CLINTON COUNTY
Zoning Department
850 Fairfax St. Rm. 124
Carlyle, IL. 62231

REQUEST for a VARIANCE

PHONE: (618) 594-6655
FAX: (618) 594-6006

GENERAL INFORMATION REGARDING APPLICATIONS FOR VARIANCES

The application for a variance must be completed in its entirety by the applicant. Any supporting documentation (eg.-survey, photos, etc.) must accompany the application at the time of filing. The application must be submitted to the Clinton County Zoning Office no later than 12:00 noon on the filing date (calendar attached).

Applications must be complete at submittal time to be considered for the agenda. Deficient applications will be returned to the applicant and may delay the hearing until the following month.

You are responsible to furnish the legal description. You may want to consider consulting an attorney and/or Illinois Licensed Land Surveyor to obtain a legal description or contact the Clinton County Clerk & Recorders Office to obtain a copy of your Deed. The zoning office cannot write the legal description and will use only the legal description you furnish on the application. The zoning staff may not give legal advice.

The Zoning Board of Appeals meets at 6:00 P.M. the first Wednesday of every month, unless noted otherwise. **Location:** 810 Franklin Street, Carlyle, IL, County Board Room (south of the courthouse in the Clinton County Jail Building).

The applicant and/or his/her representation are required to appear at the scheduled hearing. All persons testifying before the board will do so under oath, and must state their name and address for the record.

A. Introduction of the case
B. The petitioner presents his/her case and explains the reason for the variance request (see **Standards for Variances** below)
C. Objectors (if any) statements and/or questions from the board
D. The Zoning Board of Appeals decision

STANDARDS FOR VARIANCES (40-9-26)

The Board of Appeals shall not grant any variance unless, based upon the evidence presented to them, they determine:

(A) The proposed variance is consistent with the general purpose of this Code **(See Section 40-1-1)**; and
(B) Strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent a reasonable return on the property; and
(C) The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and
(D) The plight of the applicant is due to circumstances not of his own making; and
(E) The circumstances engendering the variance request are peculiar and not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning);
(F) The variance, if granted, will not alter the essential character of the area where the premises in question are located nor materially frustrate implementation of the County Comprehensive Plan.

This information is intended as a brief guide and should not be relied upon for a thorough understanding of the hearing procedure or zoning laws as applicable

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VARIANCE REQUEST NO _____ DATE:_____

(DO NOT WRITE IN THIS SPACE- FOR OFFICE USE ONLY)

HEARING DATE: _____ PERMANENT PARCEL NO. _____

NOTICE PUBLISHED ON: _____ ZONE DISTRICT CLASSIFICATION: _____

NEWSPAPER: _____ FEE PAID $ _____CK# _____

RECOMMENDATION OF BOARD OF APPEALS: ( ) DENIED ( ) APPROVED ( ) APPROVED WITH MODIFICATION
PERMIT ON FILE IN THE OFFICE: YES OR NO

INSTRUCTIONS TO APPLICANTS: A Variance is a relaxation of the requirements of this ordinance that are applicable to a particular lot, structure or use. The Zoning Board of Appeals may grant a variance if it is determined there are practical difficulties or particular hardships in the way of carrying out the strict letter of any such regulations relating to the use, construction or alteration of buildings or structures or the use of the land. This review is performed by the Zoning Board of Appeals at a public hearing.
A notice of the hearing must be published in a newspaper of general circulation in the local area at least 15 days prior to the hearing. The applicant will be notified by mail of the time and place of the hearing at least 15 days prior to the hearing date.
The applicant or his/her duly-authorized agent must appear at the hearing and present his/her case to the Board of Appeals.
The applicant should be able to show, by a site plan and documentary evidence that the proposed development will be in harmony with the general purpose and intent of the zoning ordinance.
All information requested below, a site plan as described on the attached sheet, and a development schedule providing reasonable guarantees for the completion of the construction must be provided before a hearing will be scheduled. Applicants are encouraged to visit, call or email (jami.staser@clintonco.illinois.gov) the office of the Zoning Administrator or (kay.thole@clintonco.illinois.gov) for any assistance needed in completing this form. Website: http://www.clintoncountyzoning.com/

1. **NAME OF APPLICANT (S):** _____

ADDRESS: _____
(STREET) (CITY) (STATE) (ZIP)
E-MAIL ADDRESS: _____ CELL:_____

2. **NAME OF OWNER (S):**
(only if other than applicant) PHONE #: _____

ADDRESS: _____
(attach additional sheets if necessary)

3. **LOCATION OF PROPERTY** _____
(if different from above) (STREET) (CITY) (STATE) (ZIP)
LEGAL DESCRIPTION (lot, block and subdivision or metes and bounds):
_____
_____
_____

4. **PRESENT USE OF PROPERTY:** _____
(industrial, residential, commercial, etc.)

