



Village of Northfield

Zoning Board of Appeals Review Process



Department of Community Development and Building

Village of Northfield

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361 Happ Road

Northfield, Illinois 60093

www.northfieldil.org

(847) 446-9200

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Building*

Overview

The Zoning Board of Appeals consists of seven (7) members appointed by the Village Board of Trustees in Northfield. Specifically, all of the following require Zoning Board of Appeals review and approval:

- Requests for variations from the regulations of the Zoning Code by a property owner. (Variations may only be from the numerical standards of the code and not uses. This includes such items as height, setbacks and lot coverage). – *Chapter 4, Section 3.7 and Appendix A – Zoning Code.*
- The exceptions to the district regulations – *Chapter 4, Section 3.7.*
- Appeals of the Building Commissioner’s Decision– *Appendix A, Section 4.*
- Extensions of district line boundaries when a district divides a lot held in single ownership - *Appendix A, Section 4.*
- Tennis Court Variations - *Chapter 18, Section 34.*
- Playground Equipment Variations - *Chapter 18, Section 39.*

█ *Zoning Board of Appeals Procedures – October, 1999*

Process

Thank you for your interest in applying for review of your project by the Northfield Zoning Board of Appeals. To help you with the process, this packet has been prepared which outlines the basic procedures and submittals. The completion of the steps within this document in no way guarantees approval of a project. Only the Zoning Board of Appeals, after review of the presented evidence, can make such a determination.

1. As a first step, the Petitioner may choose to arrange a pre-application meeting with the Department of Community Development and Building to review the preliminary concept plan, application and relevant code sections.
2. The Petitioner must make formal application for Zoning Board of Appeals review. The Petitioner must provide thirteen (13) copies of the application including all submittals. (See submittal section on page 4).
3. The Zoning Board of Appeals meetings are held on the first Tuesday of each month, as needed, and applications are due approximately five (5) weeks prior to this date to be scheduled for the meeting. A detailed list of the meeting and submittal dates for the year is available on the back side of the pink cover sheet.
4. The staff will review the project and forward a report along with the plans to the Zoning Board of Appeals and the petitioner.
5. Public notice of surrounding property owners is required for all of the projects reviewed by the Zoning Board of Appeals. The petitioner is responsible for sending out the notification letters not less than fifteen (15) days nor more than thirty (30) days prior to the meeting. A detailed outline of the process, notification affidavit and a sample letter is provided in the notification section on pages 9 and 10 of this application.
6. The Zoning Board of Appeals will then hold a meeting to review the proposed plans. At the meeting, the Petitioner or designated representative must be in attendance to present the proposed project and answer questions of the Zoning Board of Appeals members. At the meeting, the Zoning Board of Appeals will make a determination whether to approve, modify, or deny the proposed project. Of the seven (7) members, four (4) votes in favor, are required to approve a project or variation.
7. Except for cases requiring another Commission review process, the Zoning Board of Appeals has final approval authority. Once a project is approved by Zoning Board of Appeals, the petitioner may proceed with obtaining any necessary building permits. Building permit applications are available in the Building Department.
8. If the Petitioner is denied by the Zoning Board of Appeals, the petitioner may appeal pursuant to the Illinois Administrative Review Act.
9. Once the minutes from the meeting are approved, they are available on our website. Go to www.northfieldil.org, click on Boards and Commissions, click on Zoning Board of Appeals, click on Minutes for the Zoning Board of Appeals, click on the date you are looking for.

Submittals

Thirteen (13) copies including one (1) original of the following information, applicable to the requested action, must be provided to constitute a complete application:

