

VILLAGE OF MAYWOOD



VARIANCE PETITION PACKET

**Village of Maywood
Variance Application**

PROCEDURE FOR OBTAINING A VARIANCE

1. Complete all sections of the attached application.
2. Attach all required exhibits designated in the application.
3. Submit application and exhibits as follows to the:
Village of Maywood
Community Development Department
40 East Madison Avenue
Maywood, Illinois 60153
4. Upon receipt of the application and exhibits, staff will review the submitted information for completeness and accuracy. This process normally takes 7 days.
5. A pre-hearing conference with staff will be scheduled if needed.
6. Public Hearing before the Plan Commission/Zoning Board of Appeals will be scheduled. (The Fourth Tuesday of the month at 7:00 p.m. or a special hearing will be scheduled upon the recommendation of the Mayor, Village Board, Department Staff or Plan Commission/Zoning Board of Appeals Chairman.)
7. State law requires that notification of the public hearing be published at least 15 days and no more than 30 days prior to hearing date.
8. The Plan Commission/Zoning Board of Appeals will hold a Public Hearing to consider requests for a Variance Permit. The applicant must be in attendance to answer any questions that the Plan Commission/Zoning Board of Appeals may have regarding the petition.
9. Following the public hearing, the Plan Commission/Zoning Board of Appeals shall either recommend to the Village Board to approve, approve with conditions or reject the request. The Plan Commission/Zoning Board of Appeals may continue the hearing should they determine the additional information is necessary to render a decision.
10. Within 14 days of the Plan Commission/Zoning Board of Appeals meeting, a recommendation to approve or deny request is forwarded to the Village Board for their consideration.
11. The Village Board will discuss the recommendations from the Plan Commission/Zoning Board of Appeals and the during the Village Board LLDC meeting (Second and Fourth Wednesday of the month at 7 p.m.). The Board will vote to accept or reject the Plan Commission/Zoning Board of Appeals' recommendations and send the request to the full Board for approval at the next Board meeting. If the variance request is approved; the Village Attorney will draft the appropriate ordinance for approval at that meeting.
12. The Ordinance will be presented at next Village Board Meeting for approval and adoption (The First and Third Tuesday of the month at 7:00 p.m.)
13. **PLEASE PROVIDE US WITH YOUR CURRENT MAILING ADDRESS**

PLEASE NOTE: Village staff will assist you with expediting your request. Due to the local and state laws regarding hearing publication requirements, meeting schedules and the complexity of your request, the entire processing time for a Variance could take as long eight (8) weeks.

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Plan Commission/Zoning Board of Appeals:

The Plan Commission/Zoning Board of Appeals is the Village of Maywood's appointed advisory body responsible for reviewing, conducting public hearings, and rendering recommendations to the Village Board regarding Variance petitions. The Board is comprised of 7 members appointed by the Mayor with the approval of the Village Board. The Plan Commission/Zoning Board of Appeals meets on the fourth Tuesday of the month at 7 p.m. in the Council Chambers located at the Police Department at 125 South 5th Avenue, Maywood, Illinois 60153.

Village Board:

The Village Board of the Village of Maywood is the elected body responsible for the authorization of Variance petitions within the Village. The Village Board is made up of six Trustees and the Mayor. Village Board meetings are held on the first and third Tuesday of the month at 7 p.m. in the Council Chambers at the Maywood Police Department located at 125 South 5th Avenue.

Variance Defined:

A zoning variance is an adjustment to the specified standards and regulations within an established zoning district as set forth in the Zoning Ordinance. Variances can only be granted for adjustments to the bulk regulations of the district (i.e., yard setbacks, height, floor, area ratio, size.) and cannot be granted for changes to the permitted uses identified under the zoning classification.

For a variance to be granted by the Plan Commission/Zoning Board of Appeals the applicant must prove a particular difficulty or hardship as defined under the Illinois Municipal Code. The Plan Commission/Zoning Board of Appeals are authorized to recommend a variance if they find that:

- ◆ The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations;
- ◆ The plight of the owner is due to unique circumstances;
- ◆ The granting of the variation will not alter the essential character of the locality;
- ◆ The particular physical surroundings will result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations is carried out;
- ◆ The conditions upon which the variation is based would not be applicable, generally, to other property within the same zoning classification;
- ◆ The purpose of the variation is not based exclusively upon a desire to make more money out the property;
- ◆ The alleged difficulty or hardship has not been created by the Petitioner or by a previous owner;
- ◆ The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
- ◆ The granting of the variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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PLEASE PRINT OR TYPE



OFFICE USE ONLY

Date Received: _____
Hearing Date: _____
Case Number: _____

VILLAGE OF MAYWOOD
PLANNING DEPARTMENT
40 East Madison Avenue
Maywood, IL 60153
(708) 450 - 6381 - PHONE
(708) 450-7447 - FAX

