the criteria for approving or granting the requested variance application have been satisfied.

**An applicant or their representative must be present at the scheduled meeting or their case will be postponed.** Meeting Location: City Hall, 222 E. 9<sup>th</sup> Street, 3<sup>rd</sup> Floor Boardroom, Lockport, Illinois 60441

**Variance Application**  
**(Check whichever applies)**

(    ) Residential    (    ) Commercial    (    ) Office    (    ) Industrial

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**PLEASE CHECK ONE OF THE FOLLOWING:**

- (    ) Applicant is owner of the subject property and is the signer of this application.
- (    ) Applicant is the contract purchaser of the subject property and has attached a copy of said contract.
- (    ) Applicant is acting on behalf of the beneficiary of a trust.
- (    ) Applicant is acting on behalf of the owner (notarized letter of consent from owner required)

***In the event that the subject property is held in a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries and providing the name, address and percentage of interest of each beneficiary is attached to this executed application.***

**SUBJECT PROPERTY INFORMATION:**

LOCATION: \_\_\_\_\_

NUMBER OF ACRES: \_\_\_\_\_ TAX PARCEL \_\_\_\_\_

PRESENT ZONING: \_\_\_\_\_ CURRENT USE: \_\_\_\_\_

**OTHER INTERESTED PARTIES**

**CONTACT PERSON:** Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**LAND OWNER:** Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**LAND PLANNER:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**SURVEYOR:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**ENGINEER:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**ATTORNEY:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**OTHER:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## VARIANCE REQUEST SUBMITTAL CHECKLIST

Incomplete application submittals will not be accepted or reviewed by City staff until all items are submitted and all application fees are paid. Submittals will be reviewed for compliance with the requirements of the submittal process as well as the requirements of the City's Zoning Ordinance and Development Code. Failure to meet the requirements may result in an incomplete application and subsequent delay of the request.

Applicants or their representative must be present at the scheduled meetings or their case will be postponed.

- One (1) original completed Variance Application Form and Petition for Variance to the Plan & Zoning Commission (below).
- One (1) original signed Variance Request Submittal Checklist.
- Payment of all application fees (application fees are non-refundable).  
**Application Fee: \$600, plus \$50 for each additional variance requested.**

**\*Note - If a review by the City's development engineering consultant is necessary to ensure compliance with approved grading for the lot and/or to verify that there are no conflicts with existing public utilities and/or drainage easements then depending on the magnitude of any review, additional review fees may apply.**

- One (1) original completed Homeowners Association Compliance Form **(If no homeowners association, please indicate N/A on application page)**
- One (1) copy of a scaled ~~the~~ Plat of Survey including PIN/s and Legal description of the property
- Eight (8) copies of a scaled Plat of Survey or Site Plan showing the location and dimensions of proposed building, building addition and/or structure, include all setback dimensions to property lines and/or other buildings or structures.
- Eight (8) copies of an architectural elevation plan for all four (4) sides of proposed building or structure, including height and size dimensions, construction materials, etc.
- One (1) CD or USB drive with all documents and plans submitted.

I certify that all required documentation, fees and supporting information being submitted on behalf of this application request is complete and accurate. I further acknowledge that any missing documentation, fees and/or supporting information can result in a delay of the processing and review of this application request.

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Signature of Applicant

Date

**Homeowners Association Compliance Form, if applicable**

Name of Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Lot #: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Phone #: \_\_\_\_\_

Describe work to be done: (Include sketches, plat of survey and other plans)

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Work to be done has been approved by the applicable Homeowners Association: Yes ( ) No ( )

Work to be done is in compliance with Homeowners Association Covenants: Yes ( ) No ( )

If no please explain approval:

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Signature of Applicant/ Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Homeowners  
Association Representative:

\_\_\_\_\_

Date: \_\_\_\_\_

Print Name and Title:

\_\_\_\_\_

County of Will )  
City of Lockport ) SS.

State of Illinois )  
No. \_\_\_\_\_

**PETITION FOR VARIATION OF ZONING  
TO THE CITY OF LOCKPORT PLAN & ZONING COMMISSION**

I hereby petition the City of Lockport Plan & Zoning Commission for a hearing to modify the application of the Zoning Ordinance for the following described property; common address and legal description:

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Zoning Code Section: \_\_\_\_\_

Variance Proposal: \_\_\_\_\_

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**REASONS FOR VARIANCE:**

1. Strict enforcement of the present zoning ordinance would involve practical difficulties or impose exceptional hardship for the following reasons:

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2. The principal reason for requesting a variation is not that an increased income or revenue from the property would result, but is

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3. The property here involved is differently affected by strict enforcement of the present zoning than other property in the neighborhood in that

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4. The variation requested is in harmony with the general intent and purpose of the zoning ordinance in that

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5. (a) The variation requested will not materially affect or impair an adequate supply of light or air in that

\_\_\_\_\_  
\_\_\_\_\_

(b) The variation requested will not increase the hazard from the fire and other dangers in that

\_\_\_\_\_  
\_\_\_\_\_

(c) The variation requested will not diminish the value of adjoining property in that

\_\_\_\_\_  
\_\_\_\_\_

(d) The variation requested will not increase congestion or traffic hazards in the public streets in that

\_\_\_\_\_  
\_\_\_\_\_

(e) The variation requested will not impair otherwise the public health, safety, comfort, morals, and general welfare of adjoining property in that

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner **\*MUST BE NOTARIZED**

\_\_\_\_\_  
Date Signed

I, \_\_\_\_\_, being on oath first duly sworn, depose and say that I have read the above and foregoing petition by me subscribed, known the contents thereof and that the same is true and correct to the best of my knowledge and belief.

SUBSCRIBED and Sworn to \_\_\_\_\_

Before me; a Notary Public;

This \_\_\_\_\_ day of \_\_\_\_\_

A.D. 20\_\_\_\_\_

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