- Application (see page 7).
- Current Plat of Survey with exact legal description of property.
- A detailed letter outlining the requested variation and outlining the hardship associated with the request. Petitioner should refer to and be prepared to provide actual evidence of how they comply with the standards the Zoning Board of Appeals uses when determining whether to grant the requested variation. (See consideration criteria section on page 5).
- Provide documentation on any original covenants, conditions or restrictions concerning the type of improvements, setbacks, area or height requirements, etc., placed on the property and now of record. Give the date of expiration of said restrictions and describe or attach a copy of the applicable documents. (The policy of the Village is not to use its permit authority to enforce private restrictions).
- Indicate if the owner of this property has any interest in the immediately adjacent properties, and if there is at the time of this application, any contract or agreement relevant to the sale or use of the subject site.
- Detailed Site Plan. A full dimensioned plan illustrating all site improvements including but not limited to setback lines, easements, buildings, accessory structures, driveways, walkways, parking areas, tennis courts, antennas, fencing, and project zoning data.
- Design details of all proposed improvements including but not limited to buildings, fences, antennas or accessory structures.
- Preliminary engineering drawing with general drainage and grading.
- Building floor plans and elevations with all dimensions, heights and materials indicated.

In addition to the above, ONE (1) COPY of the following information must also be provided to constitute a complete application:

- Application fee (see page 6).
- Ownership information in the form of warranty deed, trust, title policy, fully executed lease, or fully executed contract to purchase.
- Original executed ownership affidavit and site authorization form (see page 8).
- Project Accounting Form (pink copy – attached to the back of this booklet).
- Notification affidavit, copy of the mailed letter and complete list of the mailing list must be submitted no later than fifteen (15) days prior to the meeting (see notification section on page 9).

For questions on what information is applicable to your type of application, please contact the Department of Community Development and Building at **(847) 784-3551** or refer to the relevant code section.

Consideration Criteria

When considering variations, the Village Manager and/or the Zoning Board of Appeals shall consider the following issues as they pertain to the applicant's request. The applicant shall be prepared to provide such evidence as is necessary to demonstrate how they meet these relief requirements:

- **Minimal Relief Application, Class I or Class II Variations**

1. Taking into consideration the following matters, to what extent is the applicant responsible for the condition that is the subject of the request?
 - A. Was the regulation from which relief is sought in existence when the applicant either purchased or improved the property?
 - B. Has the applicant changed the property in some way so as to create the problem condition?
 - C. Might the applicant have taken some action in the past to prevent or avoid the problem condition that is subject to the request?
2. Will the relief requested adversely affect public safety?
3. Is there a reasonable alternative for the erection or expansion of the structure that is consistent with the expressed terms of the Zoning Ordinance? If there is such an alternative, but the applicant believes the additional cost is prohibitive, then the applicant must set for the cost of each alternative.
4. Will the requested relief exceed the minimum necessary to accomplish the applicants stated purpose?
5. Will the relief requested be out of character with the neighborhood?
6. Are there other structures within the same zoning district in the Village, which either violate or have received a variation from the same regulation?

- **Class I Variations Only**

1. Will the variation have a negative effect on the value of neighboring properties?
2. In cases where the applicant is claiming that the cost of compliance with the Zoning Ordinance is extraordinary, what is the ratio of the cost differential between constructing the improvement in compliance with the Zoning Ordinance and the cost of constructing the improvements with the variation to the value of the entire property?
3. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the applicable regulations? (Only applicable to nonresidential and multi-family rental property).

- **Class II Variations Only**

1. If the strict terms of the Zoning Ordinance are applied, may any reasonable improvement be erected that is intended for a use, which is permitted in this zoning district?
2. Does the negative impact on the applicant, in not being able to use the property in the specific manner requested, substantially outweigh any negative impact on adjacent properties if the variation is granted?
3. Is the relief requested the minimum necessary to use the property in a manner reasonably similar to the other uses in the neighborhood?

Fees (effective January 1, 2009)

All petitions requiring a Zoning Board of Appeals hearing are subject to a **\$400.00** non-refundable base review fee. In addition, the petitioner shall be required to post a **\$200.00** escrow. Checks are to be made payable to the Village of Northfield. The petitioner is responsible for the full cost of any charges incurred by the Village in the processing of this application. Costs above and beyond the base fee shall automatically be deducted from the escrow funds posted. In the event the escrow account is depleted below an acceptable level, the petitioner shall be required to post additional escrow funds to cover the full cost of the review. These fees may be amended from time to time by the Village Board. In addition, please note there may be other applicable fees associated with the plan review, building permit or other required approval processes.

