

17-12. GUIDELINES TO APPLICANTS FOR A PETITION FOR A VARIANCE FROM DISTRICT REGULATIONS.

GUIDELINES TO APPLICANTS FOR  
A PETITION FOR A  
VARIANCE FROM DISTRICT REGULATIONS

In order to initiate the process to obtain a variance from district regulations, you must first complete a petition, the form for which can be obtained at the Athens City Hall.

Upon completion and submission of the petition, the following procedures must be followed:

- A. The Zoning Board will fix a date and time for a hearing and notify you of such date and time. (These hearings usually occur immediately prior to a regular Athens City Council meeting at the Athens City Hall.)
- B. The Zoning Board will publish a notice of the hearing in the newspaper not more than 30 and not less than 15 days prior to the hearing.
- C. The City will post the applicable premises with a notification of the zoning matter seven (7) days prior to the hearing.
- D. The Applicant/Petitioner has the responsibility to give written notice of the petition and hearing to the adjoining property owners within 150 feet by certified mail at least ten (10) days prior to the hearing. The Applicant should bring proof of such certified mailing to the hearing.

At the hearing, the Applicant/Petitioner must show by sworn testimony and competent evidence the following:

- A. the proposed change will not constitute a change, including a variation in use, in the district map, and;
- B. will not impair an adequate supply of light and air to adjacent property, and;
- C. will not increase congestion in public streets, or increase the danger of fire, and;
- D. will not materially diminish or impair established property values within the surrounding area, and;
- E. will not in any other respect impair the public health, safety, comfort, morals and welfare of the City.

Upon the close of the hearing, the Zoning Board shall make a written recommendation within 30 days of the hearing to grant or deny the Petition based upon the evidence presented at the hearing. Thereafter, an ordinance accepting or overruling the recommendation of the Board will be passed by the City Council.

PETITION FOR APPEAL OR VARIANCE  
BOARD OF APPEALS

City of Athens, Illinois

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

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

Telephone: \_\_\_\_\_

A. Property:

1. The property is located at \_\_\_\_\_ on the  
\_\_\_\_\_ side of street, between \_\_\_\_\_  
street and \_\_\_\_\_ street.

B. This Petition is seeking to: (check one)

\_\_\_\_\_ appeal the decision of the Zoning Administrator  
\_\_\_\_\_ obtain a variance from district regulation

C. Briefly state the reason(s) for filing this petition. Include supporting evidence why this variance should be granted.

1. Legal description of the property:

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

2. Present zoning of the property: \_\_\_\_\_

3. Zoning of adjacent property:

North: \_\_\_\_\_  
South: \_\_\_\_\_  
East : \_\_\_\_\_  
West : \_\_\_\_\_

4. Land uses on adjacent property:

North: \_\_\_\_\_  
South: \_\_\_\_\_  
East : \_\_\_\_\_  
West : \_\_\_\_\_

This petition for appeal/variance is requested upon the express condition that the rules and regulations established by the City of Athens Zoning Ordinance shall be faithfully complied with.

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

\_\_\_\_\_  
Date