



**PETITION FOR  
ZONING VARIATION**

Please return completed application to:

Department of Building, Zoning and Planning  
Village of Beach Park  
11270 West Wadsworth Road  
Beach Park, IL 60099  
(847) 746-1770



## VILLAGE OF BEACH PARK

*Building, Planning and Zoning  
11270 W. Wadsworth Road  
Beach Park, IL 60099  
(847) 746-1770*

### PROCEDURES FOR ZONING VARIATION

The regular meetings of the Plan Commission and Zoning Board of Appeals are held on the first Thursday of the month. Public hearings are scheduled for the same date or as needed.

Applicant will meet with the Zoning Administrator (and/or Village Planner) to discuss zoning changes, variations, conditional uses, etc.

Completed application to be submitted a minimum of 30 calendar days prior to public hearing.

Notice of public hearing will be processed by the Village Clerk or the designee (30-45 calendar days required before hearing date).

Applicant is required to:

1. *Complete the appropriate application and provide the Village Clerk or their designee with one (1) original Variance Application and twenty-five (25) copies of the Site Plan and one (1) copy of the Plat of Survey (minimum scale of 1" = 20'), minimum size of copy 11" x 17".*
2. *Pay appropriate application fees as outlined in the Zoning Fee Schedule upon submittal of the completed application. Applications will not be processed until fees have been received.*
3. *Provide the name, address and P.I.N. number of all property owners within 250 feet or at the discretion of the Zoning Administrator for purposes of distribution of notification of public hearing by certified mail. Village staff will prepare and distribute certified notices a minimum of 15 days prior to the public hearing. (Note: the postage for up to 30 certified notices is included in the application fee.)*
4. *Provide legal description for public notice to the Zoning Administrator, to be published in the newspaper. Notice will be submitted to the newspaper for publishing by Village staff. Notice must appear in newspaper a minimum of 15 days prior to the public hearing but no more than 30 days prior to the public hearing.*
5. *Village staff will post information signs on the subject property and photograph posting a minimum of 15 days prior to the public hearing.*
6. *Applicants are required to appear before the Plan Commission to present their application or petition on the night of the public hearing.*



**PROCEDURES FOR  
ZONING VARIATION  
CONTINUED**

After the public hearing, the Village will prepare a Findings of Fact and recommendation for the Village Board. The recommendation will be approved by the Plan Commission chair or Plan Commission as requested by the Plan Commission Members at the time of public hearing.

The Findings of Fact and recommendation will be submitted to the Village Board at their regularly scheduled by-monthly meeting for consideration. Village Board meetings are held on the second and fourth Thursdays of each month.



Petition for Zoning Variation

Date: \_\_\_\_\_

To be completed by the applicant.

**I. GENERAL INFORMATION**

- A. NAME \_\_\_\_\_
- B. ADDRESS \_\_\_\_\_
- C. TELEPHONE \_\_\_\_\_

**II. STATUS OF APPLICANT**

- A. OWNER \_\_\_\_\_
- B. CONTRACT PURCHASER \_\_\_\_\_
- C. OPTION \_\_\_\_\_
- D. LESSEE \_\_\_\_\_
- E. OTHER (SPECIFY) \_\_\_\_\_

**III. PAYMENT OF FEES** \_\_\_\_\_

**IV. LOCATION OF SUBJECT PROPERTY**

- A. COMMON DESCRIPTION (Please attach additional sheets if necessary.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- B. LEGAL DESCRIPTION (Please attach additional sheets if necessary.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**V. PROPOSED VARIATION**

- A. DESCRIPTION OF PROPOSED OR REQUESTED ACTION (Please attach additional sheets if necessary.) MUST INCLUDE HEIGHT OF PRINCIPAL STRUCTURE IF REQUEST IS RELATED TO A GARAGE, SHED, ETC.

---

---

---

---

---

- B. JUSTIFICATION OF PROPOSED OR REQUESTED ACTION

Please include responses to the following items, where applicable. Detailed answers will prove helpful as they are considered by the Plan Commission in its Findings of Facts and recommendation to the Village of Beach Park concerning the proposed Variance.

- 1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

Application Justification (Please attach additional sheets if necessary.)

---

---

---

- 2. The condition upon which the petition for a variation is based are unique in that the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.

Application Justification (Please attach additional sheets if necessary.)

---

---

---

---

---



3. That the alleged difficulty or hardship is caused by the Zoning Ordinance and has not been created by any person presently having an interest in the property.  
Application Justification (Please attach additional sheets if necessary.)

---

---

---

4. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.  
Application Justification (Please attach additional sheets if necessary.)

---

---

---

5. That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the Village Board, as "Similar and Compatible Uses."  
Application Justification (Please attach additional sheets if necessary.)

---

---

---

6. That the variation granted is the minimum adjustment necessary for the reasonable use of the land.  
Application Justification (Please attach additional sheets if necessary.)

