

VILLAGE OF HUNTLEY



SIMPLIFIED RESIDENTIAL VARIATION GUIDE

AN OVERVIEW OF THE RESIDENTIAL VARIATION PROCESS

VILLAGE OF HUNTLEY
DEVELOPMENT SERVICES DEPARTMENT
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INTRODUCTION

The primary purpose of this guide is to provide an overview of the residential variation process of the Village of Huntley. This guide is intended to help you gain a better understanding of the process and to help reduce any confusion you may have when filing a variation application with the Village. A clear understanding of this process will help with the timely processing of variations by the Village.

This packet is intended to provide prospective applicants with a general summary of the development review procedures for the Village of Huntley. It does not supersede, or in any way modify, the Huntley Zoning and Subdivision Ordinances or any other applicable Local, County, State, or Federal agency requirements. Copies of the Zoning Ordinance and Subdivision Ordinance may be purchased at Village Hall or viewed on the Village's website at www.huntley.il.us.

WHAT IS A SIMPLIFIED RESIDENTIAL VARIATION?

A Simplified Residential Variation is a process that allows a property owner to request relief from specific regulations of the Village Zoning Ordinance. Such regulations may include, but are not limited to, building setbacks for front yards, side yards, rear yards, and building height. It is important to speak with the Village's Development Services Department to learn which regulations apply to your property and whether a variation is needed for your project.

WHO IS RESPONSIBLE FOR REVIEWING AND APPROVING MY VARIATION APPLICATION?

An application for a Simplified Residential Variation is reviewed by the Zoning Board of Appeals and Village Board. The Zoning Board of Appeals is responsible for reviewing the application and forwarding a recommendation to the Village Board. The Village Board is ultimately responsible for approving or denying the application.

It is important that you attend these meetings to address questions from the Zoning Board of Appeals and Village Board.

WHAT DO I NEED TO SUBMIT FOR MY APPLICATION TO BE REVIEWED?

In order for Village Staff to process a request for a Simplified Residential Variation, the following materials must be provided:

1. Completed Variation Application and \$200 Application Fee
2. Proof of ownership of property (*i.e. copy of property tax bill*)
3. A Current Plat of Survey (to scale).
4. Site Plan (to scale) showing current and proposed improvements, including dimensions to all lot lines.
5. Exterior Building Elevations.
6. Floor plan (permit plans not necessary).
7. Any additional materials you would like to provide to demonstrate hardship

DO I NEED TO TELL MY NEIGHBORS THAT I'M REQUESTING A VARIATION?

Yes, you are required to notify surrounding property owners that you are requesting a variation. The Zoning Board of Appeals must hold a public hearing; therefore, the Village's Zoning Ordinance and State Statute require that three forms of public notice are given. Public notice must be provided as follows:

1. **Publication in a Newspaper** is required not less than fifteen (15) days and not more than thirty (30) days before the public hearing date. Public Notices are published in the *Northwest Herald*. Publication in the newspaper is handled by the Development Services Department. Please note, you will receive an invoice from the Village for the cost of publishing the notice.
2. **Serve Written Notice**, by Registered or Certified Mail, Return Receipt Requested, to the owners as they appear on the last available tax records of the County of McHenry/Kane of all property within 250 feet of the parcel in question. Property owner information can be obtained by contacting your Township Assessor's office. It is the responsibility of the petitioner to complete the requirements for written notice. This notice shall be mailed to the property owners not less than fifteen (15) days and not more than thirty (30) days before the public hearing date. A draft of the notice must be provided to Village Staff for review prior to it being sent to surrounding property owners. A sample notice is provided on Page A-2.

After the notices have been mailed you must submit, to Development Services Staff, the return receipts from the post office with a list of the property owners within 250 feet. These items must be submitted prior to the Zoning Board of Appeals meeting.

3. **Post a Sign on the Parcel**, not less than fifteen (15) days and not more than thirty (30) days before the public hearing date, indicating that the parcel is subject to a public hearing. Such sign shall remain posted on the parcel until the public hearing, and any continuances thereof, is concluded. The sign will be installed by Development Services Department Staff.

