VILLAGE OF TINLEY PARK
VARIANCE REQUEST INSTRUCTIONS AND PROCEDURES

The following information is being provided in order to assist applicants with the process of requesting a Variation from the terms of the Village's Zoning Ordinance. This information I a summary of the application submittal requirements, and may be modified based upon the particular nature of the requested Variation.

Please note that the Village's Ordinances are available for purchase, and can also be fond on the Village's website: **www.tinleypark.org.**

A Variation from the terms of the Zoning Ordinance which requires considerations by the Village's Zoning Board of Appeals at a Public Hearing is subject to the following procedures and requirements. Attendance at the Public Hearing is required by the owner or the owner's representative to provide an explanation of the requested Variation, as well as to provide testimony and sufficient evidence to support the request, and to answer questions from the Board members or any interested party.

Depending upon meeting schedules, legal notification requirements and the type of Variation being requested, this process generally takes between 30 to 60 days from the date of submission of a complete application package.

1. The Applicant meets with the Village Planner or Zoning Administrator to discuss the proposal as it relates to the applicable Zoning Ordinance requirements.

2. The Applicant submits the following:
   - A. The completed application form (attached).
   - B. The completed Findings of Fact sheet (attached).
   - C. A Plat of Survey of the subject property showing:
     1. All existing improvements, with dimensions and setbacks noted;
     2. All proposed conditions highlighted, with dimensions and proposed setbacks noted; and
     3. A complete legal description of subject property.
   - D. Evidence of the Applicant's ownership of or interest in the subject property such as a copy of the current property tax bill, or a copy of the title commitment or title policy.
   - E. Written disclosure of all land trust beneficiaries, if applicable.
   - F. Written authorization from the property owner for any other party to act as applicant or agent, if applicable.
   - G. Filing fee of: $150 for residentially zoned properties; $200 for non-residentially zoned properties.
   - H. Any additional information to be presented in consideration of the requested Variation (i.e. a narrative letter outlining the project, a petition signed by neighbors in support of the proposal, or other support documentation).

   Please note that a Variation application will not be processed until all of the above items have been submitted.

3. If necessary, Staff will perform a Staff Review of the proposal, including distribution to and review by various Village Departments. Also if necessary, Staff may first refer the proposal to the Long Range Plan Commission.

4. Planning Department Staff will determine the next available Public Hearing date before the Zoning Board of Appeals. The Public Hearing will be set for a date not more than 90 days after the filing of a completed application. The Zoning Board of Appeals meets on the second and fourth Thursdays of the month, except holidays, at 7:30 p.m. in the Kallsen Center of Village Hall (enter on the north side of the building), 16250 South Oak Park Avenue, Tinley Park, IL 60477

VILLAGE OF TINLEY PARK

VARIANCE REQUEST INSTRUCTIONS AND PROCEDURES (Continued)

5. Planning Department Staff will also prepare and file required Public Hearing notices including a legal notification to appear in a newspaper of local circulation no less than 15 days but no more than 30 days prior to the Public Hearing, as well as mail notification to property owners within 250 feet of the subject property. This informs neighboring property owners of the date, time and place of the Public Hearing, so that they may be allowed an opportunity to ask any questions or voice any concerns they may have.

6. Planning Department Staff will prepare a report to be distributed to the Zoning Board of Appeals members prior to the Public Hearing date.

7. The Zoning Board of Appeals holds a Public Hearing on the predetermined date. **Applicant or Agent attendance is required at the Public Hearing.** The Applicant presents all testimony and evidence regarding the Variance request. Any interested parties in the audience are also invited to comment or ask questions.

8. Upon hearing all relevant testimony, the Zoning Board of Appeals votes on the request. Depending upon the nature of the requested Variation, the Zoning Board may be making the final determination on the request, or may be making a recommendation to the Village Board. The Zoning Board of Appeals also reserves the right to continue the Public Hearing to a future meeting date in order to obtain more information or further deliberate the merits of the requested Variation.

9. If required, the Village Board receives the report and recommendation of the Zoning Board of Appeals. The Village Board will consider the requested Variation at a First Reading of the Ordinance authorizing a Variation. The Village Board meets on the first, third and fourth Tuesdays of the month, except holidays at 8:00 p.m. in the Council Chambers of the Village Hall, 16250 South Oak Park Avenue, Tinley Park. **Applicant attendance is required at the First Reading, in the event there are any questions of the Board members.** The Village Board may approve, deny, continue or remand the Variation back to the Zoning Board of Appeals for additional testimony or consideration.

10. At the next regularly scheduled Village Board meeting, the Village Board presents a Second Reading of the Ordinance, taking its official voting action to approve or deny the requested Variation. Applicant attendance is not required at this meeting. If approved, the Variation becomes effective when the ordinance is signed and published.

11. After the Ordinance is effective and all fees are paid, the Applicant may apply for a Building Permit. Questions concerning the permitting process may be directed to the Building Department at 708-444-5100.

