



Development and Planning Services

1225 Cedar Lane Northbrook, Illinois 60062

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www.northbrook.il.us

Zoning Board of Appeals

Application for Variations and Exceptions

APPLICATION REQUIREMENTS: As part of this formal application for a variation or exception, the applicant must submit all of pertinent information prior to the scheduling of a public hearing. ***Please note:** If any of the required information below is missing by the application deadline, you will not be permitted to proceed with the public hearing for the following month. You will be required to first submit all required materials and then apply to appear at the next available hearing. **A preliminary application submittal must be arranged with the Zoning Administrator at least one week prior to the deadline to ensure all is in order and allow time to make revisions if necessary prior to the final submittal cutoff. APPLICATIONS WILL NOT BE ACCEPTED WITHOUT THIS REQUIRED STEP.** A copy of the notice of hearing, which is published in the local newspaper, will be mailed to the applicant. The notice must be mailed certified mail return receipt to all owners of properties within 250 feet of the subject property (excluding rights-of-way) and must be made not less than 15 days or more than 30 days prior to the hearing.

ADDRESS:

ZBA DOCKET:

Zoning Application Fee, payable to the "Village of Northbrook" (if check):

Non-Refundable Fee

Residential.....	\$350.00*
....Non-Residential.....	\$600.00

*An additional \$100 non-refundable fee will be applied for each applicant-requested continuance

Application – Completed in its entirety

Zoning Worksheet or Fence Application

Letter of Hardship

Explain in detail the requested variation/exception, the characteristics of the property that prevent compliance with said Code provision, and a statement of how the variation sought would satisfy each of the standards set forth in either Subsection 11-503F or 11-505A of the Zoning Code (attached).

Plat of Survey Drawn to Scale

- Legal description of property must be shown
- Plat must be dated and stamped by surveyor
- A mortgage/real estate survey is not acceptable

Site Plan Drawn to Scale

- Prepared by the architect or surveyor detailing all building improvements and impervious areas, lot line dimensions, accessory structures, easements and all public and private right of ways.
- The site plan shall indicate the location of the proposed improvement requiring variation approval, highlighting the area of the setback encroachment.
- Dimensions/setbacks from all sides of the building to all adjacent lot lines must be shown.

****All materials must be submitted electronically, either via email attachments or on a thumb drive. Shared files and third party websites will not be accepted.**

Building Plans Drawn to Scale

- o Dated and stamped by an architect
- o Existing and proposed floor plans with room names and dimensions, along with a clear outline of what is existing, what is new and which walls will be removed. The entire floor where the variation is requested must be shown. The floor plan must also show doors and windows.
- o Existing and proposed elevations for all sides affected (at least 3) including building/ridge height, proposed roof slope pitch and existing and proposed exterior finishes.

Tree Survey

Regardless of the proposed work, submit a tree survey showing all existing trees with diameter at breast height (DBH). A hand drawing of tree locations on a plat of survey is usually acceptable.

Proof of Ownership

- Only a *Warranty deed* or *owner's title policy* in its entirety.
- If the property is held in trust, the Trust Agreement in its entirety.
- If petitioner is contract purchaser or lessee, notarized proof of authority to file on behalf of the owner is required.

Affidavit of Survey (Attached)

Required for all surveys over one year old.

Other Exhibits Recommended

- o Photos, letters of support from adjacent neighbors, etc...

Requested Action

- | | |
|--|---|
| <input type="checkbox"/> Yard or Setback Variation | <input type="checkbox"/> Tennis Court Illumination |
| <input type="checkbox"/> Fence Height Exception | <input type="checkbox"/> Increase Maximum No. of Signs |
| <input type="checkbox"/> Parking/Loading Reduction | <input type="checkbox"/> Pre-code Structure Moving or Restoration |
| <input type="checkbox"/> Increase in Accessory Building Height | <input type="checkbox"/> Other _____ |

Brief Description of Variation or Exception Request _____

Applicant Information

Applicant Name/Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone () _____ Email: _____

Primary Contact Person

Name/Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone () _____ Email: _____

Property Information

Site Location/Address: _____
Real Estate Index Nos.: _____
Size of Property: _____ (square feet acres)
Current Zoning: _____ Current Use: _____
Is any portion of the property within the 100-year floodplain? Yes: _____ No _____

Village of Northbrook

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Consultants (as applicable)

Attorney

Name _____

Company _____

Address _____

City, State, Zip _____

Phone No. _____

Email _____

Planning/Landscape Architect

Name _____

Company _____

Address _____

City, State, Zip _____

Phone No. _____

Email _____

Civil Engineer

Name _____

Company _____

Address _____

City, State, Zip _____

Phone No. _____

Fax No. _____

E-mail _____

Other

Name _____

Company _____

Address _____

City, State, Zip _____

Phone No. _____

Fax No. _____

E-mail _____

Site Ownership and Control

List all legal and beneficial owners and their current mailing addresses:

Attach a copy of a document showing ownership of the property **and, if different**, the applicant's ownership, control of or interest in the property (Title Policy, real estate contract, deed, etc.). If property is in a trust, attach a certified copy of the trust agreement. (Check which documents are attached)

- Title Policy**
- Trust Agreement**
- Deed**

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Northbrook Ethics Code *(Potential conflicts of interest.)*

On a separate sheet of paper, list the name, address and nature and extent of any current or potential interest that any Village officer or employee may have in or with respect to the owner, the applicant or the property.