5. **SUBDIVISION NAME:** _____

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6. **STATE THE VARIANCE REQUESTED:**

_____
_____

7. State specific Section (s) of the Zoning Code containing the regulations which, if strictly applied, would cause a serious problem.

_____
_____

8. Names and addresses of adjacent property owners and present use of property:

NAME	ADDRESS	PRESENT USE

Please list the Township Road Commissioner if applicable: _____

9. Is any part of the lot or tract of land where the proposed **variance** is to take place in a known flood plain based on the Flood Hazard Boundary Map or Carlyle Lake Flowage Easement Area? This question must be answered YES or NO? Is any of the area in the Enterprise Zone? YES or NO.

(If you answered yes to the above, more information will be needed before issuing a building permit)

SITE PLAN INFORMATION REQUIRED

You will need to provide a drawing of your lot showing the following:

- Property Lines & Dimensions of Lot
- Distances from proposed structure, front, side & rear lot lines
- Centerline of County or Township Road to proposed structure
- Distance from Right-of-way line from State Highway to proposed structure
- Building Height- from ground to peak

THE OWNER IS RESPONSIBLE FOR DETERMINING THE ACCURATE LOCATION OF PROPERTY LINES.

Consult a licensed land surveyor to confirm property lines if you are unable to do so.

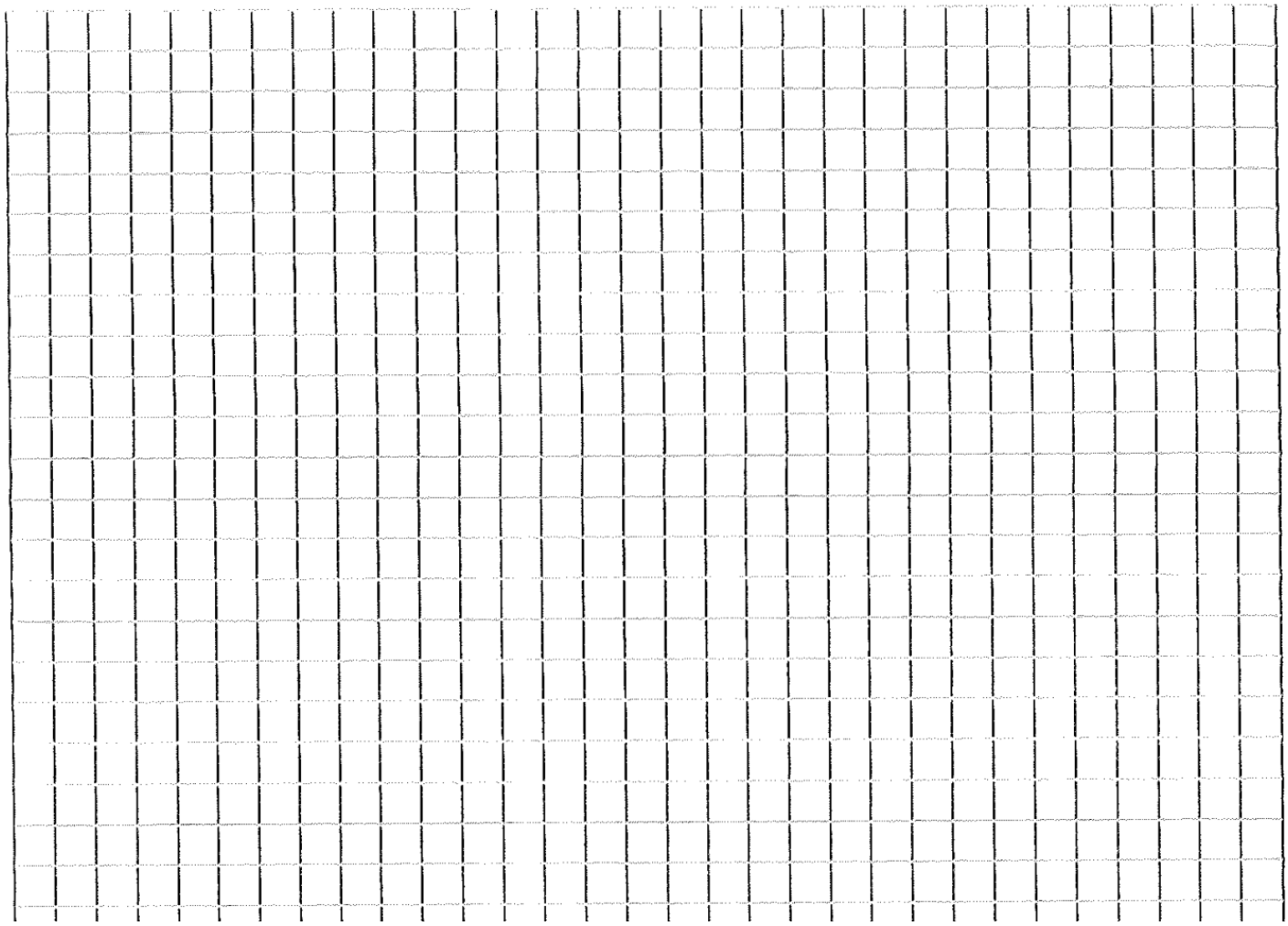
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PROVIDE A DRAWING BELOW OR ON THE BACK OF THIS FORM

GIS mapping is available at @ http://portico.mygisonline.com/html5/?viewer=clintonil.bv1-p1, Google Earth or grid below for drawing your new structure. **Please provide all setbacks that apply to your variance request on your drawing:** Front – Rear – Side – Centerline of road to structure and height.



