

# CITY OF WARRENVILLE

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## ZONING ORDINANCE VARIATION FILLABLE PDF

Because of special characteristics of particular properties in the City, the literal application of the provisions of the Zoning Ordinance may, in certain circumstances, create hardships or practical difficulties not intended by the zoning regulations. The Zoning Board of Appeals may accordingly recommend, and the City Council may grant, variances from the literal application of the provisions of this Ordinance based on findings of fact as provided below:

- A. List specific provisions of the Zoning Ordinance (Chapter and Subsection) from which a Variation is being sought and the precise Variation(s) there from being sought (*Attach separate sheet if additional space is required.*):

1. Zoning Ordinance Chapter and Section: side street setback parking variance  
Description of requested Variation:

side street setback parking variance from the warrenville by design regulations.

2. Zoning Ordinance Chapter and Section: \_\_\_\_\_  
Description of requested Variation:

3. Zoning Ordinance Chapter and Section: \_\_\_\_\_  
Description of requested Variation:

B. In recommending or granting approval or conditional approval of a variance, the Zoning Board of Appeals and the City Council shall prepare written findings of fact that all of the conditions below apply to the application. **Please review and provide a written response indicating how each of the six following criteria support the approval of the requested variation(s).**  
*(Attach separate sheet if additional space is required.):*

1. Special Circumstances

Special Circumstances exist relating to the physical character of the property that are peculiar to the property and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it practical to provide, in the form of an amendment to this Ordinance, a general rule to cover them.

Applicant Response:

A public handicap parking spot that would allow us practical access to the property does not exist due to the slope/incline of the access route.

2. Hardship or Practical Difficulties

Because of these special circumstances, the literal application of the provisions of this Ordinance would, without a variance, result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Applicant Response:

The 10 foot setback prevents the creation of a handicap parking spot on the property itself.

3. Not Resulting from Applicant Action

The special circumstances, practical difficulties, or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of any party with a present interest in the property.

Applicant Response:

The ordinance has created a hardship for an existing building and the businesses that might want to locate there in the future.

4. Reasonable Use and Return

Without the requested variance, the property cannot yield a reasonable return, or cannot be reasonably used consistent with the intent of the zoning district and the use of other properties therein, but the purpose of the variance is not otherwise to increase the return from the property or to confer special privileges not ordinarily enjoyed by other properties in the same district.

Applicant Response:

Without the variance the amenities-based business Ark Wellness Physical Rehabilitation cannot utilize this space because handicapped parking is required by law. And, without handicapped parking the the goal of having service based businesses in the central business district is impeded.

5. Not Alter Local Character

The variance will not alter the essential character of the locality or substantially impair public safety or welfare or property values in the area.

Applicant Response:

No. It will enhance life value for users of the Park District / The Doctor across the Street / and the residents in the townhome and adjacent properties, many of whom are older and need the services provided by Ark Wellness.

6. Minimum Variance Needed

The variance approved is the minimum required to allow reasonable use and enjoyment of the property.

Applicant Response:

This would allow us to install a Handicapped parking spot on our own property. Without such a spot, a physical therapy business cannot exist there.

