



Requirements for a Minor Variance

As set forth in the City of West Chicago Zoning Ordinance Sections 5.1-3 and 5.4-4:

The zoning administrator shall have the authority to approve a minor variance of ten percent (10%) or less as to setbacks or bulk regulations of the West Chicago Zoning Code.

Standards for a minor variance. The zoning administrator shall not grant a minor variance unless, based upon the evidence presented to him, he determines that:

- (1) The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or loss of revenue, if the strict letter of the regulations were carried out.
- (2) The condition upon which the requested minor variance is based would not be applicable, generally, to other property within the same zoning classification.
- (3) The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
- (4) The granting of the minor variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- (5) The proposed minor variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values within the neighborhood.
- (6) The proposed minor variance complies with the spirit and intent of the restrictions imposed by this code.

The purpose of a minor variance is to provide an expedited relief to a property owner when the strict enforcement of the zoning regulations pertaining to variances, that are deemed to be minor in nature, such as a surveying error or change in zoning regulations, would not impose an undue hardship on the reasonable use of the land or create a negative impact on the surrounding community.

Hardship of the applicant is the crucial test. A minor variance will be granted only to provide relief in unusual situations that were not intended or foreseen when the Zoning Ordinance was adopted or amended. Economic loss or gain is not considered a unique situation and is generally not considered a valid hardship.

It is strongly suggested that the petitioner schedule an appointment with the Zoning Administrator at the time of submittal so that the application submittal documents can be reviewed for accuracy and completeness.

Items required with this application

Submit four (4) copies of each of the following for review.

- ❑ Completed application
- ❑ Site plan or plat of survey of the property

Submit one (1) copy of each of the following for review:

- ❑ Authorization letter from the property owner (if the applicant is not the property owner)
- ❑ Trust/owner's disclosure certificate (if property is in trust)
- ❑ Legal description of property — preferably in electronic format
- ❑ A list of all property owners immediately adjacent to the subject property
- ❑ Envelopes, with postage affixed, addressed to each of the adjacent property owners
- ❑ *Minor variance fee - \$50*

All required items shall be submitted together. Zoning Administrator review shall not begin until staff has determined that all required items have been submitted and are complete. All documents shall be folded to fit into a legal size folder. Staff may request other documents as deemed necessary.

Approval Procedure

1. Applicant files all of the required items.
2. Staff reviews the documents. If corrections are required, the applicant shall be asked to revise and resubmit the documents.
3. When the documents are satisfactory, the Zoning Administrator shall provide a written recommendation to the applicant.

Application for a Minor Variance

Date Rec'd ___/___/___

Fee Paid? _____

Case # _____

For office use only

Applicant Information

(Name)

(Address)

(Phone #)

(Fax #)

(E-mail Address)

Property Interest of the Applicant:

___ Owner ___ Lessee ___ Contract Purchaser ___ Other: _____

Property Owner Information (if different from the applicant)

(Name)

(Address)

(Phone #)

(Fax #)

(E-mail Address)

Property Information

(Street Address or General Location of the Property)

(Permanent Index Number [P.I.N.])

(Current Zoning)

(Current Use of the Property)

(Type of Existing Structures on the Property)

(Type of Existing Features on the Property Relevant to the Minor Variance Request)

Minor Variance Being Requested

State exactly what is intended to be done with the property that does not conform to existing zoning regulations. Please cite relevant paragraphs of the Zoning Ordinance by section number.

Signature

I certify that all the information provided above and the information contained in any documents submitted herewith is true and accurate. I consent to the entry in or upon the property described in this application by any authorized official of the City of West Chicago for the purposes of inspection or review of the site in order to provide information for the formal determination of the minor variance.

In addition to the application fee specified above, I agree to reimburse the city for any professional services or costs, including, but not limited to, attorneys, engineers, planners, architects, surveyors, or other consultants fees that are incurred by the city, in its sole and exclusive discretion, that would be associated with the City of West Chicago providing a formal recommendation on the minor variance request.

(Signature of Applicant)

(Date)

(Signature of Owner, if different from the applicant)

(Date)

Site Plan

The site plan shall be on a plat of survey stamped by a licensed professional surveyor and drawn to scale, large enough to clearly show the following information:

- a. Locations and dimensions of the: lot(s), principal and accessory structure(s), driveway(s), and off-street parking spaces.
- b. Distance between: structure(s) and all of the lot lines; other structures on the lot(s); and structures on adjacent lots.
- c. Location of: signs, easements, underground utilities, septic tanks, tile fields, water wells, etc.
- d. That portion of the site plan that is affected by the requested minor variance.
- e. Any additional information as may reasonably be required by the Zoning Administrator.

Authorization Letter from the Property Owner

The authorization letter shall specifically state the minor variance being requested and exactly what is intended to be done with the property that does not conform to existing zoning regulations. The letter shall also specifically indicate that consent is being granted to the applicant to pursue the minor variance. The letter shall be dated, signed by the property owner and include the mailing address of the property owner. The original copy of the letter shall be submitted with the minor variance application.

Trust Disclosure Certificate

The trust disclosure certificate shall indicate the trust under which the property is held and who is legally responsible for matters pertaining to the trust. The trust holder shall sign the certificate and the trust holder's name shall also be printed on the certificate. The certificate shall be notarized by a state certified notary public and shall be dated. The original copy of the certificate shall be submitted with the minor variance application.

List of Adjacent Property Owners

The list shall contain the name and mailing address of the taxpayer of record and Permanent Index Number (P.I.N.) of all properties immediately adjacent to the subject property, including all properties adjacent to the subject property that are separated by a public right-of-way. The required information may be obtained from the Assessor's Office of the township in which the subject property is located.

Wayne Township Assessor's Office
27W031 North Avenue
West Chicago, IL 60185
(630) 231-8900

Winfield Township Assessor's Office
130 Arbor Avenue
West Chicago, IL 60185
(630) 231-3573

Envelopes Addressed to the Adjacent Property Owners

As part of the formal review of your minor variance request, the Zoning Administrator shall provide written notification by mail to all property owners adjacent to the subject property. A standard sized envelope containing first class postage necessary for delivery and the name and mailing address for each taxpayer of record identified on the list of

adjacent property owners shall be submitted with the minor variance application. The written notification will contain information regarding the minor variance being requested, the reason for the minor variance request, the name of the petitioner and property owner, the legal description and common address or location of the subject property, a date to which a written response from the adjacent property owner must be received by the Zoning Administrator, and the Zoning Administrator's contact information. Please note that any written responses received from the adjacent property owners will be taken into consideration prior to providing a formal recommendation on your minor variance request.