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Disclaimer and Signatures

I certify that all the information and statements contained in any papers or plans submitted here within are true and accurate. I consent to the entry in or upon the premises described in this application by any authorized official of Clinton County for the purpose of inspecting, or of posting, maintaining and resolving such notices as may be required by law and agree to pay all fees associated with the filing, hearing and certificate of zoning compliance.

STATE OF ILLINOIS)

ss

County of Clinton)

I, _____, a Notary Public, in and for said county, and state, do hereby certify that _____, personally known to be the same person(s) whose name(s) appear below and have appeared before me this day and acknowledged that the statements contained therein are true. Given under my hand and seal this _____ day of _____, _____.

(Notary Seal) _____
Notary Public Signature

APPLICANTS SIGNATURE: _____ DATE: _____

OWNER (S) (If not the same as above):_____ DATE: _____

STATE OF ILLINOIS)

ss

County of Clinton)

I, _____, a Notary Public, in and for said county, and state, do hereby certify that _____, personally known to be the same person(s) whose name(s) appear below and have appeared before me this day and acknowledged that the statements contained therein are true. Given under my hand and seal this _____ day of _____, _____.

(Notary Seal) _____
Notary Public Signature

CONTRACTORS SIGNATURE: _____ DATE: _____

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SAMPLE OF ADJACENT LANDOWNERS

THE APPLICANT IS RESPONSIBLE FOR THE LIST OF NAMES AND ADDRESSES OF ADJACENT LANDOWNERS

INCLUDING PROPERTIES ACROSS A ROAD MUST ALSO RECEIVE NOTIFICATION

ADJACENT LAND OWNER	**ADJACENT LAND OWNER**	**ADJACENT LAND OWNER**
ADJACENT LAND OWNER	**LOT OR TRACT IN QUESTION**	**ADJACENT LAND OWNER**
ADJACENT LAND OWNER	**ADJACENT LAND OWNER**	**ADJACENT LAND OWNER**

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MUST BE FILED ON OR BEFORE NOON ON	HEARING DATE @ 6:00 P.M	COUNTY BOARD MEETING @ 7:00 P.M
December 2, 2026	January 6, 2027	January 19, 2027
January 6, 2027	February 3, 2027	February 16, 2027
February 3, 2027	March 3, 2027	March 15, 2027
March 3, 2027	April 7, 2027	April 19, 2027
April 7, 2027	May 5, 2027	May 17, 2027
May 5, 2027	June 2, 2027	June 21, 2027
June 2, 2027	July 7, 2027	July 19, 2027
July 7, 2027	August 4, 2027	August 16, 2027
August 4, 2027	September 1, 2027	September 20, 2024
September 1, 2027	October 6, 2027	October 18, 2027
October 6, 2027	November 3, 2027	November 15, 2027
November 3, 2027	December 1, 2027	December 20, 2027
December 1, 2027	January 5, 2028	January 18, 2028

RESOLUTION ESTABLISHING ZONING FEES

Whereas Clinton County has in force a County Zoning Ordinance wherein various fees have been established; and whereas said ordinance provides for changes in said fees when appropriated: Updated December 16, 2024.

Now therefore be it resolved by the Clinton County Board that the following fees are hereby established for Clinton County Zoning:

SPECIAL USE PERMIT	$360 for the first 10 acres; $100. For each additional acres. Plus cost of certified mail to adjoining property owners.
SPECIAL USE-COMMERCIAL SOLAR **PSECIAL USE-COMMERCIAL SOLAR EXTENTION**	$3000 Per Megawatt; Plus cost of certified mail $2000 Per Megawatt; Plus cost of certified mail
SPECIAL USE PERMIT- **SURFACE MINING**	$0.25 per cubic yard (Acres X 43,560 X Max Depth of State Permit / 27 x $0.02)
ZONING MAP AMENDMENT	$400 for the first 10 acres; $100 for each additional acres Plus cost of certified mail to adjoining property owners
APPEAL	$360. Plus the cost of certified mail to adjoining property owners.
VARIANCE	$125.00 Plus the cost of certified mail to adjoining property owners.

ALL FEES ARE NON-REFUNDABLE

PLEASE MAKE CHECK PAYABLE TO CLINTON COUNTY ZONING, SCAN CODE OR PAY ON LINE WITH THE LINK

https://www.govpaynow.com/gps/user/cyg/plc/a003tm