PETITION FOR A VARIANCE

(PUBLIC HEARING REQUIRED BEFORE THE PLAN COMMISSION/ZONING BOARD OF APPEALS)

Applicant: _____ Date: _____
Address: _____ Phone: _____
_____ Email: _____

Property Owner: _____
Address: _____ Phone: _____
_____ Email: _____

PIN: _____
Detailed zoning relief being sought (please specify applicable Section of the Zoning Ordinance): _____

Current Zoning Classification of Property: _____
Current Use of Property: _____
Related Section of the Ordinance _____ Lot Sq. Ft. _____ Bldg. Sq. Ft. _____
Address of Property: _____
Area of Subject Site: _____

(Stated in square feet if the area is less than one acre, and in acres and fractions thereof if one acre or more.)

Legal Description of Property: Please attach to this application.

Filing Fee: **\$100.00** (For Residential 1-2 units) **\$200** (For Residential 3 or more units) **\$300.00** (For Commercial) **\$150**
(For Non-Profit) Please attach to application. Please make checks payable to the Village of Maywood.

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A. Background information

1. Statement of the circumstances, factors and arguments that the petitioner offers in support of the proposed variance. (Please be specific, state the ordinance in which you are requesting a variance, the reasons why the variance should be granted, and if the variance is granted state the changes that will be made in the property.):

2. Explain the reasons why the granting of this Variance will not be contrary to the public interest; character of the existing zoning of the area; and the proposed use will not detract from the desirability of using adjoining properties for their present uses due to the following conditions (Please be specific by explaining how the variance will effect the existing structure and will conform to the adjoining properties):

3. Will additional utilities or roadway improvements, right of way acquisitions, enlarged floodplains, need to be provided to service the variance? Please explain why or why not.

4. Will special design features be included in the plans to prevent any detrimental effect on abutting properties or the general vicinity of the site in question? If so, please explain:

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5. Will the variance generate any odor, noise, vibration, light or particulate that will negatively impact surrounding land-uses or individuals?

6. Can you state that the characteristics impeding the property are not the result of actions by anyone with a property interest in land after the Zoning Ordinance or applicable section thereof were adopted. If you cannot state this, please indicate why you feel those characteristics should not be regarded as self imposed?

B. Additional Information

1. Attach a Site Plan drawn to scale and pictures showing the dimensions and square footage of the variance. The accuracy of the site plans is vital to the effectiveness of the plan review and will not be accepted if it cannot be easily read and evaluated.

2. **Exhibits Required:** Provide ten (10) copies of the Site Plan, drawn to scale, referenced in paragraph 1, as well as ten (10) copies of any other data or materials submitted as exhibits. The aforementioned information is requested to assist Village staff, Plan Commission/Zoning Board of Appeals, and the Village Board in determining the impact appropriateness of the requested variance. Please type or neatly write as much detailed information to ensure an effective evaluation of the petition. If additional space is necessary, please write on the back of the appropriate sheet.

3. The application fee must be submitted with the aforementioned to cover administrative costs associated with the petition review. All checks must be made payable to the Village of Maywood.

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I (We) hereby affirm that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (We) hereby acknowledge my (our) obligation to reimburse the VILLAGE OF MAYWOOD for all necessary and reasonable expenses incurred by the Village in the review and certification of any documents submitted in conjunction with this application.

Applicant

Property Owner (mandatory)

Signed and subscribed before me on
this _____ day of _____, 200_

Notary Public

This application was filed with the Planning Department on _____

Planning Department Staff

Attest:

Village Clerk

Office Use Only

Staff Checklist:

- _____ Completed application (all fields have entries)
- _____ Required Fee has been paid
- _____ Site Plans are attached
- _____ Ten (10) copies are attached

Date Public Hearing Filed: _____

Date Notices Sent to the Residents: _____

**PLAN COMMISSION/ZONING BOARD OF APPEALS
MEETING SCHEDULE FOR
2006-2007**

Meeting Date	Application Deadline
September 26, 2006	September 4, 2006
October 24, 2006	October 1, 2006
November 28, 2006	November 6, 2006

December Meeting is Cancelled due to the Holiday

January 23, 2007	January 2, 2007
February 27, 2007	February 5, 2007
March 27, 2007	March 5, 2007
April 24, 2007	April 2, 2007
May 22, 2007	May 1, 2007
June 26, 2007	June 4, 2007
July 24, 2007	July 2, 2007
August 28, 2007	August 6, 2007
September 25, 2007	September 3, 2007
October 23, 2007	October 1, 2007
November 27, 2007	November 5, 2007

December Meeting is Canceled due to the Holiday

**Meetings are held at the
Maywood Police Department
Council Chambers located at:
125 South 5th Avenue
Maywood, IL 60153**