



CITY OF QUINCY

DEPARTMENT OF PLANNING & DEVELOPMENT

706 Maine Street | Third Floor | Quincy, IL 62301

Office: 217-228-4515 | Fax: 217-221-2288

PETITION FOR VARIANCE: MAJOR CHANGE

Procedures & Process

The Quincy Zoning Board of Appeals (ZBA) is an eight-member board appointed by the Mayor with the advice and consent of the Quincy City Council. It shall be the duty of the ZBA to hear and decide appeals of any decision, order, or interpretation of the Director of the Department of Planning & Development (P&D), or their designee, arising under the provisions of Chapter 162 (Zoning) of the municipal code of the city.

The ZBA meets the 3rd Tuesday of each month at 5:00 p.m. in City Hall (730 Maine Street).

An appeal shall be filed with the Secretary of the ZBA within 30 days of the issuance of a written decision from the Director of P&D or appropriate designee. Appeals can be submitted to P&D (706 Maine Street, 3rd Floor) during regular business hours (M-F, 8:00 a.m.-4:30 p.m.).

The deadline for an appeal to be placed on a ZBA agenda is approximately 25 days prior to the meeting (calendar included). A successful submission includes all required documents and a \$300 payment. Failure to do so could result in the ZBA delaying consideration of the appeal.

A decision by the Director of P&D or appropriate designee shall stay any further development of the subject property unless the Building Inspector determines that conditions exist on the subject property (at the time of appeal) that pose an imminent peril to life or property or unless the ZBA or a Court of Competent Jurisdiction determines otherwise.

The petitioner must provide a Notification of Public Hearing (sample included) to the owner(s) of every property located within 250-feet (excluding public right-of-way) of the property/properties identified in the appeal to be heard by the ZBA. P&D Staff will provide the petitioner a list of the property owners within the notification radius. The petitioner must provide notification not more than 30 days and not fewer than 15 days prior to the date of the ZBA meeting during which the appeal will be considered.

P&D staff must approve the language of the Notification of Public Hearing prior to distribution. If the petitioner distributes the Notification without prior approval, P&D staff could deem the distribution null & void and require a second distribution of the approved Notification.

The Notification of Public Hearing may be delivered in-person. This requires the property owner to sign and date the affidavit (included) as proof they received the notice. **Only a property owner can accept the notification, not a renter or employee. The notification letter cannot be left in a mailbox or on a front porch, it must be hand-delivered.**

The Notification of Public Hearing may be delivered via certified mail.

- If the petitioner uses Certified Mail: Return Receipt (the green postcards), the petitioner must provide all Return Receipts to P&D prior to the day of the ZBA meeting in which their appeal will be considered. **Failure to do so could result in a delay in consideration of the appeal to confirm proper notification.**
- If the petitioner uses another form of Certified Mail that does not provide the return receipt postcards, the petitioner must provide proof that each letter was delivered (printing out of tracking number confirmations are acceptable) to P&D prior to the day of the ZBA meeting in which their appeal will be considered. **Staff must be able to clearly see that each tracking number has been delivered. Failure to do so could result in a delay in consideration of the appeal to confirm proper notification.**

The ZBA can delay consideration of an appeal if it determines proper notification did not occur.

If a petitioner is not able to hand-deliver a notification letter after multiple attempts, the petitioner will need to send the letter via certified mail within the 15-30 day timeframe discussed previously. P&D Staff will accept an unresponsive certified mail receipt as long as it shows multiple attempts by the USPS to deliver the notification letter.

A Notice of Public Hearing for the appeal will be published in the local newspaper no more than 30 days and no fewer than 15 days prior to the ZBA meeting in which the appeal will be considered. An agenda for the ZBA meeting will be posted in City Hall and on the city's website at least 48 hours prior to the meeting.

The petitioner will receive a copy of the ZBA meeting agenda and the staff review for the appeal prior to the ZBA meeting. During the ZBA meeting:

- Staff will present its review of the appeal to the ZBA
- The petitioner or their representative will present to the ZBA
- Any other members of the public will present to the ZBA

The Quincy ZBA will consider evidence/testimony/public input provided during the public hearing and make a ruling on whether to approve, deny, or modify the appeal for a variance.

If the appeal is approved, the ZBA has 30 days to submit to the Quincy City Council an ordinance setting forth the variance(s) it has approved (This typically occurs during the first Quincy City Council meeting following the ZBA meeting).

If the appeal is denied, the petitioner may seek a review by the Quincy City Council. The petitioner would have to request an appeal in writing to the City Clerk and to the Secretary of the ZBA within 30 days of the ZBA meeting in which the appeal was denied.

Following the decision by the ZBA, the Quincy City Council may approve or deny the ordinance setting forth a variance; approve or deny a request for review; or remand either to the Board of Appeals for further consideration, or take other appropriate action. The Quincy City Council has the final say on all petitions.



