



MAJOR VARIATION APPLICATION

CASE #: _____



1. PROPERTY

Address _____

Permanent Identification Number(s):

PIN 1: [][]-[][]-[][][]-[][][]-[][][][] PIN 2: [][]-[][]-[][][]-[][][]-[][][][]

(Note: An accurate plat of survey for all properties that are subject to this application **must** be submitted with the application.)

2. APPLICANT

Name: _____

Organization: _____

Address: _____

City, State, Zip: _____

Phone: Work: _____ Cell/Other: _____

Fax: Work: _____ Home: _____ Home: _____

E-mail: _____

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

- same
- architect
- officer of board of directors
- builder/contractor
- attorney
- other: _____
- potential purchaser
- lessee
- potential lessee
- real estate agent

3. PROPERTY OWNER (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization: _____

Address: _____

City, State, Zip: _____

Phone: Work: _____ Cell/Other: _____

Fax: Work: _____ Home: _____ Home: _____

E-mail: _____

Please circle the primary means of contact.

“By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing.”

Property Owner(s) Signature(s) -- **REQUIRED** _____ Date _____

4. SIGNATURE

Applicant Signature – **REQUIRED** _____ Date _____

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- (This) Completed and Signed Application Form**
- Plat of Survey** Date of Survey: _____
- Project Site Plan** Date of Drawings: _____
- Plan or Graphic Drawings of Proposal** (If needed, see notes)
- Non-Compliant Zoning Analysis**
- Proof of Ownership** Document Submitted: _____
- Application Fee (see zoning fees)** _____

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in buildings up to 4 units, a separate application fee will be assessed for each variation requested.**

See the current Permit Fee Schedule on the City's Zoning webpage.

Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project:

B. Have you applied for a Building Permit for this project? NO YES

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant. (See the Zoning Analysis Summary Sheet for your project's information)

(A) Section <small>(ex. "6-8-3-4")</small>	(B) Requirement to be Varied <small>(ex. "requires a minimum front yard setback of 27 feet")</small>	(C) Requested Variation <small>(ex. "a front yard setback of 25.25 feet")</small>
1		
_____	_____	_____

* For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.

2		
_____	_____	_____
3		
_____	_____	_____

B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

2. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

3. Either...

- (a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or
- (b) while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

5. Have other alternatives been considered, and if so, why would they not work?



City of Evanston DISCLOSURE STATEMENT FOR ZONING HEARINGS

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made:
Does not apply.

2. *If a person or organization owns or controls the proposed land user*, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number _____ above, or indicated below.

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number _____ above, or indicated below.

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

- a. Names and addresses of all officers and directors.

- b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.



MAJOR VARIATION INFORMATION

A. GENERAL INFORMATION

1. What projects are eligible for a Major Variation?

Property Owners may apply for a Major Variation from the following zoning regulations:

1. Yards and setbacks
2. Height
3. Lot size, width and depth (including flag lots).
4. Lot coverage including impervious surface and/or floor area ratio
5. Off street parking and loading
6. Home occupations. (Ord. 115-0-04)

2. Who can submit an application?

The applicant must either own, lease, or have legal or equitable interest in the subject property, or must be the representative of such a person. All persons or parties which have an ownership interest in the affected properties must be identified and must sign the application. The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application. In that case, the designated Applicant will be considered the primary contact, until the application is closed or the Property Owner changes the designated Applicant by contacting the Planning & Zoning Division in writing. **Standing** (§6-3-8-4):

3. How do I submit an application?

Applications must be submitted online by completing this application and submitting it and all required documents and plans via email to zoning@cityofevanston.org. Once we receive the application, you will be notified of its acceptance and fee payment instructions will be provided.

4. What forms of payment are accepted? Cash, Credit Card, Check.

5. Can I withdraw my application? Will my fee be returned?

Yes, an application may be withdrawn any time prior to the final publication of the Land Use Commission Agenda (the Friday before the hearing).

6. Who has access to my application materials?

The application is a public document, and as such, may be reviewed by the general public upon request.

B. INFORMATION ABOUT MAJOR VARIATIONS

1. What is the timeframe?

The approximate time from when the Planning & Zoning Division receives a completed Major Variation application to when the applicant can reasonably expect a decision on that application is 30 -40 days.

2. What is the Process?

- The City reviews the project through a Zoning Analysis (applied for separately) and determines it is eligible to apply for a Major Variation
- The Applicant files a separate Major Variation Application
- The City publishes a notice of the hearing in the Evanston Review, between 15 and 30 days prior to hearing.
- The City posts a sign describing the public hearing on the property no less than 10 working days before the hearing.
- The City must mail notification of the public hearing to all properties that are within 500 feet of any point on the subject property. (The applicant is responsible for the accuracy of the list used by the City for mailing this notice. The applicant can either rely on a list the City produces through its Geographic Information System or produce his or her own list of the names and addresses of property owners within 500 feet of the subject property. The Planning & Zoning Division will send to the applicant its generated mailing list. The applicant should inform the Planning & Zoning Division if any names and addresses are missing.
- The City encourages all applicants to discuss their proposal with their neighbors prior to the public hearing. The City can require a formal community meeting to be held if necessary.
- The Land Use Commission recommends denial, approval, or approval with conditions of the application to City Council;
The Planning and Development Committee of the City Council considers the LUC's recommendation and forwards it to the full City Council with or without a recommendation;
- City Council considers the LUC recommendation and may introduce an ordinance granting the requested zoning relief;
- City Council may adopt an ordinance granting the requested Major Variation at the following or any subsequent City Council meeting.

3. What standards are used to decide? (§6-3-8-12(A)):

To recommend approval or approve (depending on the case), the Land Use Commission and City Council must find that the request meets the following 7 standards:

1. The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.
2. The requested variation is in keeping with the intent of the zoning ordinance.
3. The alleged hardship or practical difficulty is peculiar to the property.
4. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
5. (a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or
(b) While the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on final jurisdiction under section 6-3-8-2 of this chapter, has found that public benefits to the surrounding neighborhood and the city as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of section 6-3-6-3 of this chapter.
6. The alleged difficulty or hardship has not been created by any person having an interest in the property.
7. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation.

4. Can I Appeal?

An applicant may appeal the decision of the Land Use Commission or City Council to the Illinois Circuit Court. (§6-3-8-6(E)):

CONTACT INFORMATION

Community Development Department – Planning & Zoning Division
909 Davis Street Evanston, Illinois 60201
P.847-448-4311 F.847-448-8126 E.zoning@cityofevanston.org
www.cityofevanston.org/zoning