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The above information is intended as an outline of the approval process
And is neither mutually exclusive nor inclusive.
A more detailed account of the process and application requirements may be found in the
Village's Zoning and Subdivision Ordinances.
Questions may be directed to the Planning Department
Village Hall, 16250 South Oak Park Avenue, Tinley Park, Illinois
708-444-5100

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VILLAGE OF TINLEY PARK
APPLICATION FOR ZONING ORDINANCE VARIANCE

The undersigned hereby Petitions the Village of Tinley Park Zoning Board of Appeals and/or Plan Commission to consider a Variation from the terms of the Zoning Ordinance as follows:

PETITIONER INFORMATION

Name: _____

Mailing Address:_____

City:_____ State: _____ Zip: _____

Day Phone:_____ Evening Phone:_____

Cell Phone: _____ Fax Number: _____

Email Address:_____

Nature of Petitioner's Interest in the property and/or relationship to the owner:
(Applications received on behalf of the owner of record must be accompanies by a signed letter of authorization).

PROPERTY INFORMATION

Street Address: _____

Owners: _____

_____

SPECIFIC TYPE OF VARIANCE REQUESTED (See Examples Below):

_____
_____
_____
_____

Examples of Specific Type of Variance Requested:
This refers to the exact number of feet, the exact dimensions of a structure, exact height/type of fence. For example:

> "A 15 foot Variance to the Front Yard Setback on the East side of the property to allow for a 6-foot tall cedar fence on this corner lot."
>
> "A 180 square foot variance to the 720 square foot maximum allowable size of an accessory structure to allow for a 30 foot or 900 square foot garage on this residential property."
>
> "A 10 foot variance to the 10 foot maximum allowable height for a sign to allow for a 20 foot high monument sign on this commercial property.

REASON THAT THE VARIANCE IS NEEDED: (See Examples below)

_____
_____
_____
_____
_____
_____

Examples of Reasons that the Variance is needed:

"We would like to extend our fence 15 feet toward the street from the front corner of the house so that we can enclose a pool, swing set, shed, landscaping, trees, side entrance, etc., and provide a safe area for our children to play"

"We would like to build an oversized garage on our property so that we may store our antique vehicle, snow mobiles, riding lawn mower, etc., inside, as well as our two other cars, which are currently parked in the driveway"

The Petitioner certifies that all of the above statements and other information submitted as part of this Application and Findings of Fact are true and correct to the best of his or her knowledge:

Signature: _____ Date: _____

Printed Name:_____

OFFICE USE ONLY:

Current Zoning on Property _____ Present Use _____

Notes

_____
_____
_____
_____
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FINDINGS OF FACT

ADDITIONAL INFORMATION TO BE PRESENTED TO SUPPORT A VARIATION REQUEST FROM THE TERMS OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE

Section X.G.1 of the Village of Tinley Park Zoning Ordinance requires that the Zoning Board of Appeals determine compliance with the following standards and criteria. In order for a variance to be approved, the Petitioner must respond to all the following questions with facts and information to support the requested Variation:

A. Describe the difficulty that you have in conforming with the **current** regulations and restrictions relating to your property, and describe how this hardship is not caused by any persons presently having an interest in the property. (Please note that a mere inconvenience is insufficient to grant a Variation). For example, does the shape or size of the lot, slope, or the neighboring surroundings cause a severe problem in completing the project in conformance with the applicable Ordinance requirement?

_____
_____
_____
_____
_____
_____

B. Describe any difficulties or hardships that **current** zoning regulations and restrictions would have in decreasing your property value compared to neighboring properties.

_____
_____
_____
_____
_____
_____

C. Describe how the above difficulty or hardship was created.

_____
_____
_____
_____
_____
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FINDINGS OF FACT (CONTINUED)

D. Describe the reasons this Variance request is unique to this property only and is not applicable, in general, to other properties within the same Zoning District.

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_____
_____
_____
_____

E. Explain how this Variance **would not** be regarded as an attempt at financial gain, but only because of personal necessity. For example, the intent of the Variance is to accommodate related living for an elderly relative as opposed to adding an additional income source.

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F. Describe how granting this Variance request will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood in which the property is located: (Example: fencing will not obstruct view of automobile traffic).

_____
_____
_____
_____
_____

G. Explain how granting this Variance will not alter the essential charter of the neighborhood or locality:

_____
_____
_____
_____
_____

FINDINGS OF FACT (Continued)

H. Describe how the requested Variance **will not:**

1. Impair an adequate supply of light and air to adjacent properties.

_____
_____
_____
_____
_____

2. Substantially increase the congestion of the public streets.

_____
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3. Increase the danger of fire.

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4. Impair natural drainage or create drainage problems on adjacent property.

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5. Endanger the public safety.

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6. Substantially diminish or impair property values within the neighborhood.

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