



Zoning Variance Process

The Zoning Variance process allows you to request a modification of the Zoning Code for your property. Approval is based on demonstration of meeting 7 standards for granting variances outlined in the Village Code (Chapter 62, Article VIII, Division 4 of the Village Code). The Planning and Zoning Commission (PZC) conducts the public hearing and makes a recommendation to the Village Board, who has the final authority to grant or deny the request. The variance process from start to finish takes approximately 3 months, so please plan accordingly. Also, keep in mind that *if* your variation is approved it does expire based on the date stated in the ordinance.

1. Stop in at Village Hall for a pre-application meeting if you have not done so already. This is not required, but recommended prior to filing your variance application.
2. Complete the application and supporting materials. Use the Submittal Checklist provided in this packet, as any incomplete applications can delay the process.
3. Submit the completed application materials with the application fee. You will be assigned a case number and hearing date upon review by Village staff.
4. Provide public notice 15 to 30 days prior to the assigned hearing date. The **applicant** must provide notice to property owners located within 250 feet of the subject property, either by mail or in person. Sample notices are enclosed in the application packet. **Staff** will provide a sign for the property and publish legal notice in the Brookfield Landmark. Additionally, a sign provided by the Village must be placed on the property related to the variance request no more than 30 days nor less than 15 days prior to the date of the public hearing
5. File the notarized Affidavit of Public Notice at Village Hall prior to the date of the hearing. This certifies that proper notice was giving to property owners within 250' of the subject property. The hearing may be continued to a future date if the affidavit is not filed prior to the date of the scheduled hearing.
6. Present your case during the PZC hearing. Be prepared to answer any questions about the request from Board members or members of the public.
7. After the PZC makes a recommendation to the Village Board, staff will forward the recommendation to the Village Board for a final decision. The case will typically take an additional month from the date of the hearing for the Board to render a final decision.



Village of Brookfield
Planning and Zoning Commission Application

Submittal Checklist

Nine copies of the following documentation, collated, are due at the time of submittal. 8 1/2" x 11" unbound documents are preferred. Any large exhibits may not exceed 24" X 36" and must be folded to 9" x 12" with the title block showing.

Due at the time of application:

- Zoning Variance Application**
Applications must be complete. If you have questions regarding any part of the application, please contact Village staff at (708) 485-7344. Incomplete applications will be returned.
- Pre-application Meeting Notes (if applicable)**
A pre-application meeting with Village staff is strongly suggested prior to filing for a variance. Please attach notes from your pre-application meeting.
- Certified and Current Plat of Survey**
The plat of survey should include the legal description of the site, acreage, dimensions, property lines, lot lines, adjacent road right-of-ways, utilities and easements, and site improvements.
- Proof of Ownership**
An affidavit of ownership should be completed and notarized, and submitted with a copy of a current tax bill, deed, or other official document showing current ownership.
- Location Map**
A map should identify the subject property and neighboring properties. Labeling streets and addresses provides additional context for the staff and the Board.
- Project Summary**
The project summary is a written statement describing the requested variance and an explanation of why the variance is requested. Any background information that may help the staff and the Board understand the request should be included.
- Supporting Illustrations**
The application should include photos and/or drawings as needed to illustrate the current condition, the requested variance, and the resulting condition if the variance is granted.
- Application Fee**
The current application fee for variances is \$675 due at the time of submittal. A \$75 deposit will also be collected at the time of application for the sign provided by the Village.

Due prior to the public hearing:

- Affidavit of Public Notice to Surrounding Property Owners**
An affidavit, certifying that the applicant notified property owners within 250 feet of the subject property in writing within 15-30 days of the public hearing. Also a sign located on the premises no more than 30 days and no less than 15 days of the public hearing.



The Village of Brookfield
Planning and Zoning Commission Application

Zoning Variance Application

Applicant Information:

1. Name and Phone Number of contact person for application process _____
2. Petitioner's Name _____
3. Petitioner's Address _____
4. Phone Number _____
5. Email Address _____
6. Fax Number _____
7. Owner of Record Name _____
8. Owner of Record Address _____

Property Information:

9. Common Street Address _____
10. Legal Description _____

11. Permanent Tax Index Number (PIN) _____
12. When did the owner acquire the property? _____

13. Is the petitioner in the process of purchasing the property? Yes____ No____
If so, is the purchase contingent on approval of variation? Yes____ No____

14. Is your property use presently (check one): Conforming ____ Non-conforming ____

15. If the property is a non-conforming use, please explain: _____

16. Surrounding Zoning and Land Use:

	Zoning District	Land Use
North		
South		
East		
West		

Zoning Variance Application, continued

17. What is the Zoning Classification of the subject property? _____

18. List the variance(s) you are requesting:

(1) Section 62-_____ Variance requested to _____

(2) Section 62-_____ Variance requested to _____

(3) Section 62-_____ Variance requested to _____

19. What is the proposed use of or improvement to the property? _____

20. Is the building for (Check one): Personal Use___ Rental___ Resale___

Please provide responses for the standards for granting zoning variances (attached).

Any person who shall knowingly make or cause to be made, or conspire, combine, aid or assist in, agree to, arrange for, or in any way procure the making of a false or fraudulent application, affidavit, certificate, or statement, shall be guilty of a misdemeanor as provided by statute by the State of Illinois.

Petitioners Signature

Date

Owner's Signature (or authorized agent)

Date

STANDARDS FOR GRANTING ZONING VARIANCES
The Village of Brookfield's Zoning Code (Chapter 62, Section 62-760)

1. The hardship alleged as the basis for the variation must be derived from difficulties pertaining to the property itself which prevent full use of the property of the same extent other properties in close proximity in the same zoning district can be used;

2. The hardship alleged as the basis for a variation must not be self-created or self-imposed by the applicant or his agent nor by unauthorized and unpermitted acts of any prior owner;

3. That there is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the property;

4. That the variation sought will not impair an adequate supply of light or air to adjacent property;

5. That the variation sought will not unreasonably diminish the values of adjacent property;

6. That the variation sought will not unreasonably increase congestion in the public streets or otherwise endanger public safety;

7. That the variation is in harmony with the general purpose and intent of this ordinance.

**SAMPLE PUBLIC NOTICE
TO SURROUNDING PROPERTY OWNERS**

(Date)

Dear Neighboring Property Owner,

The Village of Brookfield requires that applicants for a zoning variance notify owners of the property within 250 feet of the subject property of the nature of the proposal, and the date, time, and place of the public hearing.

I am requesting a variance from **(insert Section number)** of the Village of Brookfield Zoning Ordinance to **(describe specific variance(s) sought)**. **(Add any additional information you would like your neighbors to know)**.

The public hearing before the Planning and Zoning Commission will take place on **(date)** at 7p.m. in the Brookfield Village Hall, located at 8820 Brookfield Avenue. The hearing is open to the public and comments from the public on the proposal are welcome.

If you have any questions or concerns regarding this proposal, please contact me at **(provide your phone number)** prior to the public hearing.

Thank you for your time and consideration.

Respectfully,

(Applicant)

**AFFIDAVIT OF PUBLIC NOTICE
TO SURROUNDING PROPERTY OWNERS**

The undersigned petitioner, on oath states that the undersigned notified, in writing, the owners of all property within 250 feet, excluding rights of way, in each direction of the property to which his petition relates, by personal delivery or by mail; that a public hearing would be held to consider such petition; that such notice was given no less than 15 days prior to such hearing; and that the owners so notified, are those shown on the last available tax records of the county. (Please attach a list of notified property owners).

(Print Name)

(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

_____ DAY OF _____, _____

(Notary Public)