

YOU AND THE ZONING VARIATION PROCESS

Applying for a zoning variation is a legalistic process that must follow predetermined statutory procedures. Variations from the terms and regulations of the Zoning Ordinance may be granted, as authorized by the statute, in specific cases where an undue hardship exists and where the granting of such variation shall not cause hardship on surrounding properties. It is the recommendation of a zoning variation. This process may yield a design which could be compatible with the Zoning Ordinance and thus negate the need for filing a variation. If, after this process, you feel that you still need to apply for a variation, please read and observe the following procedures carefully:

Filing Your Application

Applications for variations include the following steps:

1. Obtain an "Application for Zoning Variation" form from the Inverness Village Hall, 1400 Baldwin Road, Inverness, IL, 60067.
2. File two (2) copies of the completed application along with the non-refundable filing fee of three hundred dollars (\$300) as established by the Village.
3. Include two (2) Plats of Survey, one of which needs to be an original, and two (2) copies of the site plan.
4. Include any additional information on building elevations, architectural plans or related drawing that depicts the proposed project that is the subject of the variation request.
5. Submit proof of ownership in the form of a copy of deed, title policy, torrens certificate, or copy of contract purchase.
6. The petitioners for a variation must file with their petition an affidavit containing the names and mailing addresses of all the owners of all property with 500 feet (500'), (excluding rights of way of streets) in each direction from all points on the perimeter of the property for which the variation is requested, but in any event, such affidavit must include the nearest five (5) property owners within the Village of Inverness. Preaddressed, stamped envelopes to all persons named on such affidavit must be provided to the Village with the petition. These envelopes should contain no return address. For the purposes of the required affidavit, ownership may be determined on the basis of the last available tax records of the County
7. File the application and accompanying documents with the Village.

Zoning Board of Appeals Hearing

Variations may be granted by the President and Board of Trustees by passage of an ordinance only after a public hearing before the Zoning Board of Appeals (ZBA). After the completed application has been filed, it will be placed on the agenda of a regularly scheduled meeting of the ZBA. Applications should be submitted at least thirty (30) days before the meeting date.

Publication

The Village will prepare the required legal notice for publication in the Palatine-Inverness edition of the Daily Herald, not less than fifteen (15) days before the hearing, in accordance with State law.

Notice to Adjoining Property Owners

The petitioner for any variation must file with the Village Administrator an affidavit identifying the owners of all property, whether under the jurisdiction of a municipality or within an unincorporated area, within five hundred feet (500'), excluding rights of way of streets, in each direction from all points on the perimeter of the property which is the subject of their petition. This affidavit must include at least the five (5) nearest property owners within the Village. For the purpose of this affidavit and notice requirement, ownership may be determined on the basis of the last available tax records of the County. The Village will send written notice by U.S. mail not less than ten (10) days prior to the initial date of the public hearing thereon, to those persons identified in said affidavit. The ZBA, the Plan Commission, and the corporate authorities may inquire into the adequacy of such affidavit.

Consideration by the President and Board of Trustees

The function of the ZBA is to hold public hearing on the application for variation as an advisory body to the Village Board. After the hearing, the ZBA may make its recommendations, together with findings of fact, to the Village Board, who shall take action to either approve or deny the application. This is usually done at the next regularly scheduled Village Board meeting. The Village Board may hear, if it so chooses, brief presentations by the applicant as well as any objectors, as part of its consideration of the ZBA's recommendation. A draft of the proposed ordinance will be sent to the applicant for his or her review in advance of consideration by the President and the Board of Trustees. After zoning variation ordinance is approved, it must be accepted by the applicant in writing.

Questions?

Call the Village Hall at 847-358-7740 for information regarding filing of the application for zoning variation and the date of the hearing.

APPLICATION FOR ZONING VARIATION

TO: The Village of Inverness

A variation of the Zoning Ordinance is requested to permit the following use to be made of property hereinafter described:

Such a use requires a variation from the Zoning Ordinance in the following specific respects:

The hardship incurred, for which relief by virtue of variation is sought, and the reasons for this application are:

Application is therefore made to secure variations or a variation which permit(s) the intended use.

Signature (Owner/Applicant)

Address

Phone Number

Please complete and/or provide the following information:

1. Statement of Ownership: Set forth the legal name(s) of the owner(s) and state how long they have owned the property.

2. Evidence of Ownership: Attach a copy of your deed, title policy, Torrens certificate, or a copy of your contract to purchase.

3. State the legal description and the common address of the property.

4. Attach two (2) copies of the legal plat of survey and two (2) copies of site plans indicating the location of the intended use and other permanent structures.

5. To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance or applicable part thereof became law?

Yes ___ No ___. If "No", explain why the hardship should not be regarded as self-imposed. (Self-imposed hardships are NOT entitled to variations).

6. Are the conditions on your property the result of other man-made changes (such as the relocation of a road or highway)? If so, describe:

7. Will the grant of a variation in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance?

Please explain: _____

AFFIDAVIT CONCERNING OWNERS OF ADJACENT PROPERTY

The undersigned, being duly sworn on oath, states that the undersigned obtained from the records of the Township Assessor the following owners of all property within five hundred feet, excluding rights-of-way of streets, in each direction from all points on the perimeter of the property to which this petition relates according to and based upon the Township Assessor's most current taxpayer of record information and including, in any event, at least the five (5) nearest property owners, and to the best of the knowledge of the undersigned, said list is true and correct.

<u>Name of Property Owners</u>	<u>Address of Property Owners</u>

SUBSCRIBED AND SWORN TO before me
 This ____ day of _____, 20____.

 Notary Public

 Signature of Petitioner