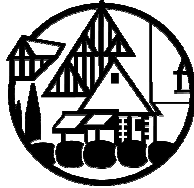


VILLAGE OF MUNDELEIN



APPLICATION PACKET FOR REVIEW BEFORE THE ZONING BOARD OF APPEALS

COMMUNITY DEVELOPMENT

440 East Hawley Street
Mundelein, IL 60060
www.mundelein.org
Telephone: (847) 949-3282
Fax: (847) 949-2154

TYPICAL ZONING BOARD OF APPEALS PROCESS

Submission Deadlines

Approval of the format and documents within the packet should be made at least 21 days prior to the ZBA meeting to allow time for required notifications.

Meeting Schedule

The Zoning Board of Appeals (ZBA) acts as a recommending body to the Village Board. The ZBA meets the second and fourth Monday at Fire Station No. 1, located at 1000 North Midlothian Road, Mundelein, Illinois, in Training Room B. Meetings are called on an as-needed basis during a Village Board meeting prior to the scheduled ZBA public hearing.

Preliminary Conference

The project applicant (petitioner) first meets with a representative of Community Development to discuss the proposal and to determine the necessary process for approval. A concept plan consisting measurable sketches with a scale/ruler, existing and proposed site data, a plat of survey, and site photo should be available for review by a planner. To schedule a preliminary conference contact Community Development at 847-949-3282.

Draft Petition

Submit two (2) folded and collated copies no larger than 24" x 36 " (can be smaller if legible) and one (1) legible copy no larger than 11" x 17" of the draft petition to Community Development for review. The petition must be complete with all attachments, including items needed for public notification. See [Notification Requirements](#). Upon review, staff will provide feedback in the form of a Review Letter. Please reference the [Application Checklist](#) for a list of items to include in the draft petition. Various Village Departments, such as Fire, Police, Engineering, Building, and Community Development will review the proposal for major issues that must be addressed and submit comments. If it is determined that the documents are in compliance with Village codes, a ZBA hearing will be scheduled and the petitioner will be advised to make final copies of the plans. If changes are required, the petitioner shall resubmit revised plans for another departmental review, which will delay the date for a public hearing.

Final Petition

After all issues have been adequately addressed, staff will direct the petitioner to proceed with the final petition submittal. Please reference attached [Submittal Requirements](#) for a list of items to include in the final petition. The final petition submittal must include one (1) original plus twenty-three (23) copies. Also, the appropriate filing fee must be included with the final petition submittal. See [Filing Fee Schedule](#). After the ZBA makes a recommendation, the petition, the Findings of Fact and the ZBA meeting minutes are forwarded to the Village Board of Trustees. The Village Board will make the final decision on the proposal and an ordinance will be drafted for approval at the next Village Board meeting.

Incomplete Applications Will Not Be Accepted

APPLICATION CHECKLIST

It is strongly suggested that all petitioners review the material in this packet and all applicable chapters within the Mundelein Municipal Code. All materials should be no larger than 24" x 36". One copy should be 8 1/2" x 11" or 11" x 17".

1. Completed Application
 - a. Fill in all sections of the application. Write n/a where items do not apply.
2. Justification for the Request (See Standards for a Variation)
3. Application Fee
4. Ownership Information – one of the following items must be provided for every project whether owned or leased:
 - a. Warranty Deed
 - b. Trust
 - c. Title Policy
 - d. Fully Executed Lease, or
 - e. Fully Executed Contract to Purchase
5. Ownership Affidavit
6. Current Plat of Survey or Preliminary Plat of Subdivision
7. List of property owners within 250 feet including name, street address, and tax number. See Notification Requirements.
8. Mailing Labels – property owners within 250 feet on mailing labels
9. Site Visit Authorization Form
10. Preliminary Drawings
 - a. Site Plan – indicating all site improvements, such as driveways, garages, sign locations, screened trash container areas, loading docks, fire lanes, area lighting, parking, handicap parking, all dimensions and project data (building area, land area, floor area ratio, coverage, parking calculations, etc.)
 - b. Preliminary Building Elevations (including height)
 - c. Preliminary Floor Plan
 - d. Tree Preservation Plan (if applicable)
 - e. Preliminary Engineering (if applicable)
11. Other Supporting Documentation (i.e. photos, etc.) _____