Reference Material

This publication is intended as an application and informational piece only. Applicants are responsible for the review of all relevant Village code sections, which are subject to change. The codes chapters related to the Zoning Board of Appeals are as follows:

- Chapter 1 – *General Provisions*
- Chapter 4 – *Boards and Commissions*
- Chapter 18 – *Appurtenant Structures*
- Appendix A – *Zoning Code*
- Appendix D – *Fees and Bond Amounts*

Questions

If you should have any questions on the process, required submittals, relevant code sections or would like to schedule a meeting to review your project on a preliminary level with staff, please call the Village of Northfield's Department of Community Development and Building at **(847) 784-3551**.

North Cook County Soil and Water Conservation District

As a courtesy to you, the Village of Northfield is providing with this packet, copies of the North Cook County Soil and Water Conservation District Natural Resources Inventory Report Application. This is not a Village ordinance, but one which is required by Cook County. **All applications, materials and questions regarding this should be directed to the District at (847) 468-0071.** *(Added 12/13/01)*

Zoning Board of Appeals Procedures – October, 1999

Village of Northfield

Zoning Board of Appeals Application

Petitioner: _____ **Contact Person:** _____
Name _____ Name _____
Address _____ Address _____

Phone Number _____ Phone Number _____
Fax Number _____ Fax Number _____
E-mail Address _____ E-mail Address _____

Project Location: _____

Zoning: _____

Type of Variation Requested (check all that apply):

- Tennis Court
- Playground Equipment
- Class I Variation
- Class II Variation
- Minimal Relief Application (see page 11)

Provide a detailed listing of the variations, referencing the applicable code sections, being requested:

Article	Section	Paragraph
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I/we, _____, being duly sworn on oath, depose and say that I, as the owner of the property involved in this application, have familiarized myself with the rules and regulations of the Zoning Board of Appeals with respect to preparing and filing this application, and that the foregoing statements and information contained on the plat and other submittals provided are to the best of my ability true and correct.

Signature of Applicant

Subscribed and sworn to before me
this _____ day of _____, 20_____.

Notary Public

Ownership Affidavit and Site Authorization Form

I, _____, under oath, state that I am the ___ sole
___ a partner in title
___ authorized officer of
___ trust office or beneficiary

owner of the property commonly described as _____
and that such property is owned by _____ as
of this date.

As such, I hereby grant employees of the Village of Northfield, their agents, and members of the Northfield Zoning Board of Appeals permission to enter on the property to conduct a visual inspection of the site during reasonable hours. This permission is granted in regards to the Northfield Zoning Board of Appeals application pending for this site.

Signature

In the space below, a) if a partnership, name all partners; b) if a corporation, name all officers, directors, and shareholders who have 25% or more of the outstanding stock; or c) if a trust, name the trustee and the trust, all beneficiaries thereunder, and the person or persons holding Power of Direction.

Name	Address	Interest Held

Subscribed and sworn to before me
this _____ day of _____, 20_____.

Notary Public

Notification Requirements

- The petitioner is required to send a notification letter to all property owners of record within two hundred fifty feet (250'), excluding public right-of-ways of the boundaries of the property for which the change is being sought. All notices pursuant to this section shall be delivered by registered or certified mail, return receipt requested. The petitioner is responsible for sending out the notification letters not less than fifteen (15) days nor more than thirty (30) days prior to the meeting.

The name and addresses for the owner of records can be obtained through the township offices. The petitioner must first come to the Village Hall for property identification numbers (PIN) and then take these to the applicable township office. For sites in New Trier Township the office is located at 739 Elm in Winnetka, (847) 446-8200 and for sites in Northfield Township the office is located at 3801 West Lake in Glenview, (847) 724-8300.

The name and address for the owner of records are also available on the internet at: www.cookcountytreasurer.com Click on Payment Status. Enter PIN # (example 04-13-305-023-0000). Type the four letter security code as shown. Click search.

The petitioner must provide the Village with proper evidence of notification by submitting a copy of the letter sent, complete mailing list and notification affidavit a minimum of fifteen (15) days prior to the meeting.

