

## *Village of Richton Park Variance Petition Packet*

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### ***Planning and Zoning Commission:***

The Planning and Zoning Commission is the Village of Richton Parks appointed body responsible for reviewing, conducting public hearings, and rendering recommendations to the Village Board regarding variance petitions. The Commission is comprised of 7 members appointed by the Village President with the approval of the Board of Trustees. The Planning Commission meeting on the second and fourth Tuesday of each month at 7:30 p.m. in the Village Board Room of the Village Municipal Building located at 4455 Sauk Trail, Richton Park, Illinois.

### ***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 Planning and Zoning Commission the applicant must prove a particular difficulty or hardship as defined under the Illinois Municipal Code. The Planning and Zoning Commission are authorized to grant the following variances:

- To permit a yard or setback below the required yard or setback for a particular district. The variances may not exceed (25) percent of the required yard or setback.
- To exceed by not more than ten (10) percent the maximum allowable gross floor area for a land use in a particular zoning district.
- To permit a lot area or width below that required within a particular district provided the reduction does not exceed ten (10) percent of the required lot area or width for the district.
- To allow the maximum distance between the required off-street parking spaces and the principal use served to be increased by not more than (25) percent.
- To reduce the number of required off-street parking and loading spaces by not more than 1 parking or loading space, or 20% of the required number of spaces, whichever is greater.
- To permit no more than 2 adjacent land-uses from sharing off-street parking spaces under the condition that the hours of operation differ significantly enough as to provide an adequate number of parking spaces at all times.

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- To allow the height and/or square footage of a sign to be increased by not more than (25) percent, and to change the location of a sign on the zoning lot.
- To exceed any of the authorized variations allowed under this section, when a zoning lot, vacant or legally used on the effective date of this ordinance, is by reason of the exercise of the right of eminent domain by any authorized governmental body or by reason of a conveyance under the threat of an eminent domain proceeding, reduced in size so that the remainder of said zoning lot or structure(s) on said lot no longer conform with one or more of the regulations of the district in which said zoning lot or structure(s) is located.

### *Variance Petition Walk Through:*

1. Variance petition and background information forms are filled out by the applicant and submitted to the Village along with either a \$75.00 filing fee for residential or \$150.00 filing fee for commercial and \$1000.00 plan review security deposit a minimum of thirty (30) days prior to the scheduled public hearing.
2. The variances petition is sent out for internal staff review and comment.
3. A public hearing is scheduled for the next available Planning Commission meeting. Illinois State Law requires that a legal notification of a public hearing be published at least 15 days and no more than 30 days prior to said hearing. Subsequently, the scheduled date for the hearing will depend on when the petition is filed with the Village.
4. Following staff review of the petition (usually 1-2 weeks) the Planning Department will notify the applicant in writing of any questions or concerns raised by staff as well as the recommendation of the Planning Department to the Planning Commission. (The Planning Department may schedule a meeting with the applicant to address any of the questions or concerns raised by staff prior to the public hearing).
5. The public hearing will be held on either the 2<sup>nd</sup> or 4<sup>th</sup> Tuesday of the month at 7:30 p.m. in the Village Board Room of the Village Municipal Building.
6. The applicant should be in attendance to answer any questions or concerns that the Planning Commission may have regarding the petition.
7. During the public hearing the Planning Commission will either approve, approve with conditions, reject, or continue the hearing to a later date should they determine that additional information is necessary prior to rendering a decision.
8. Within thirty (30) days of the close of the public hearing the applicant shall be notified in writing as to the Planning Commissions decision, conditions applicable to that decision, and where necessary the scheduled date(s) of additional hearings.

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**Property Address** (Attach Legal Description):

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**Applicant:**

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**Applicants Address:**

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**Phone Number:**

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**Property Owner** (if different from applicant):

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**Property Owners Address:**

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**Zoning of the Property:**

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**Current Land Use:**

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**Proposed Zoning:**

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**Reason for the Requested Variance:**

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**Applicant**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Property Owner**  
(if different from applicant)

\_\_\_\_\_  
**Date**

FOR OFFICE USE ONLY

DATE RECEIVED: \_\_\_\_\_ LEGAL PUBLISHED: \_\_\_\_\_ HEARING DATE: \_\_\_\_\_

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***Background Information:***

The following information is requested to assist the Planning and Zoning Commission in determining if a request for a variance is appropriate. The requested information is based on the State established requirements for granting a variance. Please provide as much detail as possible for each question. If additional space is necessary, please write on the back on the appropriate page. This will allow the Planning and Zoning Commission to effectively evaluate the application.

- I. Reasons for the variance request.
  - A. Describe the property’s characteristics which create a difficulty or hardship and prevent the property from being used in the way desired?  

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  - B. Describe how the alleged characteristics are unique to the property and not generally applicable to other properties in the same zoning district.  

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  - C. Has the alleged difficulty or hardship been created by any person presently having an ownership interest in the property? If yes, why do you feel the alleged difficulty or hardship should not be regarded as self-imposed? If no, which person or entity, if any, has created the alleged difficulty or hardship and how?  

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  - D. What effect would the proposed variance have on the public safety or welfare?  

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  - E. What effect would the granting of the variance have on other neighboring properties including their property values?  

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- II. Attach a legal description of the property for which the variance is being requested.
  
- III. Attach a site plan drawn to scale indicating all dimensions and setbacks of existing and proposed structures for which the variance is requested. The accuracy of the site plan is vital and will not be accepted if it cannot be easily read and evaluated.
  
- IV. The \$75 or \$150.00 filing fee must be submitted with the variance application to cover the administrative costs associated with the application review. Checks should be made out to the Village of Richton Park.
  
- V. Signature of the applicant. Signature of the property owner is different from the applicant.

I (we) do hereby certify that the information provided above and in all papers, plans or documents submitted herewith are to the best of my (our) knowledge true. I (we) agree to reimburse the Village of Richton Park for any other expenses outside the general administration costs incurred as a result of this variance petition (i.e. engineering, legal, staff, or other permit fees).

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Applicant	Date	Property Owner (if different from applicant)	Date