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## **Variation Application Packet**

Village of Morton Grove  
Department of Community and Economic Development  
6101 Capulina Avenue  
Morton Grove, Illinois 60053  
[commdev@mortongroveil.org](mailto:commdev@mortongroveil.org)  
(phone) 847.470.5231  
(fax) 847.965.4162

## **PROCESS OVERVIEW**

A Variation request typically takes two (2) months for review for residential requests, and may take up to three (3) months for review of non-residential requests. Variations requested as part of a Plan Commission application (such as a Special Use, Planned Unit Development, etc.) are subject to the timetable for Plan Commission review.

The process usually includes submittal of the application and associated documents, Staff review of the request, and a public meeting with the Zoning Board of Appeals (ZBA). The ZBA's public meeting consists of a public hearing for zoning variation requests, including determining whether to approve or deny the application, or to continue the request for further review.

***This overview is provided only as a summary of the Variation request process. This full packet contains specific information about requirements and expectations for each step in the process.***

Requests for signs are processed separately; see Village Staff for more information or go to the Village website <http://www.mortongroveil.org/government/departments/FormsPermits.asp> for the sign application.

## **APPLICANT / PETITIONER RESPONSIBILITIES FOR A VARIATION**

- The applicant is required to attend the public hearing of the Zoning Board of Appeals where the application is reviewed. The owner should also be present at this meeting. If the owner cannot be present, then written authorization allowing the applicant to act on the owner's behalf must be provided. The applicant's attendance is needed to respond to any questions or issues regarding the application.
- The applicant must submit a completed application with appropriate exhibits for processing.
- The applicant must respond to requests for additional information, revised information, or clarification from Village Staff.
- The applicant and property owner must allow the Village to place a public hearing sign on the subject property. The applicant and property owner must also allow Village Staff and Zoning Board members to visit the property in preparation for their review of the case.
- At the public hearing of the Zoning Board, the applicant must present their case to the Zoning Board.
- At the public hearing, the applicant will speak before the Zoning Board, and should specifically address each of the Standards for Variation. These Standards are included in this application packet.

## **STANDARDS FOR A VARIATION**

The applicant is advised to verbally discuss the following Standards for Variations when appearing before the Zoning Board of Appeals at the Public Hearing. These are located in Sec. 12-16-3-A-2 of the Unified Development Code, and are listed below:

**Standards For Variations: The zoning board of appeals shall not vary the regulations of this title as authorized by this section unless it shall make findings of fact based upon evidence presented in each specific petition that:**

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.**
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.**
- c. Not Detrimental To Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.**
- d. Not Detrimental To Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.**

### **PRE-APPLICATION MEETING**

Applicants may find it helpful to contact and meet with the Village's Director of Community Development (the "Director") on proposed variation requests before submitting an application. Staff is available by appointment at the Village Hall typically Monday through Friday from 8:30 a.m. to 5:00 p.m.

This initial meeting will provide the applicant with an opportunity to learn more about the Variation process and to review the Variation to be requested. This will also allow the Director to determine what items will be required for submitting the application, and to suggest any necessary adjustments to the request. This step is important in order to save time, effort, and expense throughout the rest of the process!

### **COMPLETE APPLICATION SUBMITTAL**

The applicant must submit a complete application to the Director to start the Variation process, including **15** copies of each document for processing. **Additional and/or revised copies may be required at any time during the review process.** Once the application is determined to be complete, it will be scheduled for a Public Hearing, subject to the deadlines and meetings noted in the Zoning Board of Appeals Schedule, which is provided in this application package.

The following items and information are a part of the Variation application, unless otherwise specified by the Director:

(Any sheet larger than 11" X 17" shall have one 11" x 17" copy with it.)

- 1) Completed Variation application with authorized signatures.
- 2) Responses stating how the Variation standards (contained in Sec. Sec. 12-16-3-A-2 of the Unified Development Code, and listed above) are being met with the proposed project.
- 3) Site plan with dimensions, and drawn to scale not smaller than one (1) inch equals twenty (20) feet, showing the property boundary, footprint of all buildings and structures with distances from property boundaries and other dimensions necessary to support the action requested. Floor plans and elevation drawings required.
- 4) Site plan with dimensions, and drawn to scale not smaller than one (1) inch equals fifty (50) feet showing the size of lots adjoining or separated by an alley or walkway, including locations of buildings and structures with distances from their property boundary. Distances pertaining to lot for which variation is being sought shall be exact.
- 5) For uses other than single-family residential, the following additional information may be required based on the nature of the variation sought:
  - Area of subject property in square feet and acres;
  - Relation of lot and yard dimensions to height, width, depth of structures;
  - Significant topographic features (a topographic survey may be required);
  - Parking lot plan including location, dimensions, number and gradient of all driveways, entrances, curb cuts, parking spaces, and loading facilities;
  - Percent of lot covered by parking lots, driveways, and loading facilities;