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Petition

On (date): _____, the undersigned applied to the Building Inspector of the City of Quincy for a permit to _____

on real estate commonly known as (address): _____

This permit was refused by the Building Inspector of the City of Quincy due to: _____

I do hereby appeal this major change to the Quincy Zoning Board of Appeals and ask that a variance be granted to allow for the following:

Signature: _____ Printed Name: _____
Address: _____ Phone #: _____

=====

ACTION TAKEN BY ZONING BOARD OF APPEALS: _____

MEMBERS VOTING

- IN FAVOR: _____
- IN OPPOSITION: _____
- ABSTAIN/ABSENT: _____

NOTES: _____

Property ID Number (PIN): _____

As part of the Petition,

- 1) The petitioner must provide
 - a. A copy of the deed for each lot listed on the petition
 - b. The full legal description for each lot listed on the petition (if not on deed)
 - c. The proof of ownership for each lot listed on the petition
 - i. Option to purchase/lease is acceptable if petitioner is not the owner
 - d. A detailed site plan OR a detailed sketch that includes, but is not limited to, the following information (depending on nature of project).
 - i. Scaled/dimensioned lot boundaries for lot(s) mentioned in petition
 - ii. The zoning for the lot(s) listed in the petition
 - iii. Scaled/dimensioned lot boundaries for adjacent/adjoining/nearby lots
 - iv. The zoning for adjacent/adjoining/nearby lots
 - v. For Setback Variance
 1. All current structures on the lot(s) mentioned in the petition must be labeled with distances from structures or features.
 2. All proposed improvements on the lot(s) mentioned in the petition must be labeled with distances provided from structures or features
 - vi. For Sign Variance
 1. Scaled drawing of any proposed sign that depicts lettering and/or graphics with dimensions shown
 2. Wall signs can be shown on the elevation of the wall in which the sign will be attached
 3. The location of the sign on the lot
 - vii. For Parking Variance
 1. Applicant must show the specific use of a building would make the number of parking spaces required by ordinance unnecessary.
 - viii. For Downtown District Building Standards
 1. The applicant must show using alternate building design measures are appropriate relative to the building types found in the area.

The Department requests four (4) paper copies of the detailed site plan and/or four (4) paper copies of the detailed sketch. Please contact the Department of Planning & Development if you are not able to submit as requested

Reasons for Requesting Variance

Explain why the strict application of the city's Zoning Ordinance is not possible on the lot(s) listed in the petition, citing special circumstances or practical difficulties.

Explain why the lot(s) listed in the petition has/have an exceptional or unusual physical characteristic, requiring the need for a variance, compared to lots with the same zoning district.

Explain how the variance is NOT the result of a situation or condition that was knowingly or deliberately created by 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 lots

Explain how the variance requested represents the minimum deviation necessary from the requirements of the Zoning Code? ie: (if you are seeking a 10' setback encroachment, could you get by with an 8' encroachment?)



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Notification of Public Meeting

This letter gives you notice that a Petition for Variance: Major Change for real estate commonly known as (address): _____ was filed with the Secretary of the Quincy Zoning Board of Appeals on (date): _____. The petition requests the following variation from Section _____ of the Municipal Code of the City of Quincy:

The Quincy Zoning Board of Appeals will consider the petition during a Public Hearing on:

Date: Tuesday, _____, 20____

Time: 5:00 p.m.

Place: Quincy City Hall
730 Maine Street (1st Floor)
Quincy, IL 62301

Every person in attendance at the hearing shall have an opportunity to be heard.

Name of Petitioner: _____

Address of Petitioner: _____

Phone Number of Petitioner: _____

Date of Mailing/Delivery: _____

NOTES (for information purposes only)

Legal Description should be included in notice or attached as separate document

Notices cannot be distributed more than 30 days prior to public hearing or fewer than 15 days

The Dept. of Planning & Development must approve this notice before it can be distributed



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Proof of Notice Served

I, _____, do hereby certify that the notification of public hearing has been delivered in-person or via certified mail to the following persons relative to the Petition for Variance: Major Change on real estate known as (address): _____

Property Owner	Address	Date	List How Served (certified mail/in-person)	Signature (in-person only)

Please attach a separate sheet if additional space needed

Notification must be completed between 15-30 days before meeting

Petitioner Signature: _____

Date of Completion: _____

Subscribed and sworn by me this ___ day of _____, 20__

Notary

NOTARY SEAL



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Sketch

The petitioner has the option to submit a detailed site plan or a detailed sketch to provide the Quincy Zoning Board of Appeals additional information needed to act upon an appeal request.

Below is a sample of a detailed sketch. A list of information that must be included is provided in this packet. The sketch can be made on the following page.

SAMPLE



