



VILLAGE OF MORTON GROVE

Variation Application Packet

Village of Morton Grove
Department of Community and Economic Development
6101 Capulina Avenue
Morton Grove, Illinois 60053
commdev@mortongroveil.org
(phone) 847.663.3063

PROCESS OVERVIEW

Review of a complete Variation Application typically takes 60 days or longer. The process includes the submittal of a complete application and supporting documents, review of plans by Village departments, legal notice, public notice sign posting, notification period, and applicant submittal of revised plans and documents as necessary. The Zoning Board of Appeals (ZBA) will review the Variation Application at a regularly scheduled meeting, at which the ZBA will vote to approve or deny the application or continue the request for further review. The ZBA's determination is final.

Variations requested as part of a Plan Commission application such as a Special Use Application or Planned Unit Development (PUD) Application are subject to the timetable for Plan Commission review. The Plan Commission is authorized to grant variations under certain applications, including Special Use and PUD Applications.

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

Requests for sign and landscape variations are reviewed and approved by the Appearance Commission. Please visit <https://www.mortongroveil.org/business-development/community-and-economic-development/zoning/> for more information and to obtain the Appearance Commission Application.

APPLICANT RESPONSIBILITIES FOR A VARIATION APPLICATION

- The applicant is required to attend the public hearing of the Zoning Board of Appeals at which the application will be reviewed. The property owner should also attend these meetings. If the property 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 clarifications from 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 of Appeals members to visit the property in preparation for their review of the case.
- At the public hearing of the Zoning Board of Appeals, the applicant must present their case to the Board members.

- At the public hearing of the Zoning Board of Appeals, the applicant will speak before the Board, and should specifically address each of the Standards for Variation, which are provided below.

STANDARDS FOR VARIATIONS

The applicant is advised to verbally address the following Standards for Variations when appearing before the Zoning Board of Appeals. These standards are established in Section 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:

- 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.
- 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 their land. Mere loss in value shall not justify a variation.
- 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.
- 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.

STAFF REVIEW

Applicants are encouraged to contact and meet with Community and Economic Development staff to discuss a variation request **prior to** submitting an application. Staff is available **by appointment** at Village Hall Monday through Friday from 9:00 a.m. to 5:00 p.m.

This initial meeting will provide the applicant with an opportunity to learn more about the Variation Application process and to review the variation to be requested. This will also allow staff 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.

Community and Economic Development staff may distribute preliminary plans to various Village departments, including Building, Engineering, Fire, and Police, for comment. This preliminary review process provides staff the ability to review, discuss, and resolve site problems and more directly communicate Village requirements to applicants. By identifying the applicable code requirements through this process, costly delays from oversights or incomplete applications may be avoided. Staff engagement early in the process will save the applicant time, effort, and expense throughout the rest of the process.

After staff review and all Village issues have been addressed, staff will recommend the submittal of a complete Variation Application.

COMPLETE APPLICATION SUBMITTAL

The applicant must submit a **complete** Variation Application to the Department of Community and Economic Development to initiate the formal Variation Application review process, including **5 hard 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 follow the Village's Zoning Board of Appeals review schedule, which is available with the Department of Community and Economic Development.

A checklist of required Variation Application items is included at the end of this packet and may be modified at staff's discretion.

PUBLIC NOTIFICATION

Village staff is responsible for all public notice requirements, including the following:

- **Placing a public notice sign on the subject 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 a sign on the subject property at least 15 days before the Zoning Board of Appeals public hearing, and removes the sign once the ZBA takes action on the request.
- **Publishing a legal notice in a local newspaper.** Village staff will publish a legal notice in the *Morton Grove Champion* making the public aware of the Variation Application between 15 and 30 days prior to the ZBA public hearing.
- **Sending notification letters to surrounding property owners.** Village staff will send mailed legal notice to all property owners within 100 feet of the subject property for single-family and two-family properties, and within 250 feet of the subject property for all other properties, between 15 and 30 days prior to the ZBA public hearing. The notice will summarize the request and invite owners and residents to the ZBA public hearing.

The applicant should also expect Village Staff and ZBA members to visit the property to gather more information about the request. Applicants may discuss the case with Village staff but may **NOT** speak about the case with Board members. Any violation of this restriction 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 ZBA, the applicant must be present and testify under oath. The property owner should also be present or have previously provided written authorization for the applicant to represent the property. The applicant is required to respond to questions from the 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 ZBA. The applicant is advised not to respond directly to comments from members of the public. A recording secretary will be present to summarize verbal testimony provided at the public hearing.

At the end of the public hearing, the ZBA will discuss the case and vote to approve or deny the request for variation. The ZBA may request plans to be modified or include conditions on the approval.

The ZBA is the final decision-making body on Variation Applications in Morton Grove. Per Section 2-4-2:E of the Morton Grove Municipal Code, “All decisions and findings of the zoning board of appeals shall be final decisions subject to judicial review as provided for by law.” The *Illinois Administrative Review Law* details how to appeal a Morton Grove ZBA decision to the Circuit Court.

VARIATION APPLICATION REQUIREMENTS

5 hard copies and a digital copy of each item listed below (unless otherwise noted) are required. All submitted items must be printed at a scale and size that provides easily legible text. 24" x 36" plan sets are encouraged for larger scale development projects.

- ☐ **Variation Application** with authorized signatures (1 copy only)
- ☐ **Evidence of ownership** such as deed, affidavit, contract purchase, or disclosure of beneficial trust (1 copy only)
- ☐ **Draft lease agreement or draft purchase contract** if applicant is not the property owner (1 copy only)
- ☐ **Written authorization from the property owner** to file application and accept conditions of approval regarding the project and the property (1 copy only)
- ☐ **Current plat of survey** by a registered land surveyor showing lot lines, existing buildings and physical features including paved areas, utility lines, easements, rights of way, and other property interests
- ☐ **Site plan** with dimensions and including the following:
 - Locations of building(s) on the subject property
 - Vehicular accessways and fire lanes relative to existing roadways
 - Parking stalls and loading docks, including accessible spaces, counts, and dimensions
 - Calculations, including building footprint area, floor area and floor area ratio, impervious surface area and site percentage
 - For residential projects, number of units and composition
- ☐ **Interior floor plans** with dimensions (for variations to dimensional requirements for buildings)
- ☐ **Building elevations** with dimensions (for variations to dimensional requirements for buildings)
- ☐ **Engineering plans** including the following may be requested by staff:
 - Topography
 - Demolition plan
 - Existing and proposed utilities
 - Grading plan
 - Stormwater detention and supporting calculations
 - Streets, alleys, easements, and utility rights-of-way
 - Floodplain notation
- ☐ **Check** made payable to the Village of Morton Grove, for:
 - Application fee (*\$330 for properties in commercial and manufacturing districts, \$110 for properties in residential districts*)



VARIATION APPLICATION

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Department of Community Development
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commdev@mortongroveil.org | 847-663-3063

Case Number: _____ Date Application Filed: _____

APPLICANT INFORMATION

Applicant Name: _____

Applicant Address: _____

Applicant City / State / Zip Code: _____

Applicant Phone: _____

Applicant Email: _____

Applicant Relationship to Property Owner: _____

Applicant Signature: _____

PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: _____

Owner Address: _____

Owner City / State / Zip Code: _____

Owner Phone: _____

Owner Email: _____

Owner Signature: _____

PROPERTY INFORMATION

Common Address of Property: _____

Property Identification Number (PIN): _____

Property Square Footage: _____

Property Zoning District: _____

Property Current Use: _____

APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:

Purpose of requested variation (attach as needed): _____

RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. 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.

- 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 their 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.
