

**CITY OF MASCOUTAH, ILLINOIS  
OFFICE OF THE ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIATION**

Instructions to Applicant: All information requested must be completed on this application. Applicants are encouraged to visit this office and every assistance will be given in filling out this form.

\_\_\_\_\_

A variation is requested in conformity with the powers vested in the Board on the property herein described.

**1. DATA ON APPLICANT AND OWNER**

Name of Applicant(s) \_\_\_\_\_

Address of Applicant(s) \_\_\_\_\_

Property Interest of Applicant(s) \_\_\_\_\_  
(owner, tenant, etc.)

Name of Owner(s) \_\_\_\_\_

Address of Owner(s) \_\_\_\_\_

**2. DESCRIPTION, USE, AND ZONING OF PROPERTY**

Address \_\_\_\_\_

Legal Description \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Lot Size \_\_\_\_\_ feet x \_\_\_\_\_ feet = \_\_\_\_\_ square feet.

Present Use \_\_\_\_\_  
(vacant, residence, grocery, etc.)

Property Located in \_\_\_\_\_ Zoning District.

**3. VARIATION REQUESTED**

State what variation is requested, that is, a variation in the purpose for which the premises may be used, such as multi-family, grocery, filling station, etc., and/or a variation of building height, set-back requirements, lot coverage, etc., giving distances when appropriate.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**4. REASONS FOR REQUEST FOR VARIATION**

Note: The following questions must be answered completely. If additional space is needed, attach extra pages to application. Before answering, read the NOTICE TO APPLICANTS on the attached page.

a) What characteristics of your property prevent its being used for any of the uses permitted in your zone?

Too narrow \_\_\_\_\_ Too shallow \_\_\_\_\_ Soil \_\_\_\_\_

Too small \_\_\_\_\_ Elevation \_\_\_\_\_ Subsurface \_\_\_\_\_

Shape \_\_\_\_\_ Slope \_\_\_\_\_

Other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICATION NO. \_\_\_\_\_

- b) Describe the items checked, giving dimensions where appropriate. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c) How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance?  
\_\_\_\_\_  
\_\_\_\_\_
- d) To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance, or applicable part thereof, became law? Yes \_\_\_\_\_ No \_\_\_\_\_ If "No", please why the hardship should not be regarded as self-imposed. (Self-imposed hardships are not entitled to variation.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e) Are the conditions on your property the result of other man-made changes (such as relocation of a road or high-way)? \_\_\_\_\_ If so, describe \_\_\_\_\_  
\_\_\_\_\_
- f) Which of the following types of modifications will allow you a reasonable use of your land?  
Change in set-back requirement \_\_\_\_\_ Change in off-street parking requirement \_\_\_\_\_  
Change in side yard restrictions \_\_\_\_\_ Other (describe) \_\_\_\_\_  
Change in area requirement \_\_\_\_\_  
Change in lot coverage requirement \_\_\_\_\_
- g) Are the conditions of hardship for which you request a variation true only of your property? \_\_\_\_\_ If not, how many other properties are similarly affected? \_\_\_\_\_  
\_\_\_\_\_
- h) Will the grant of a variation in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? \_\_\_\_\_ Elaborate \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. NAMES OF SURROUNDING PROPERTY OWNERS

Following are the names and addresses of surrounding property owners from the property in question for a distance of one-hundred-fifty (150) feet in all directions, and the number of feet occupied by all public roads, streets, alleys, and public ways have been excluded in computing the 150 feet requirements. Said names are as recorded in the Office of the County Recorder of Deeds and as appear from the authentic tax records of this County.

\*\*\*City staff will obtain mailing address for all property owners within 150 feet of requester.

6. ACTIONS BY APPLICANT ON PROPERTY

Certificate of Occupancy Applied for and Denied \_\_\_\_\_

Certificate Application Number \_\_\_\_\_

An Appeal was \_\_\_\_\_ was not \_\_\_\_\_ made with respect to these premises;

Appeal Application Number \_\_\_\_\_

Appeal Denied \_\_\_\_\_ Appeal Application Accompanies This Request for Variation \_\_\_\_\_

I (we) certify that all of the above statements, and the statements contained in any papers or plans submitted herewith, are true to the best of my (our) knowledge and belief.

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

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Owner

---

**DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY**

Date Filed \_\_\_\_\_ Variation Request No. \_\_\_\_\_

Date Set for Hearing \_\_\_\_\_ Date Hearing Held \_\_\_\_\_

Published Notice Made \_\_\_\_\_ Newspaper \_\_\_\_\_  
(Date) (Name of Newspaper)

Name of Municipality Where Published \_\_\_\_\_

Date Adjacent Property Owners Notified \_\_\_\_\_

Fee Paid – Receipt No. \_\_\_\_\_ Amount \_\_\_\_\_ Date \_\_\_\_\_

Comments (indicate other actions such as continuances):

\_\_\_\_\_

\_\_\_\_\_

Action By Board on Request for Variation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **NOTICE TO APPLICANTS**

A Variation is a zoning adjustment which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property.

1. A Variation recognizes that the same district requirements do not affect all properties equally, it was invented to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special circumstances of unusual conditions. These must result in uncommon hardships and equal treatment under the strict application of the Zoning Ordinance. Where hardship conditions extend to other properties a Variation cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Ordinance.

2. You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district. Since zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a variation: (a) Proof that a variation would increase the financial return from the land; (b) Personal hardship; (c) Self-imposed hardship. In the last case, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.

3. No Variation may be granted which would adversely affect surrounding property or the general neighborhood. All Variations must be in harmony with the intent and purposes of the Zoning Ordinances.