FEE SCHEDULE

FILING FEES	LESS THAN 1 ACRE	1 THROUGH 49 ACRES	50 THROUGH 99 ACRES	100+ ACRES
Petition for Zoning Upon Annexation	\$100.00	\$200.00	\$300.00	\$400.00
Petition for Hearing on a Proposed Annexation Agreement	\$100.00	\$200.00	\$300.00	\$400.00
Petition for Rezoning	\$100.00	\$200.00	\$300.00	\$400.00
Special Use Permit	\$100.00	\$200.00	\$300.00	\$400.00

Filing Fees for Variances

- Petition for Variance - \$75.00
- Petition for Variance to Building Codes or Ordinances (Except Zoning Ordinance) - \$50.00
- Appeals - \$50.00

ZONING BOARD OF APPEALS APPLICATION

(Fill out all sections of the form. Write n/a where items do not apply.)

ZBA Case No: _____

Application Date: _____

PROPERTY INFORMATION

Common Name: _____ Address: _____

Property Index Numbers (PIN):

1. _____ 2. _____ 3. _____

Legal Description (Found on Plat – Required for Notice of Public Hearing): _____

Existing Land Use: _____ Existing Zoning: _____

Surrounding Land Uses: _____ Surrounding Zoning: _____

Property Size (Square Feet/Acres): _____ Building Sizes: _____

PETITIONER INFORMATION – Company address or personal address.

Name: _____ Phone: _____

Email: _____ Fax: _____

Address: _____

Website (If Applicable): _____

Petitioner Status:

- Owner
- Lessee
- Contract Purchaser

PROPERTY OWNER INFORMATION

Name: _____ Phone: _____

Email: _____ Fax: _____

Address: _____

PROJECT DESCRIPTION – Attached or below, please describe your project and background information.

REQUESTED ACTIONS

Variation(s) Requested: _____

Section(s) of the Zoning Ordinance: _____

Description of the hardship necessitating a variation: _____

Please fill out and attach the Standards for Granting a Variation

REQUIRED SIGNATURES

The undersigned states under oath that he/she/they are the **Legal Owner(s)** of record of the realty described in this ZBA Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature (Owner): _____ Date: _____

Printed Name: _____ Title: _____

Signature (Owner): _____ Date: _____

Printed Name: _____ Title: _____

The undersigned states under oath that he/she/they are the **Contract Purchaser** of record of the realty described in this ZBA Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature Contract Purchaser: _____ Date: _____

Printed Name: _____ Title: _____

The undersigned states under oath that he/she/they are the **Lessee** of record of the realty described in this ZBA Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature Lessee: _____ Date: _____

Printed Name: _____ Title: _____

FINDINGS OF FACT/JUSTIFICATION FOR REQUEST

– Please fill out the Standards for a Variation. The ZBA will base their decision on the criteria outlined in the Findings of Fact.

EXHIBIT A – STANDARDS FOR GRANTING A VARIATION

(Municipal Code Section 20.48.070(2))

When considering the requested action, the Plan Commission or Zoning Board of Appeals must determine that the following six Findings of Fact exist. All applicants must provide a written response to each of the standards listed below. The response to each standard should thoroughly explain how the zoning being requested will meet the established criteria. Please use an additional sheet of paper if needed.

- (1) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
(Please explain what particular hardship or difficulty would be imposed on the petitioner if the variation(s) were not granted.)

- (2) The conditions upon which a petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classifications.
(Generally, what condition(s) or circumstance(s) apply to the subject property that do not apply to the surrounding properties?)

- (3) Obtaining greater profits from the development or use of the property or an enhancement in the value of the property shall not be sufficient reason to grant the variance.
(Aside from financial reasons, why should the variation be granted?)

- (4) The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property.
(Explain how the petitioner has not caused the difficulty, but the hardship is the result of the ordinance.)

- (5) The granting of the variation will not be detrimental to the public health, safety, comfort, morals and welfare or injurious to other property or improvements in the neighborhood in which the property is located.
(Please explain how the granting of the request will not have an adverse impact on the community.)

- (6) The proposed variation will not impair an adequate supply of light and air to adjacent property, nor substantially increase the congestion of the public street, nor increase the danger of fire, nor endanger the public safety nor substantially diminish or impair established property values within the neighborhood.
(Please explain how the granting of the request will not have an adverse impact on the adjacent properties. In addition, explain how the request will not have a negative impact on the property values in the surrounding area.)

EXHIBIT A – STANDARDS FOR GRANTING A SPECIAL USE

(Municipal Code Section 20.24.040)

When considering the requested action, the Plan Commission or Zoning Board of Appeals must determine that the following seven Findings of Fact exist. All applicants must provide a written response to each of the standards listed below. The response to each standard should thoroughly explain how the variation being requested will meet the established criteria. Please use an additional sheet of paper if needed.