If none, check here: _____ (For more information, see Sections 2-71 through 2-85 of the Northbrook Municipal Code.)

Repeat Application

Has any other application for this property been submitted to the Village and denied within the last two years? _____ yes ___ no _____

If yes, attach a statement of the grounds justifying reconsideration (See Zoning Code Sec. 11-302).

Applicant/Owner Acknowledgments

By execution of this application in the space provided below, the Applicant and Owner(s) do hereby certify, acknowledge, agree and affirm to the Village of Northbrook that:

1. The Village and its representatives have the right, and are hereby granted permission and license, to enter upon the property, and into any structures located thereon, for purposes of conducting any inspections that may be necessary in connection with this application.
2. I (We) have carefully read this application, the Northbrook Zoning Code and Northbrook Subdivision & Development Code and fully understand the terms and provisions of each.
3. I (We) waive any rights to exemption from disclosure under the Illinois Freedom of Information Act of any and all documents and information submitted in connection with this application.
4. I (We), in accordance with the requirements of the Annual Fee Ordinance, the Northbrook Zoning Code and the Northbrook Subdivision & Development Code, agree to pay all applicable filing fees and be responsible for the payment of all reimbursable expenses associated with the processing of this application.

Applicants may attach additional materials or exhibits to this application if necessary or helpful in explaining the relief requested.

Signature of Applicant _____ **Date** _____

Signatures of Owner(s) _____ **Date** _____

_____ **Date** _____



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Plat of Survey Affidavit

Required for plats of surveys over one year old

STATE OF ILLINOIS
COUNTY OF COOK

AFFIDAVIT

_____, being first duly sworn upon oath, deposes and states that the Plat of Survey dated _____ for the property commonly known as _____, Northbrook, Illinois shows all of the structures and impervious surfaces presently on the property.

Affiant

Subscribed and sworn to before me this
_____ day of _____, 20 ____.

Notary Public

_____(SEAL)

11-503 F. Standards for VARIATIONS.

1. General Standard. No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection F.
2. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.
3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or his predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.
4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.
5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.
6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.
7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:
 - a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity;
 - b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity;
 - c) Would substantially increase congestion in the public streets due to traffic or parking;
 - d) Would unduly increase the danger of flood or fire;
 - e) Would unduly tax public utilities and facilities in the area; or
 - f) Would endanger the public health or safety.
8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Standards for EXCEPTIONS.

11-505 A. Standards for Exceptions.

1. General Standard. No exception shall be granted pursuant to this Section unless the applicant shall establish that the exception being sought satisfies each of the standards set forth below:
 - a) Consistent With Code and Plan Purposes. The proposed exception will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.
 - b) No Undue Adverse Impact. The proposed exception will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.
 - c) Compatible with Surrounding Area. The proposed exception will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.
 - d) Adequate Public Facilities. The proposed exception will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.
 - e) No Traffic Congestion. The proposed exception will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.
 - f) No Destruction of Significant Features. The proposed exception will not result in the destruction, loss or damage of natural, scenic or historic feature of significant importance.
 - g) Compliance with Standards. The proposed exception otherwise complies with all additional standards imposed on it by the particular provision of this Code.
 - h) Quality Design & Construction. The proposed exception demonstrates high quality design and uses construction materials and colors that are compatible with other structures on the property and other properties in the vicinity.
2. Specific Standards for Individual Exception Requests. In addition to the general standards for exceptions established in Paragraph 11-505F1, the following additional standards must be satisfied, as applicable:
 - a. Additional Standards for Fence Height Exceptions.
 - (1) No fence shall be installed that would cause a safety hazard with pedestrians on sidewalks or bicyclists or other vehicles on the nearby roadways and intersections.
 - (2) The materials used for the fence must be compatible with those in the surrounding area. In general, the use of solid fences or "cyclone" fences are discouraged.
 - (3) If the fence incorporates a gate system, the design and location the gate must not cause vehicles to block the roadway when waiting for the gate system to open. No gate shall open onto a public right-of-way.
 - (4) The specifications of any gate system incorporated into a fence shall be subject to the review and approval of the Village Manager to ensure that emergency vehicles have safe and proper access to the property at all times.
 - b. Additional Standards for Detached Garage Height Exceptions.
 - (1) Any detached garage which receives a height exception pursuant to Paragraph 11-505 E2 of this Section shall be designed and constructed to be consistent with the architectural features of the principal structure on the property.