WILL THE ZONING BOARD OF APPEALS AND VILLAGE BOARD APPROVE MY VARIATION REQUEST?

When evidence shows that literal enforcement of any provision of the Zoning Ordinance would result in a practical difficulty or particular hardship because of unusual surroundings or condition of the property involved, or by reason of exceptional narrowness, shallowness or shape of a property, or because of unique topography, underground conditions or other unusual circumstance, the Zoning Board of Appeals may forward a positive recommendation to the Village Board. The Village Board may then grant, by adopting an ordinance, a variation to permit just enough relief to allow development in accordance with submitted plans.

Before recommending approval of any variation to the Village Board, the Zoning Board of Appeals must first determine that the proposed variation:

1. Will not impair an adequate supply of light or air to adjacent property.
2. Will not unreasonably diminish the values of adjacent property.
3. Will not unreasonably increase congestion in the public streets or otherwise endanger public safety.
4. Is in harmony with the general purpose and intent of the Zoning Ordinance.

ZONING BOARD OF APPEALS AND VILLAGE BOARD SCHEDULE

The Zoning Board of Appeals meetings are held as needed on the second and fourth Mondays of the month at 6:30 pm in the Village Hall Board Room, 10987 Main Street, Huntley, Illinois 60142.

Following the Zoning Board of Appeals meeting, Village Staff will schedule your application on a Village Board meeting agenda. Village Board meetings are held on the second and fourth Thursdays of each month at 7:00 pm. There is approximately two weeks between the Zoning Board of Appeals meeting and when your application will appear on a Village Board meeting agenda and Village Staff will notify you when a date has been approved for your case to be considered before the Village Board.

VILLAGE OF HUNTLEY CONTACT INFORMATION

If you have additional questions, please do not hesitate to contact Development Services Department Staff.

Village of Huntley
Development Services Department
Planning and Zoning Division
10987 Main Street
Huntley, Illinois 60142