- (1) That the establishment, maintenance or operation of the Special Use will not be detrimental to nor endanger, the public health, safety, morals, comfort or general welfare.
(Please explain how the granting of the request will not have an adverse impact on the community.)

- (2) That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.
(Please explain how the granting of the request will not have an adverse impact on the adjacent properties. In addition, explain how the request will not have a negative impact on the property values in the surrounding area.)

- (3) That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
(Please explain how the granting of the request will not have an adverse impact on the development of the surrounding properties.)

- (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
(Please make a statement addressing the fact that the availability of utilities, access roads, drainage and/or necessary facilities will be provided.)

- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
(Please indicate what steps have been or will be taken to ensure that all entrances and exits will not increase traffic congestion.)

- (6) That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Trustees after considering the recommendations of the Plan Commission.

- (7) That all Special Uses in commercial, industrial and public use districts shall be separated by a distance of at least 60 feet from any lot in a residential district. [Ord. 89-2-5 § 3 (part)]

ACCEPTANCE OF APPLICATION

When the Director of Planning & Development or his/her designee determines that the application is complete, the petitioner shall submit twenty-three (23) copies. If revisions are necessary, the application materials shall be resubmitted and all revisions shall be clearly marked.

A public hearing will be scheduled only when all revisions have been completed by the petitioner.

NOTIFICATION REQUIREMENTS

The petitioner is required to notify the Community Development Department and all property owners within 250 feet of the subject property after the ZBA hearing date has been scheduled. A Public Hearing Notice sign is required on the subject property. The notification and postings of the public notice sign must be done no more than thirty (30) days and no less than fifteen (15) days prior to the public hearing date.

The applicant shall submit to the Community Development Department, no later than 21 days prior to the public hearing date, the subject properties' legal descriptions, the list of property owners within 250 feet of the subject properties, and mailing labels with the property owners name, address, and tax identification number. Petitioners can obtain property owner information from the following sources:

Lake County
18 N. County Street
Waukegan, IL 60085
847-377-2323
Treasurer@co.lake.il.us

Fremont Township
22376 W. Erhart Road
Mundelein, Illinois 60060
847-223-2847
Fax 847-223-2858

Libertyville Township
359 Merrill Court
Libertyville, Illinois 60048
847-816-.6800
Fax 847-816-0861

Vernon Township
3050 N. Main St.
Buffalo Grove, IL 60089
847-634-4600
Fax 847-634-1569

The Village will copy and mail out the notifications to the neighboring property owners. The Village will publish the notification in the *Daily Herald*. The *Daily Herald* requires five-day lead time for publishing public notices. Therefore, in order to have the notification published no later than 15 days prior to the public hearing, we must be able to provide the necessary information 21 days prior to the date of the hearing. The Village will also place a sign on the property with the date of the hearing and the location.

FAILURE TO COMPLY WITH THE NOTIFICATION REQUIREMENTS WILL CAUSE THE PUBLIC HEARING TO BE POSTPONED.

PUBLICATION SAMPLE

**NOTICE OF HEARING BEFORE THE
VILLAGE OF MUNDELEIN ZONING BOARD OF APPEALS**

NOTICE IS HEREBY GIVEN that on **DATE** at the hour of **7:00 p.m.**, there will be a public hearing before the Village of Mundelein Zoning Board of Appeals at the Mundelein Fire Station, 1000 North Midlothian Road, Mundelein, Illinois, concerning a petition requesting consideration of _____.

CASE NO.: ZBA-XX-YYYY

COMMONLY KNOW AS:

LEGAL DESCRIPTION:

The names and addresses of the legal and/or beneficial owners of the property:

NAME/COMPANY
ADDRESS

The name and address of the Petitioner:

NAME/COMPANY
ADDRESS

This is not a “notice to appear”. It is an invitation to all interested persons to submit oral or written comments concerning the above case to the Village of Mundelein Zoning Board of Appeals. Persons having questions are encouraged to call the Village of Mundelein at 847-949-3282.

The Zoning Board of Appeals’ actions are not final for this case. The Zoning Board of Appeals will forward its findings and recommendations to the Village Board of Trustees for final consideration and action.

Dated at Mundelein, Illinois, this ____ day of MONTH, YEAR.