- Location of snow storage area(s);
  - Location of total area of all usable open space;
  - Location and height of existing and proposed fencing or screen planting; and
  - Location, size, and arrangement of all site advertising, business, and identification signs, and sketches showing content and layout of signs.
- 6) Name and address of property owners within one hundred (100) lineal feet in all directions from the subject parcel for one and two family residential properties, and two hundred and fifty (250) feet for all other properties.
  - 7) A Certified plat of survey of property for which this application is submitted showing current buildings and structures on site.
  - 8) Proof of ownership (tax bill, sales contract) or interest. Copies of originals are acceptable. If applicant is not owner, written authorization from the property owner to file application and accept conditions of approval regarding the project and the property.
  - 9) Identification and extent of interest of any official or employee of the Village in the subject property.
  - 10) If represented by counsel or other at the public hearing, applicant shall furnish representative with evidence of authority.
  - 11) Check, or other evidence of payment, made payable to the Village of Morton Grove for:
    - a. Residential Application fee (*\$50 for properties in R1, R2, R3*); or
    - b. Non-Residential Application (*\$250 for properties in C1, C2, CR, M1 or M2*).

Improper, insufficient, or inaccurate completion of this application or required attachments shall constitute sufficient grounds for continuing or delaying the scheduled hearing, or refusing publication.

The filing of this Application with the Village of Morton Grove shall not constitute acceptance for scheduling a public hearing before the Morton Grove Zoning Board of Appeals until it is reviewed and approved by the Director.

### **VILLAGE STAFF REVIEW**

Each Variation application will be reviewed by Village Staff for comment. Village Staff will forward comments from this review to the applicant. The applicant is responsible for responding to any and all issues noted during the Village review.

This review process is intended to allow Village Staff the ability to review, discuss and resolve site problems and more directly communicate Morton Grove requirements to applicants. By identifying the applicable codes and ordinances through this process, costly delays from oversights or incomplete applications may be avoided. Once all Village issues have been addressed, the case will be placed on the next available Zoning Board of Appeals meeting agenda.

## **PUBLIC NOTIFICATIONS AND SIGNS**

As noted above, the applicant is responsible for submitting the names and addresses of property owners within 250 feet of the property.

Apart from that requirement, the Village carries out the other public notice and legal notice requirements, including the following:

- **Placing a Public Notice sign on the property.** *The applicant must allow this sign to remain where the Village places it on the property for the duration of the planning and zoning review.* The Village places these signs at least 10 days before a public hearing, and removes them sign once all Village planning and zoning review is completed.
- **Publishing a legal notice in a local newspaper.** The applicant should understand that the property in question will be identified publicly for their request.
- **Sending notification letters to surrounding property owners.** Again, the applicant should be aware that such letters are sent identifying the property, nature of request, and public hearing where anyone can speak about a request.



*Sample Public Notice Sign*

The Applicant should also expect Village Staff and Zoning Board members to visit the property to gather more information about the request. (Applicants may discuss the case with Village Staff, but should **NOT** speak about the case with Zoning Board members before the hearing; any violation of this can result in the case being **withdrawn** due to “ex parte” communications as specified by Illinois State Law.)

## **ZONING BOARD OF APPEALS**

The public hearing is an opportunity for the Zoning Board of Appeals to hear testimony from the applicant and other concerned parties regarding the Variation request.

At the public hearing of the Zoning Board:

