



## ZONING APPLICATION PROCESS

### 1. **Preliminary Meeting with Community Development Services Staff**

A preliminary meeting with Community Development Services staff should be scheduled to discuss the proposed project and to outline the Zoning Board of Appeals process. At this meeting the petitioner will receive preliminary feedback of the proposal based on the planning documents and policies of the City of Urbana. A concept plan consisting of scaled sketches, existing and proposed site data and preferably a site photo should be available for review by staff. Planning staff will inform the petitioner of scheduled meeting dates and required application fee.

### 2. **Final Submittal for Public Hearing**

Prior to submitting all application materials, the petitioner must submit one complete set of application materials and plans to Community Development Services to ensure that they are in compliance with submittal requirements. Once reviewed by Planning staff and deemed in compliance, the applicant must submit **one collated packet (preferably in pdf format) with plans and supporting documents no less than five weeks prior to the anticipated public hearing** (contact the Planning staff for exact submittal deadline and agenda availability). Staff will review the plans and request additional information, if necessary, prior to the public hearing.

### 3. **Zoning Board of Appeals Hearing**

When the proper submittals have been received, a Zoning Board of Appeals hearing is scheduled and noticed. Zoning Board of Appeals meetings are held the third Wednesday of each month, as needed, at 7:00 pm in the City Council Chambers.

City staff will place a notification sign on the subject property, place a public hearing notice in the local newspaper, and mail notification letters to all property owners within 250 feet of the property. The staff report will be available prior to the Zoning Board of Appeals Meeting. The Zoning Board of Appeals holds a Public Hearing at which the petitioner shall make a formal presentation to the Board and answer any questions concerning the proposal (see General Procedures for Public Hearing). For Appeals, Conditional Use Permits, and Minor Variances, the Zoning Board of Appeals will make a motion to approve, approve with conditions, or deny the request. For Major Variances, the Zoning Board of Appeals will make a motion forwarding findings and a recommendation to the City Council.

### 4. **City Council Meeting**

For major variance petitions, which require City Council action, following the recommendation by the Zoning Board of Appeals, the application is scheduled for a Committee of the Whole Meeting. Committee of the Whole meetings are held the First and Third Mondays of each month. City Council meetings are held the Second and Fourth Mondays of each month. Both begin at 7:00 pm and are held in the City Council Chambers.

An ordinance/resolution is drafted and forwarded to the Committee of the Whole for review along with copies of updated written staff memo and minutes of the Zoning Board of Appeals hearing. At the meeting, staff will present an overview of the project and Zoning Board of Appeals findings to the Committee of the Whole. The applicant will have a chance to respond to questions from the City Council. Following the first reading, the petition will be placed on the active agenda at a City Council Meeting for final consideration. The City Council makes the final decision on the proposal. If the major variance request is approved, the applicant may prepare construction drawings and submit applications for building permits.



## ZONING APPLICATION TYPES

### **APPEAL (ARTICLE XI-3.D)**

An appeal of any order, requirement, decision, or determination made by the Zoning Administrator under the Zoning Ordinance. An appeal must be submitted within 45 days of receipt of the written determination by the Zoning Administrator in order to be considered. A copy of the determination must be provided.

### **CONDITIONAL USE PERMIT (ARTICLE VII-1)**

A conditional use is one which is deemed potentially appropriate in and compatible with uses permitted by right in its zoning district, but which requires individual consideration and regulation. A conditional use is subject to all the development regulations applicable to permitted uses in the district in which it is located, unless more restrictive regulations are specifically approved.

### **VARIANCE**

A variance is a special permission, granted through a quasi-judicial process, granting relief from one or more zoning requirements.

A **minor** variance is recognized as having potential impact on the immediate neighborhood and adjoining properties; whereas, a major variance is recognized as having potential impact on the larger area and may affect enforcement of the zoning ordinance elsewhere in the City.

The Zoning Board of Appeals has the authority to grant minor variances for the following purposes only and no other:

1. To permit a variance of the depth of a required front or rear yard or the width of a required side yard except that the variance shall not operate to reduce the required yards by greater than 25% of the requirements.
2. To permit the creation of a new lot with less lot area than required except that the variance shall not reduce the required lot area by greater than 10%.
3. To permit the creation of a new lot with less lot width than required except that the variance shall not reduce the required lot width by greater than 15%.
4. To permit a 5% increase in the required floor area ratio and a 5% decrease in the required open space ratio.
5. To permit up to a 25% decrease in the number of parking spaces required.
6. To permit the Zoning Administrator to approve a building permit or Certificate of Occupancy allowing the substitution of one nonconforming use for another in accordance with Section X-3.
7. To permit accessory off-street parking in a location other than the zoning lot of the principal use or within 600 feet, as provided in Section VIII-4.L and Section V-3.G.
8. To permit the postponement of the termination of a nonconforming use of land, as required by Section X-6, for a period not to exceed five years.
9. To allow a sign to exceed the maximum height or area, as provided in Section IX by no more than 15% of the specified requirement, in keeping with the legislative intent specified in Section IX-1.
10. To grant a variance from the provisions of Section X-9.B, so as to permit change, alteration, re-establishment, or more than routine maintenance of a nonconforming outdoor advertising sign structure where such change, alteration, re-establishment, or maintenance shall not increase the size of the outdoor advertising sign structure, make it radiate or reflect more light, or otherwise make it visually more objectionable.