Notification Affidavit Northfield Zoning Board of Appeals

I, _____, hereby certify as follows:

1. That on the _____ day of _____, 20____, affiant caused to be mailed, through certified or registered mail, return receipt requested, in the Post Office of _____, copies of the attached Notice of Public Hearing to all listed taxpayers of real estate within two hundred fifty feet (250'), excluding public right-of-ways of the subject site, located at _____, and to the owners, or representatives, of property listed as exempt.
2. That the parties to whom said notice was mailed are set forth on the attached list.

Signature

Subscribed and sworn to before me
this _____ day of _____, 20____.

Notary Public

Zoning Board of Appeals Procedures – October, 1999

Sample Notification Letter

The following is a sample letter which must be mailed by the petitioner not more than thirty (30) nor less than fifteen (15) days prior to the meeting:

Date _____

Notice of Public Hearing

Please be advised that a petition has been filed with the Village of Northfield for a _____.
(Please describe type of variance as best as possible and what the variance is for).

The property is located at _____ and the beneficial owner is _____.

This hearing is open to the public and comments on the proposal are invited. All interested persons will be given the opportunity to express their views or concerns at the meeting. The hearing on said petition will be held by the Northfield Zoning Board of Appeals at the Village Hall located at 361 Happ Road, Northfield, Illinois beginning at 7:00 p.m. on Tuesday, _____, 20____.

Signature

All persons in attendance at the hearing shall have an opportunity to be heard. Any person who also wishes to appear at the hearing as an "interested party" with the right to cross-examine others giving testimony at the hearing must complete and file an appearance with the Village Manager, Stacy Alberts Sigman, at the Village Hall, 361 Happ Road no later than 4:30 p.m., the third business day before the date of the hearing. Appearance forms are available in the Building Department during regular business hours.

Note: This **agenda is subject to change**. Please contact the Village Hall at (847) 784-3551 the day of the meeting for the status of this agenda item.

The Village of Northfield is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with Disabilities who plan to attend this meeting and require certain accommodations in order to allow them to observe and/or participate, or have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village Managers office at (847) 446-9200 / TDD 446-7131, at least one (1) week prior to the meeting, if possible, to allow the Village of Northfield to make the necessary accommodations.

Minimal Relief Application

If you are applying for a Minimal Relief Variance, one (1) copy of the following information must be provided to constitute a complete application:

- Application (see page 7).
- Current Plat of Survey with exact legal description of property, pin # and drawn to scale.
- Detailed Site Plan. A full dimensional plan illustrating all site improvements including but not limited to setback lines, easements, buildings, accessory structures, driveways, walkways, parking areas, tennis courts, antennas, fencing and project zoning data.
- Design details of all proposed improvements including but not limited to buildings, fences, antennas or accessory structures.
- Ownership information in the form of a warranty deed, trust, title policy, fully executed lease or fully executed contract to purchase.
- Executed ownership affidavit and site authorization form (see page 8).
- Notification affidavit, copy of the mailed letter and complete list of the mailing must be submitted on the day the notice appears in the newspaper. Village staff will inform you of this date. (See notification section on page 9).
- Application fee - \$400.00 non-refundable base review fee plus \$200.00 escrow deposit.

The following is a sample letter, which must be mailed by the petitioner on or before the notice appears in the newspaper. The letter must be mailed by certified mail, return receipt requested:

SAMPLE LETTER

Date _____

RE: _____ (address)
NORTHFIELD, ILLINOIS

Dear Northfield Resident:

As owners of the above referenced property, we have submitted a request for a Minimal Relief Application to _____ (type of project) to our home. The minimal variance request(s) are as follows: _____.

Unless there is written objection from the owners of property located within 250 feet of the subject property, the Minimal Relief Application allows a variance request to be granted by the Village Staff instead of appearing before the Zoning Board of Appeals when the variance is 10% or less from the standards of the Zoning Ordinance.

Notice of this request will be published in the Winnetka Talk on _____ (date). If you object to the Village granting this variance, please notify the Building Department in writing within 15 days from the date of publication. Upon written notice of objection by any owner of property within two hundred fifty feet (250'), a hearing will be scheduled before the Zoning Board of Appeals.

If you have any questions, please feel free to contact the Building Department at (847) 784-3551.

Sincerely,
