



Petition Form for
Residential Zoning Variation

For Office Use Only

Address of Subject Property: _____

Docket Number: _____

Signed Affidavit Dated: _____

To the Petitioner:

Anyone who requests relief from the Zoning Code must first complete this petition in all its entirety. The contents of this petition are as follows:

Petition

Procedures and fees required

Review considerations

Please read the entire form and complete every section as thoroughly as possible. If you have any questions, please call the Community Development Department at (847)-357-4220.



PETITION FOR RESIDENTIAL ZONED DISTRICT VARIATION VILLAGE OF ELK GROVE VILLAGE

We, the undersigned, being owners of record of the following described real estate, do hereby request that the following legally described real estate be granted a variation from the provisions of the Elk Grove Village Zoning Ordinance, as it applies to:

Permanent Real Estate Tax Index No. _____

Assessed Valuation 20____ _____

(last 3 years) 20____ _____

20____ _____

- Attach Legal Description of Property

Owners of Record:

(Print/Type Name) (Signature)

(Print/Type Name) (Signature)

(Print/Type Name) (Signature)

Petitioner's Name:

(Print/Type Name) (Signature)

(Address) (City)

(Phone)



If a property owner in the Village feels that, because of exceptional conditions to their property not of their own making, strict application of the regulations of the Zoning Ordinance results in particular hardship to them, they may petition for a zoning variation. Examples of these exceptional conditions include the surroundings, condition, narrowness, shallow, shape, topographical conditions, or other reasons or conditions that the homeowner desires the Zoning Board of Appeals to consider as a demonstratable hardship.

I - INITIATION:

If a property owner wishes to have a variation on their property, petition (application attached) must be made to the Mayor and Board of Trustees:

A. The following documents are required:

- ❑ **Petition** (attached) completed in full.
- ❑ Letter of transmittal stating the rationale for the variation request.
- ❑ Current evidence of **Title to property**.
- ❑ **Fifteen (15) copies of a Plat of Survey of the property showing:**
 - a. The location, size, and use of all existing buildings and structures.
 - b. The proposed use of the property.
 - c. Which portion, if any, of the subject property is in the flood plain.
- ❑ **Legal description of the property.**
- ❑ **Fifteen (15) copies of photographs and supporting documents** of the area for which the variance is requested.

B. Submit a check made payable to the Village of Elk Grove Village to meet the following:

1. \$75.00 Filing Fee plus costs (publication of Legal Notice) incurred over the \$75.00.
2. Documents and fees are to be submitted to the Community Development Department, 901 Wellington Avenue, Elk Grove Village, Illinois 60007



II – REVIEW AND PROCESSING:

Upon receipt of the application for variation and fees, the Director of Community Development will:

- A. Examine the request for compliance with the above requirements for information, documents and fees. Incomplete inquiries will be returned to the petitioner for their Action. Step “B” will be taken when all application requirements have been fulfilled.
- B. Forward the application to the Zoning Board of Appeals. The Zoning Board of Appeals will hold a public hearing on the application as required by State Statute. The Zoning Board of Appeals will submit its recommendation and finding of fact to the Mayor and Board of Trustees.

III – PUBLIC HEARINGS:

- A. The Petitioner must be present at the public hearing unless represented by counsel and/or authorized agent. (See enclosed Resolution No. 29-90)
- B. Advertisement Procedures:

The Village has established certain procedures and outlined the responsibilities for the processing of applications and notifications of interested individuals prior to the conducting of a public hearing. We solicit your cooperation in discharging your responsibility as the petitioner.

After your application is determined by the Village to be complete, the VILLAGE will:

1. Review your application and in, consultation with the hearing body, schedule a date when the public hearing will be held. The Village will notify you when the hearing date is established.
2. Prepare and place the legal notice for publication in a newspaper of general circulation within the Village of Elk Grove Village not more than thirty (30) days nor less than fifteen (15) days in advance of such hearing.
3. Prepare and distribute notices of the public hearing to all property owners and/or residents, and if deemed necessary, other interested parties within three hundred (300’) feet of the subject property under petition.

Written notice shall be served in person or by mail not more than thirty (30) days nor less than ten (10) days prior to the scheduled public hearing date.

4. Provide a sign for the petitioner to post on the subject property.



C. As the PETITIONER, it is your responsibility:

1. To post at each street frontage of the subject property, a sign as provided for above, to be clearly legible to the public view on the nearest public way, for at least ten (10) consecutive days prior to the public hearing.

A deposit of twenty-five (\$25.00) dollars is required for the use of each said sign. Upon the sign being returned to the Village within five (5) working days after the public hearing, the deposit will be refunded. Failure to return the sign will forfeit the deposit.

2. Based on the above procedures, the minimum time required between receipt of your complete application and a public hearing on your petition will be at least forty-five (45) days. Due to meeting schedules, newspaper publication schedules, and other petitions under consideration more than forty-five (45) days may be necessary before your hearing can be held.

Please be assured, however, that the Village of Elk Grove will schedule the public hearing at the earliest possible date.

3. During the public hearing process, the petitioner (homeowner) will need to present testimony and evidence for consideration by the Zoning Board of Appeals as to why a variation is required. The requested variation cannot merely serve as a convenience, but must be necessary to alleviate some demonstrable hardship or difficulty.

When a property owner shows that a strict application of the terms of the Zoning Code imposes a particular hardship, then the Zoning Board of Appeals may recommend to the Mayor and Board of Trustees that a variation be granted based upon the evidence presented. The Zoning Board of Appeals will recommend against any variations that have a substantial detriment to the public good, substantially impair the general purpose and intent of the Zoning Code, or have no demonstrable hardships or special circumstances.

IV - FINAL ACTION:

Upon the receipt of the recommendations and findings of fact from the Zoning Board of Appeals, the Mayor and Board of Trustees will:

- A. Deny the request.
- B. Approve the request with or without modification.
- C. Adopt appropriate ordinance.



RESOLUTION 29-90

A RESOLUTION ESTABLISHING PROCEDURES FOR PUBLIC HEARINGS BEFORE BOARDS AND COMMISSIONS IN THE VILLAGE OF ELK GROVE VILLAGE

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois, as follows:

Section 1: That the petitioner must complete the application for a public hearing before the appropriate board or commission as is currently available from the office of the Village Clerk.

Section 2: That the petitioner must be present at the public hearing unless represented by counsel and/or an authorized agent.

Section 3: That the petitioner must submit written authorization to the Village Clerk prior to the public hearing date, in order to be represented by counsel and/or agent.

Section 4: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYE: 5 NAY: 0 ABSENT: 1

PASSED this 8th day of May, 1990.

APPROVED this 8th day of May, 1990.

Charles J. Zettek
Village President

ATTEST:

Patricia S. Smith
Village Clerk