Those variance requests not qualifying as minor variances are classified as **major** variances.



## APPLICATION FOR ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. For the current fee, please refer to the most recent version of the City's "Schedule of Fees - Excluding Liquor License Fees", which can be found at <http://www.urbanaininois.us/fees>.

The Applicant is also responsible for paying the cost of legal publication fees. The News-Gazette will bill the applicant directly. Legal ad publication fees vary from \$75.00 and up.

**NOTE: Fields marked with an \* must be completed.**

### PROPERTY INFORMATION

Address/Location of Subject Site\*

Parcel/PIN # of Subject Site

Lot Size

Current Zoning Designation

Current Land Use (*vacant, residence, grocery, factory, etc*)\*

Proposed Land Use\*

Legal Description

**NOTE: If additional space is needed, please attach full description.**

### APPLICANT INFORMATION

Name of Applicant\*

Applicant Business Name

Applicant Mailing Address

Street # \*

Street Name\*

Apartment #, Suite #, Etc.

City\*

State\*

Zip\*

Applicant Email Address\*

Applicant Phone\*

Multiple Applicants\*    No

Yes

**NOTE: Please attach documentation of additional applicants names and contact information.**

Property Interest of Applicant(s)\*

**OWNER INFORMATION\***

This property has one owner.

This property has multiple owners

**NOTE: Please attach documentation of additional owners names and contact information.**

Owner Name\*

Owner Business Name

Owner Mailing Address

Owner Street #\*                      Street Name\*

Owner Apartment #, Suite #, Etc.

Owner City\*    State\*    Zip\*

Owner Email Address\*

Owner Phone\*

**CONSULTANT INFORMATION**

If you are working with an architect, engineer, surveyor, site planner, or attorney, please fill in their information below.

Architect Name

Architect Company

Architect Mailing Address

Architect Email Address    Phone

Engineer Name

Engineer Company

Engineer Mailing Address

Engineer Email Address    Phone

Surveyor Name

Surveyor Company

Surveyor Mailing Address

Surveyor Email Address    Phone

Attorney Name

Attorney Company

Attorney Mailing Address

Attorney Email Address    Phone

## **REQUEST INFORMATION**

Permit Type\*:

Purpose for Request\*

Describe the proposed use and its activities. In other words, what do you plan to do? Are there existing buildings you will use, change, or demolish? Will you build new buildings? What activities will take place on site, and where? If you're planning a business, what will your hours of operation be?\*

**For Appeals, please proceed to page 6.**

**For Conditional Use Permits, please proceed to page 7. For**

**Variances, please proceed to page 8.**

**REASONS FOR APPEAL**

*(Continued from page 5)*

The specific decision appealed from is?

The decision appealed from was inconsistent with the following sections of the Zoning Ordinance of the City of Urbana, Illinois. ***(Identify each section by number and quote the relevant language of each.)***

I believe the decision appealed from was inconsistent with the above described section(s) for the following specific reason(s): ***(Briefly state the specific facts and arguments in support of your position.)***

## REASONS FOR CONDITIONAL USE PERMIT

*(Continued from page 5)*

Below are the criteria that the Zoning Board of Appeals will base their decision on. Your answers should be as detailed as possible.

**Explain how the proposed use is conducive to the public convenience at the location of the property.**

In other words, why is this a good location for what you are proposing, for the overall good of the community and for people coming to the property? Is it easy to get to? Does it fill a need that is missing in the neighborhood? Are there other similar or complementary uses nearby?

**Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.** In other words, how will the building and site design, and the operation of the proposed use be done so they do not cause a nuisance to the neighborhood and the community in general? Will it operate at hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?

**Explain how the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located.** In other words, how well will the proposed use fit into the neighborhood? Will buildings be similar in size and scale to others in the area? Does the site layout (e.g. location of buildings and parking areas) fit in with surrounding properties?

**REASONS FOR VARIANCE**

*(Continued from page 5)*

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

Explain why the variance will not alter the essential character of the neighborhood.

Explain why the variance will not cause a nuisance to adjacent property.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.



NOTE: Contact the Planning Division if you need assistance: [planning@urbanaininois.us](mailto:planning@urbanaininois.us) or 217.384.2440.

## **ATTACHMENTS**

Please include any attachments relevant to your request: supporting documents, site plans, photos, etc.

## **CERTIFICATION BY THE APPLICANT\***

I certify all the information provided in this application and any attachment(s) are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

I acknowledge that by submitting this application, I am granting permission for City staff to post a temporary yard sign announcing the public hearing to be held for my request on the property. I further acknowledge that my electronic or digital signature on this application has the full legal effect as that of my written signature.

Applicant's Signature\*

Date\*

## **PLEASE RETURN THE APPLICATION ONCE COMPLETED TO:**

By emailing an pdf copy to [Planning@urbanaininois.us](mailto:Planning@urbanaininois.us)

Or

By mailing a paper copy to:

**City of Urbana**  
**Community Development Department Services**  
**Planning Division**  
**400 South Vine Street**  
**Urbana, IL 61801**