

Village of



419 Richmond Road
Kenilworth, IL 60043
E-mail: info@villageofkenilworth.org

Phone: 847-251-1666
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Zoning Board of Appeals Application

General Information

Date: _____

Zoning Board of Appeals Jurisdiction

- Zoning Variations
- Special Uses
- Text Amendments
- Zoning Map Changes
- Administrative Appeals

Property Address

Property Address: _____

Zoning District: _____

Current Use _____

Applicant Information

Owner

Name _____

Address _____

Email _____

Telephone _____

Primary Contact Person

Name _____

Address _____

Email _____

Telephone _____

Primary Contact's Relationship to Property:

Ownership Details

If ownership is other than individual and/or joint ownership, please check appropriate category and provide all relevant additional ownership information as an attachment to this application.

___ Corporation

___ Land Trust

___ Partnership

___ Trust

Consultants (as applicable)

Architect

Name _____

Company _____

Address _____

Phone _____

E-mail _____

Attorney

Name _____

Company _____

Address _____

Phone _____

E-mail _____

Requested Action

____ Zoning Variation(s) for _____

____ Special Use for _____

____ Zoning Ordinance Text Amendment

____ Rezoning from _____ to _____ (Zoning Map Amendment)

____ Administrative Appeal

Filing Fees

All Applications require payment of a non-refundable fee; in addition, applications for special uses, text amendments, and zoning map for recovery of actual costs require additional funds that are held in escrow to. **Please attach a check with your application and indicate below the amount of fee submitted:**

_____ \$ 350.00

- Zoning Variations
- Special Uses
- Text Amendments
- Zoning Map Changes

_____ \$ 200.00

- Air Conditioning
- Fences
- Administrative Appeals

Kenilworth Code of Ethics

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: _____

Repeat Application

Has any other application for this property been submitted to the Village that seeks similar relief and has been denied within the last five years? _____ Yes _____ No

If yes, attach a statement of the ground justifying rehearing (see rules of Procedure of board of Appeals, sec, 2(6)).

Application/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 Kenilworth that:

1. The Village and its representatives have the right, and are hereby granted permission and license, to enter upon property, and into any structures located therein, for the purposes of conducting any inspections that may be necessary in connection with this application.

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 Kenilworth Zoning Ordinance and the Kenilworth Subdivision Regulations in Chapter 32 of the Kenilworth Village Code, and, where applicable, the Kenilworth Appearance Plan Adopted in Article IV

The Information contained in this application is true and correct.

Applicant's Signature

Signature _____

Name _____

Date _____

Required Materials

Submit a completed application with 12 copies of the following materials:

___ Drawings, if applicable, to Variance Application:.

1. Existing Floor Plans - show all levels of existing structures and provide floor plans of all levels of the structure where changes are proposed.
2. Existing Exterior Elevations - provide elevations of all existing exterior elevations that will be changing.
3. Proposed Floor Plan - provide floor plans of all levels of the structure that are proposed to change
4. Proposed Exterior Elevations - provide drawings of all elevations that are proposed to change.

___ Plat of Survey & Parcel(s) Legal Description, no more than 5 years old.

___ Title Policy or Deed.

___ Certified Copy of Trust Agreement, if applicable.

___ Simple Affidavit identifying Trust beneficiaries, if applicable.

___ Written Explanation of request on a separate sheet of paper. Address the standards for variations and how they are satisfied by the request.

___ Filing fee - payable to the Village of Kenilworth.

After this application and all necessary materials are submitted, the application will be put on the docket for a Zoning Board of Appeals Meeting. The application must be submitted 45 days prior to the Zoning Meeting. The Village will provide Applicant with a notification packet containing a notice is to be delivered to all property owners living within 400 feet of property. The Zoning Board of Appeals meets once every other month. Applicants should expect a hearing within 60 days of submitting application. Any party may appear at the hearing in person or by agent or attorney. The concurring vote of 4 members of the Zoning Board shall be necessary to grant a variance. No order granting a variation shall be effective for a period longer than six months unless a building permit is obtained and the construction, alteration, or moving of the building covered by the order is started within such period. All Applicants are encouraged to read section 17 of the Village of Kenilworth Zoning Ordinance.

Authorized Variations

- To vary any of the requirements of this ordinance with respect to minimum sizes of lots, maximum height of buildings and other structures, maximum and minimum size of buildings, maximum lot coverage by structures and other impervious surfaces, and minimum depth and width of yards.
- To vary any of the regulations contained in Article VI (Supplemental Regulations Applicable to all Residential Districts).
- To vary any of the regulations contained in Article XIV (Off-Street Automobile Parking Requirements).