NEIGHBOR NOTIFICATION SAMPLE

DATE

NOTICE

TO ALL INTERESTED PARTIES

The Zoning Board of Appeals will address the petition for NAME/COMPANY. (Case ZBA-XX-YEAR), ADDRESS, Mundelein, concerning a petition requesting _____. The Zoning Board of Appeals will address this petition on DATE, at TIME, at the Mundelein Fire Station, 1000 North Midlothian Road.

All interested parties may attend this meeting and voice their opinions and concerns.

If you have any questions, please do not hesitate to call Community Development at (847) 949-3282, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,

EMPLOYEE
TITLE

SAMPLE SIGNS

**ZONING APPLICATION PENDING
PUBLIC HEARING TO BE HELD ON
Month Day, Year
AT THE MUNDELEIN FIRE
STATION
CALL 847-949-3282
FOR FURTHER INFORMATION**

Sign must be posted on private property facing adjacent roadways fifteen (15) days prior to the hearing date. Sign must be removed by ten (10) days after the first hearing.

HOW TO AVOID POSTPONEMENT

1. Proof of Ownership
 - a. A current title opinion from a title company or from Torrens is required.
 - b. If the petitioner is not the record owner, they (petitioner) must have a letter of authority from the owner or owners. If there is more than one owner, all parties must sign a letter of authority to appear on their behalf.
 - c. If title is in a land trust, a copy of the Trust Agreement certified by the trustee together with evidence of all current ownership of beneficial interest and a letter of authorization to appear before the Zoning Board of Appeals is required.
2. Notification
 - a. Proper notification must be mailed to all property owners within 250 feet of the subject property, measured from the property line. A copy of the letter and a mailing list of owners notified must be presented. A map indicating the subject area and notification area must be submitted to the Community Development Department.
3. Plan Review
 - a. Petitioner's plan must be reviewed by Village staff.
 - b. Petitioner should review the comments of the various Village departments and make any necessary revisions to their plans before the public hearing.
 - c. Petitioner must provide for all necessary public improvements such as streets, sidewalks, and lighting.
 - d. Petitioner must give sufficient consideration to screening and landscaping with identification by species of plant where applicable.
 - e. Petitioner must secure approval from the Village Engineer for engineering related items where applicable.
 - f. Petitioner must comply in all respects to the zoning and subdivision regulations so they are in strict conformance.

FAILURE TO COMPLY WITH APPLICATION REQUIREMENTS WILL CAUSE POSTPONEMENT OF YOUR PUBLIC HEARING. IF YOU SHOULD HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT COMMUNITY DEVELOPMENT AT 847-949-3282.

AFFIDAVIT OF OWNERSHIP

COUNTY OF LAKE)
) SS
STATE OF ILLINOIS)

I, _____, under oath, state that I am
____ the sole)
____ an) owner of the property
____ an authorized officer of the)
commonly described as _____

and that such property is owned by _____
_____ as of this date.

Signature

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

Notary Public

AUDIO/VISUAL MATERIAL SUBMITTAL REQUIREMENTS

The Village of Mundelein has projection capabilities in the Village Board Room at the Fire Station. Therefore, if it is the preference of the petitioner to make a digital presentation in lieu of boards, arrangements can be made if properly notified.

Digital Submittal Requirements

- All digital presentation shall be submitted as a Microsoft PowerPoint presentation on a CD or other transferable medium no later than one week prior to the public meeting or public hearing.

Deadlines

Plan Commission – the Wednesday prior to the hearing/meeting

Appearance Review Commission – the Tuesday prior to the meeting

Zoning Board of Appeals – the Monday prior to the hearing

Village Board – the Monday prior to the meeting/hearing

If requested by the petitioner, the compact disk or other device may be returned once the information has been obtained from the device.

- In addition to the PowerPoint presentation, the compact disk shall also contain digital copies of all required plans submitted for Board or commission distribution. These plans shall be in Portable Document Format (PDF).
- Please provide a hardcopy or digital copy of presentation to the Recording Secretary.

Presentation at the Meeting or Hearing

- The Village will provide a laptop computer for the presenter to use at the meeting or hearing. The Microsoft PowerPoint presentation will already be loaded onto the computer as a slideshow.
- If the presenter has any specific requirements regarding the presentation or meeting, these must be relayed to staff at least three days prior to the hearing or meeting.

Village of Mundelein - Community Development
440 East Hawley Street - Mundelein, Illinois 60060
Phone: (847) 949-3282 - Fax: (847) 949-2154