Phone: (847) 515-5252

Fax: (847) 515-5241

Charles Nordman, AICP, Director of Development Services

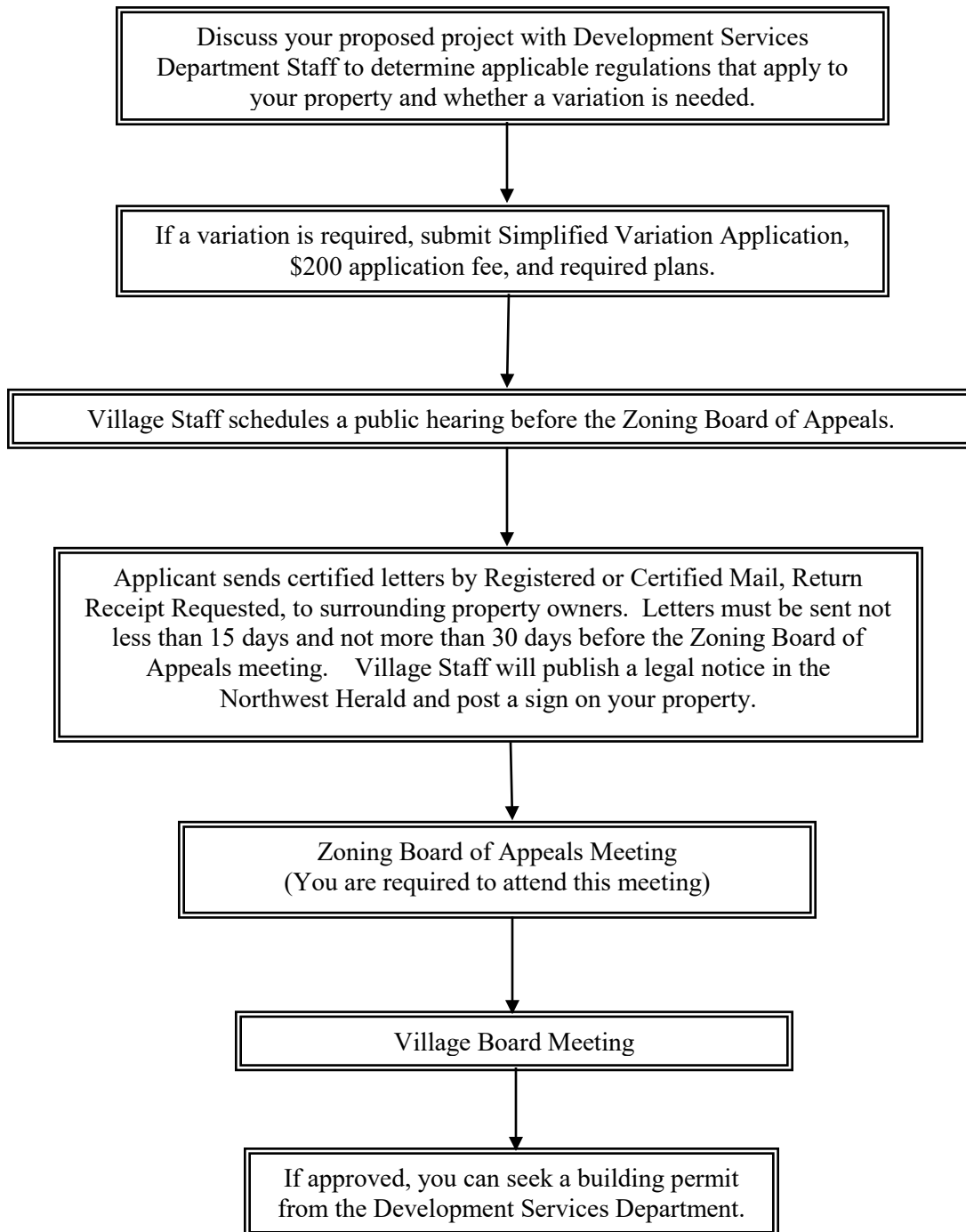
Email: cnordman@huntley.il.us

Scott Bernacki, Senior Planner

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APPENDIX

FIGURE 1: FLOW CHART OF VARIATION PROCESS



SAMPLE PUBLIC NOTICE LETTER

Dear Property Owner:

My name is Mary Smith. I am petitioning the Huntley Zoning Board of Appeal in order to construct a 12-foot by 12-foot sunroom addition to my home. The addition would encroach in to the rear building line setback as established in the Huntley Zoning Code, Section 156.036. Because your property lies within a 250-foot radius of my property, I am mailing this notice in compliance with the requirements set forth in the Village of Huntley Zoning Ordinance, Section 156.172.

My property is commonly known as *Property Address*, Huntley, IL; PIN: xx-xx-xxx-xxx

A public hearing before the Zoning Board of Appeals will be held on Monday, *Month, Day*, 20__ at 6:30 PM at the Huntley Municipal Complex Board Room, 10987 Main Street, Huntley, Illinois 60142. All persons wishing to speak at the public hearing may do so.

Sincerely,

Mary Smith



VILLAGE OF HUNTLEY
SIMPLIFIED RESIDENTIAL VARIATION APPLICATION
 Village of Huntley – Development Services Department
 Planning and Zoning Division
 10987 Main Street, Huntley, IL 60142
 Phone: 847-515-5252 / Fax: 847-515-5241

-Official Use Only-

Petition #: _____

Application Fee: _____

Check # _____

PROJECT ADDRESS: _____

PETITIONER: _____

Address: _____ Phone Number: _____
 _____ Fax Number: _____
 _____ 2nd Phone Number: _____
 E-mail: _____

OWNER (if different): _____

Address: _____ Phone Number: _____
 _____ Fax Number: _____
 _____ 2nd Phone Number: _____
 E-mail: _____

PROJECT INFORMATION *(Please attach a separate page if additional space is needed):*

Current zoning of property: _____

Describe the proposed project: _____

Variation(s) Requested: _____

Please describe how the particular zoning code requirement has imposed a hardship to your building plans. Include any other information you believe to be relevant: _____

Signatures:

Signature of Petitioner (if different than owner)

Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

Owner

Date