

Village of Barrington Hills ~ Zoning Board of Appeals

RULES OF NOTICE AND PETITION

- (1) One original and eight copies of the type written petition and all supplemental attachments (surveys, legal's, plats, plans, etc.) shall be provided when the petition is filed, at least 30 days before hearing date.
- (2) The petition shall be signed by the legal owner (s) or the written consent of the legal owner (s) shall be provided separately. Evidence of legal ownership shall be provided with the petition.
- (3) The petition shall be sworn to.
- (4) A plat of survey shall be provided detailing the improvements involved and where necessary, or in cases where they may be affected, detailing the improvements or uses of adjoining properties.
- (5) Special Uses involving artificial lakes, land-fills or private landing fields for aircraft shall require soil boring data, elevation and/or topographical surveys, and engineering studies addressing existing and changed conditions for drainage, topography, vegetation. etc.
- (6) The petition shall contain the following minimum information:
 - a. Names and addresses of all owners, including beneficiaries of land trusts of the property in question;
 - b. Names and addresses and tax property index numbers of all owners of the contiguous and adjoining properties;
 - c. Legal description and local address of the property involved; if the petition relates to more than one lot, all legal descriptions must be given;
 - d. A specific description of the relief requested shall be detailed; and
 - e. Factual statements supporting the requested relief as they pertain to the requirements of the specific sections of the Zoning Ordinance.
- (7) The petitioner shall conform to the following notice requirements:
 - a. The petitioner shall serve notice of the petition and hearing date upon the owners of all contiguous or adjoining properties within 250 feet of petitioner's property. The petitioner shall ascertain the owners of such properties by obtaining a copy of the applicable tax map. The mailing of a notice pursuant to this subparagraph addressed to the name and address on the most recent County real estate tax records shall be deemed a satisfaction of this notice by mail requirement. A copy of the tax map and such records shall be submitted by the petitioner. If petitioner, directly or indirectly, owns or controls adjoining or contiguous property, notice shall be given to the owner of the next contiguous or adjoining property. Service of notice shall be either by certified mail, return receipt requested or in person, and shall be made after the hearing date has been set by the ZBA. Notice of the petition and hearing date shall be served upon the owners, as aforesaid, not less than fifteen (15) days nor more than thirty (30) days before the hearing. Petitioner shall provide evidence of proper service of the notice at least two (2) business days prior to the hearing by submitting the cancelled certified mail receipts and signed return cards or an affidavit of personal notice to adjacent property owners.
 - b. The petitioner shall be responsible to provide notice to state or federal agencies of their opportunity to provide comment on the purpose of the petition.
 - c. In order to avoid any inconvenience to parties or witnesses, the responsibility is placed on the petitioner or petitioner's counsel to verify if the matter will be able to go forward and the day for the scheduled hearing. The Village Clerk will endeavor to advise people

when Clerk's Office is informed of the inability to hear the matter as the Board is without a quorum that day, but the burden rests on the petitioner to be responsible for notifying his witnesses.

- d. At least fifteen (15) days and not more than thirty (30) days prior to the hearing date, a two foot by three foot (2' x 3') notice thereof, including the time and place of the hearing, the relief requested, identification of the property by real estate index number, the name of the petitioner and the Code section authorizing the petitioner to seek such relief, shall be posted by the petitioner on the road or street frontage(s) of the property for which the petition has been filed. An example of the sign requirements is attached to these rules as [Exhibit A](#).
- (8) The ZBA shall cause publication of the petition and hearing to be made in a local newspaper at least fifteen (15) and not more than thirty (30) days prior to the hearing.
 - (9) No publication shall be made or hearing scheduled until the petitioner conforms to all of the above rules and the necessary filing fee is deposited with the Village Treasurer. The filing fee schedule is attached as [Exhibit B](#) and made a part of these rules.
 - (10) The decision of the Chairman shall be final in all matters concerning conformance to these rules.

ZONING VARIANCE APPLICATION WORKSHEET

Using the facts or details of the property, circumstances of the project or their combination that requires an application for a variance, complete all of the following three (3) statements.

1. The property in question cannot yield a reasonable return¹ if permitted to be used only under the conditions allowed by the regulations in the district for which it is zoned because

2. The plight of the owner is due to unique² circumstances because

3. The variation, if granted, will not alter the essential character of the locality³ because

¹ Does not refer to a monetary return.

² Unique in comparison to the other lots in the zoning district.

³ Includes both the adjoining lots and the zoning district.

SPECIAL USE APPLICATION WORKSHEET

Using the facts and opinions presented in the application and to the ZBA, describe how the Special Use meets the following six (6) conditions for a recommendation to the Board of Trustees.

1. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare; and

2. 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 and impair property values within the neighborhood; and

3. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and

4. Adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided; and

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads; and

6. 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 pursuant to the recommendation of the zoning board of appeals.