Standards for Variations

The Zoning Board is required by Illinois State Statutes to apply the following standards in reviewing requests for Variation and Special Use Permits. The Board may only grant a variation in cases where there are practical difficulties and particular hardships brought about by the strict application of the Zoning Ordinance and not by any persons, presently or formerly, having interest in the property. **The applicant has the burden of establishing each of these standards both in writing and at the Public Hearing.** Please respond to the standards listed below in the written explanation of the request.

1. In the case of property, the principal use of which is for business purposes, the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations applicable to the district in which it is located.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.

The Board, making its determination whether the plight of the owner is due to unique circumstances and whether the variation, if granted, may alter the essential character of the locality, shall take into consideration the following factors to the extent they are established by the evidence and deemed relevant by the Board:

1. Does the particular physical surroundings, shape, or topographical condition of the property in question result in a practical difficulty or particular hardship upon the applicant for the variation, as distinguished from a mere inconvenience, if the strict letter of the regulation were enforced?
2. Do the conditions upon which the application for variation is based not be applicable generally to other property in the same district?
3. Is the request for the variation not based exclusively upon the desire to make more money out of the property?
4. Has the alleged difficulty or hardship been created by any person presently having an interest in the property?
5. Will the variation not impair an adequate supply of light and air to adjacent properties or substantially increase the runoff of storm water onto adjacent properties or public streets, or substantially increase congestion in the public streets or increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood?

For purposes of supplementing the above standards and factors in connection with requests for variations from the requirements of Section 5.3 of the Village Zoning Ordinance, the Board, in making its determination, may also take into consideration the following factors, among other factors deemed relevant by the Board, to the extent they are established by the evidence and deemed relevant by the Board:

1. The effects of the proposed construction on the overall appearance of the size and bulk of the existing structures on the property when viewed from streets abutting the property and from adjacent properties.
2. The proximity of the proposed construction to streets abutting the property and to adjacent properties.
3. The relative proximity of the proposed construction to streets abutting the property and to adjacent properties in comparison with the relative proximity of existing structures on other properties in the same vicinity.
4. The magnitude of the variation requested in absolute terms and in proportion to the floor area and/or impervious surfaces allowed if the strict letter of the regulation were enforced.
5. The need for other variations in connection with the proposed construction and the nature and extent of those other variations.
6. The need for the variation to allow the owner or occupant of the property to make reasonable use of a structure, the design of which otherwise fails to conform to generally accepted or prevailing standards of the Village for the use and enjoyment of a structure as a residence for a family.
7. The efficient and advantageous use of existing structures and the degree to which the proposed construction makes efficient, economical, and advantageous use of existing and proposed floor area and impervious surfaces.
8. The reasonableness of the variation requested in light of the purposes served by the proposed construction and the design problems of the existing structure intended to be alleviated by the proposed construction.

For purposes of supplementing the above standards and factors in connection with requests for variations from the requirements of Section 5.3 of The Village Zoning Ordinance, the Board, in making its determination, may also take into consideration the following factors, among other factors deemed relevant by the Board, to the extent they are established by the evidence and deemed relevant by the Board:

1. The height and location of existing and proposed structures on the property and adjacent properties.
2. The need to maintain the height of the proposed structure in relation to the height of an existing structure in order to enable the existing and proposed structures to present a pleasing appearance reflecting architectural integrity and harmony among separate structural elements.
3. The need to maintain a particular height of a proposed addition to a structure in order to observe sound structural design and accommodate good building practices in the construction of the proposed addition.

NOTICE

**SCHEDULE OF THE REGULAR MEETINGS
ZONING BOARD OF APPEALS
VILLAGE OF KENILWORTH
COOK COUNTY, ILLINOIS**

2010

PUBLIC NOTICE IS HEREBY GIVEN that the regular meetings of the ZONING BOARD OF APPEALS of the Village of Kenilworth, Cook County, Illinois, during the year 2010 will be held at 7:30 P.M. in the Kenilworth Village Hall, 419 Richmond Road, Kenilworth, Illinois on the following dates:

January 11, 2010

July 12, 2010

March 8, 2010

September 13, 2010

May 10, 2010

November 8, 2010

This schedule is subject to change as the Zoning Board of Appeals of the Village of Kenilworth shall determine and as the law shall allow. These meeting dates will only be used as needed. All such meetings shall be open to the public, except as to those the Village of Kenilworth shall determine to hold in private and which the law shall allow to be held in private.

Susan Criezis, Secretary
Zoning Board of Appeals

Notice of this schedule given this _____ day of _____, _____, 2009.