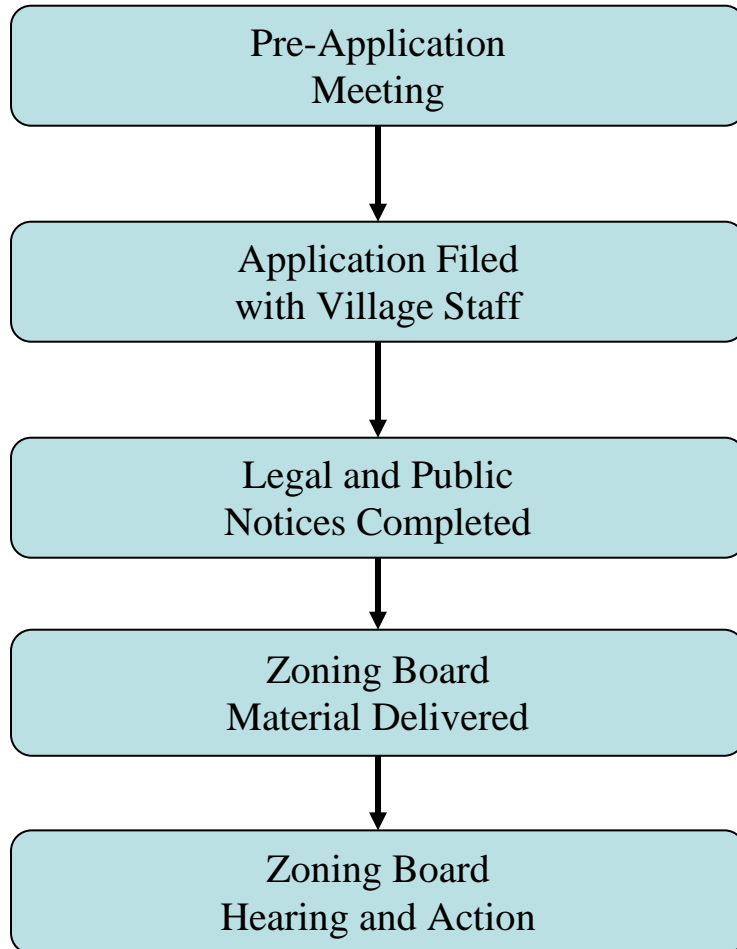
- The applicant must be present. The owner should also be present, or have previously provided written authorization for the applicant to represent the property. The applicant's presence is required at the public hearing to respond to questions from the Zoning Board and/or interested parties, or to respond to requests for further information. All communications and responses to questions or issues should be addressed to the Zoning Board.
- A recording secretary will be present to summarize verbal testimony provided at the public hearing.
- The applicant will speak at the Commission meeting, for the record, to present the request and to address the Standards for Variation (listed above).

At the end of the public hearing, the Zoning Board will discuss the case and vote to either approve or deny the request. In order for the Zoning Board of Appeals to approve a request,

the Zoning Board must find that the proposed Special Use meets the standards described above.

***The Zoning Board of Appeals makes the final decision for variation requests; variation requests do not go to the Village Board for final action.***

**VARIATION PROCESS**





# Village of Morton Grove

Department of Building and Inspectional Services

Direct Telephone 847 / 470-5214

Direct Fax 847 / 663-6185

## ZONING BOARD OF APPEALS CASES FOR 2017

### DEADLINE FOR FILING

#### CASE IN BUILDING DEPARTMENT

#### DATE OF PUBLIC MEETING

December 12, 2016

January 16, 2017

January 16, 2017

February 20, 2017

February 13, 2017

March 20, 2017

March 13, 2017

April 17, 2017

April 10, 2017

May 15, 2017

May 15, 2017

June 19, 2017

June 12, 2017

July 17, 2017

July 17, 2017

August 21, 2017

August 14, 2017

September 18, 2017

September 11, 2017

October 16, 2017

October 16, 2017

November 20, 2017

November 13, 2017

December 18, 2017

December 11, 2017

January 15, 2018

NOTE: Please see Procedural Control Schedule for applications that also require zoning approval.

Richard T. Flickinger Municipal Center

6101 Capulina Avenue, Morton Grove, Illinois 60053-2985

Tel: (847)965-4100 TDD (847) 470-5249 Fax: (847)965-4162





# VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue Morton Grove, Illinois 60053  
(847)470-5231 (p) (847)965-4162 (f)

CASE NUMBER: \_\_\_\_\_ DATE APPLICATION FILED: \_\_\_\_\_

## **APPLICANT INFORMATION**

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant City / State / Zip Code: \_\_\_\_\_

Applicant Phone: (\_\_\_\_) \_\_\_\_\_

Mobil / Other: (\_\_\_\_) \_\_\_\_\_

Applicant Email: \_\_\_\_\_

Applicant Legal Interest in Property (Owner, Tenant, Etc.): \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

## **PROPERTY INFORMATION**

Common Address of Property: \_\_\_\_\_

Property Identification Number (PIN): \_\_\_\_\_

Zoning District: \_\_\_\_\_ Property's Current Use: \_\_\_\_\_

## **APPLICANT'S REQUEST (ATTACH ADDITIONAL SHEETS AS NECESSARY):**

1. Applicant is requesting a Variation from the following section of the Unified Development Code: \_\_\_\_\_

for the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Please provide detailed information to explain why the variation is being requested:

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3. Provide responses to the Variation standards as listed in Section 12-16-3-A-2 of the Unified Development Code. The Variation standards are as follows:

a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

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b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.

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c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

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d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

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