

Village of Wadsworth, Illinois

*Non-refundable Application Fee: \$750
Professional Fees Escrow Deposit**

Petition for Zoning Variation

This application, application fees, professional fees escrow if required and any other necessary submittals must be filed with the Zoning Officer thirty (30) days prior to the public hearing.

To be completed by applicant; please type or print legibly

Full Name of Petitioner: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Status of Petitioner:

_____ Title Holder
_____ Contract Purchaser
_____ Agent or Attorney
_____ Lessee
_____ Other (Please Specify) _____

Full Name of Title Holder: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Street Address or General Location of Subject Property: _____

Legal Description of Subject Property (use additional pages, if necessary): _____

Lake County Permanent Identification Number(s) (P.I.N.) – Please List All: _____

Existing Zoning Classification: _____

Existing Use of Property: _____

Property Data:	Site Area	_____	_____
		(Square Feet)	(Acres)
	Site Width	_____	

	Site Width	_____
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	Site Depth	_____
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Proposed Variation: _____

Proposed Use of Property: _____

Reason for Request:

The Village shall grant a variation only when, it shall have been determined, recorded in writing and placed in its records on forms to be provided by the Zoning Officer, that all of the following conditions have been met.

Listed below are the Standards of Variations. You should “make your case” by explaining how your proposed request satisfies each of the standards listed below. Please note that the Plan Commission/Zoning Board of Appeals cannot recommend a variance to the Village Board of Trustees unless it, in each specific case, makes findings of fact, based upon the evidence presented to it, which supports the conclusion that all standards have been satisfied.

Explain how the variation requested will not permit a use otherwise not permitted in the zoning district where the use is located.

Describe in detail the special circumstances or conditions, such as exceptional narrowness, topography or siting, that apply to the land for which the variation is sought and explain how those conditions do not apply generally throughout the zoning district where the property is located.

Provide information to confirm that the special circumstances or conditions that apply to the land were not the result of any act of the applicant.

Explain why the noted circumstances or conditions are such that the strict application of the provisions of the code would result in the loss of any reasonable use of the land. Note that financial loss will not justify a variation; you must show how you would be deprived of the beneficial use of the land.

Provide your evidence that the variation requested is the minimum adjustment necessary for the reasonable use of the land.

Explain why you believe that the granting of the requested variation would be in harmony with the Intent and Purpose of the Wadsworth Zoning Ordinance and how it would not be injurious to the neighborhood, detrimental to the public welfare or in conflict with the Comprehensive Plan for the development of the Village.

Notarized Certification and Signatures

I (we) _____ certify that I (we) have read the relevant sections of the
(Print Name)
Village of Wadsworth Zoning Ordinance and I (we) understand the requirements and procedures for a *Zoning Ordinance Variation*. Further, I (we) certify that all of the above statements and any other documents or drawings submitted herewith are true to the best of my knowledge and belief.

Name of Applicant (Print Name) Signature Date

Name of Title Holder (Print Name) Signature Date

Note: If title holder does not sign this application, a separate writing will be required indicating he or she concurs and joins in the application.

Subscribed and sworn to before _____, a Notary Public in and for
_____ County, State of _____, this _____ day of _____,
20____.

Submittal Requirements

1. One (1) electronic and up to twenty (20) copies of a scaled site plan (1" = 100' or larger scale) showing:
 - a. Property boundaries and dimensions
 - b. Existing building and proposed buildings with dimensions and yard setbacks
 - c. Existing and proposed driveways and off-street parking areas
2. Site Capacity Calculations (If applicable)
3. Fees Paid \$_____

Note: Other sections of the Zoning, Subdivision and Landscape Ordinances may apply to properties being requested for a rezoning. Please check the other ordinances to see if they apply to your project.

* A Professional Fee Deposit may be required if deemed necessary by the Zoning Officer based on the complexity and scope of the variance application.

Any person seeking the village's approval or consideration of any matter shall be responsible for any professional fees incurred by the village in reviewing the requested action or matter and in acting upon the requested approval or consideration, including, but not limited to, engineering fees, planner fees and attorney fees incurred by the village. This obligation remains in effect notwithstanding that the professional escrow fund has not been established, is insufficient or has been depleted.

Any person requesting consideration or action by the village shall be required whenever practicable to deposit sufficient funds necessary to defray anticipated professional costs to be incurred by the village.

At the conclusion of the matter and after all outstanding professional fees incurred by the village in review of the matter have been satisfied in full, the Village shall remit the balance, if any, to the person who had deposited the funds.

Procedures (Pursuant to Section 10-7-4-B of the Village Zoning Ordinance)

B. Variations: It is the intent of this Title to use the variation only to modify the application of this Title to achieve a parity among properties similarly located and classified. Specifically, it is to be used to overcome some exceptional physical condition which poses practical difficulty or unnecessary hardship in such a way as to prevent an owner from using his property as intended by this Title.

1. Application: After denial of a building permit by the Zoning Officer, a property owner may apply to the Zoning Board for a variation, using forms obtainable from the Zoning Officer.

2. Public Hearing: Upon receipt of an application and fee, the Zoning Board shall hold a public hearing after giving fifteen (15) days notice as provided by law. The Zoning Board shall consider and make recommendations to the Village Board on all applications for variations within thirty (30) days of such public hearing. The Village Board shall decide all applications for variations within thirty (30) days after transmittal from the Zoning Board.

3. Standards for Variations: The Village shall grant a variation whenever, and only when, it shall have determined, recorded in writing and placed in its records on forms to be provided by the Zoning Officer, that all of the following conditions have been met:

- a. That the variation does not permit a use otherwise excluded from the particular zone in which requested.
- b. That special circumstances or conditions such as exceptional narrowness, topography or siting, fully described in the report of the Zoning Board, apply to the land for which a variation is sought and that those conditions do not apply generally in the zone.
- c. That special circumstances or conditions have not resulted from any act of the applicant subsequent to the adoption of this Title, whether or not a violation of the provisions thereof.
- d. That, for reasons fully set forth in the report of the Zoning Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this Title results in the loss of any reasonable use of land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land.
- e. That the variation granted is the minimum adjustment necessary for the reasonable use of the land.
- f. That the granting of any variation is in harmony with the general purposes and intent of this Title and will not be injurious to the neighborhood, detrimental to the public welfare or in conflict with the Comprehensive Plan for development of the Village.