---

---

---

7. That the granting of any variation is in harmony with the general purposes and intent of the zoning ordinance, and will not be injurious to the neighborhood, be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for development of the Village.



Application Justification (Please attach additional sheets if necessary.)

---

---

---

8. That for reasons fully set forth in the recommendations of the Zoning Board and the report of the Village Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land.

Application Justification (Please attach additional sheets if necessary.)

---

---

---

9. Please list any other items which you feel the Zoning Board of Appeals and Village Board of Trustees should consider pertaining to the proposed variation.

Application Justification (Please attach additional sheets if necessary.)

---

---

---



## VARIATION PROCEDURE

When a variation is proposed, the Zoning Board of Appeals shall conduct a public hearing on said proposed variation. Notice of the time and place of a public hearing shall be published at least once, not more than thirty (30) and not less than fifteen (15) days before the hearing, in a newspaper of general circulation in Beach Park.

The public hearing pertaining to the requested variation shall be held by the Zoning Boards within sixty (60) days of the filing of the application. A written report of the Zoning board findings recommending the granting or denial of the requested variation shall be submitted to the Village Board within thirty (30) days after said public hearing.

Upon receipt of the report and recommendations of the Zoning board to grant or deny the variation, the Village Board by ordinance, without further public hearing, may adopt the proposed variation or may refer it back to the Zoning Board for further consideration. Any proposed variation which fails to receive the approval of the Zoning Board shall not be passed except by a favorable vote of two-thirds (2/3) of all members of the Village Board. No order of the Village Board, nor recommendation of the Zoning Board shall be valid for a period longer than twelve (12) months from the date of such an order unless a building permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such a period.

Variation from regulations imposed by the Beach Park Zoning Ordinance shall be granted by the Village Board of Trustees, upon reception of recommendations from the Zoning Board of Appeals, only when in conformance with the applicable rules of Section 12.8.4 of the Zoning Ordinance.

---

Applicant (Please print)

---

Date

---

Applicant Signature



**PROFESSIONAL FEE AGREEMENT**

The undersigned, in making an application or request of the Village of Beach Park, hereby agrees that:

1. In processing an application or request, or in considering any matter, should the Village of Beach Park incur any professional fees or other costs, including but not limited to engineering fees, planning fees, attorney’s fees, and other fees, the applicant in any matter shall be responsible for said fees.
  - a) Any person or other legal entity seeking Village’s approval or consideration of any matter shall be responsible for any professional fees or other costs incurred by the Village in reviewing the requested action or matter and in acting upon the requested approval or consideration, including, but not limited to, engineering fees, planning fees, attorney’s fees and other fees incurred by the Village.
  - b) Whenever any person or other entity is required by Village ordinance or rule, state or federal law, to submit plans, specifications or other documents to the Village Engineer, Attorney, consultant or other employee of the Village, for his review, comments and approval or disapproval, such person or entity shall be responsible for the fees charged to the Village in connection therewith.
  - c) Whenever any person or other entity shall, of his or its own volition, submit plans, specifications or other documents to the Village Engineer, Attorney, consultant or other employee of the Village for his review, approval, disapproval or comments upon said plans, specifications or other documents, the person or entity submitting the same shall be responsible for the fees charged by such employee in connection therewith.
  - d) The term “review” shall include, but not be limited to: conducting hearings and meetings; processing, review, and preparation of documents; evaluation of drawings for code compliance; legal, technical and professional review and consultation; field inspections and preparations; and similar consideration and review of proposed actions which involve the earthmoving of land, construction or alteration of buildings, provision of utilities or other public services, and uses and appearances of property. Said fees do not include building permits fees, which are governed by Chapter 15.08 of the Beach Park Municipal Code.
  - e) Any and all professional fees or other costs incurred are non-refundable once the review process has been started or completed.
  - f) In the even the professional fees or other costs are paid by check, and the check is returned to the Village by the financial institution due to insufficient funds, the Village shall suspend the review process. A cashier’s check that includes the required fees, a \$30.00 return check service charge, and any other costs that the Village may incur thereby, shall be deposited with the Village before the Village resumes the review process.
  - g) Development proceedings initiated by the Village (i.e., text amendments to the Zoning Ordinance) are exempt from such fees.

- h) In the event the Village Board denies approval of any and all portions of the petition, a petitioner shall remain liable for all fees and costs which the Village has incurred relative to the petition.
- i) Any professional fees incurred as a direct or indirect result of the petitioner, owner, or their agent, requesting a professional opinion or otherwise requesting relief or assistance from the Village, whether or not related to real property, shall be reimbursed in accordance with this Chapter. The Village, in its sole discretion, may determine whether a professional opinion is necessary.
- j) Upon the failure of the owner or petitioner to reimburse the Village in accordance with this Section, the Village shall send notice to the owner or petitioner, by certified mail, return receipt requested, that the professional fees are in arrears. No action on any request made by the owner or petitioner will be acted upon by the Village Board or any other official, or deliberative individual or body thereunder; and such request shall remain in abeyance until all outstanding fees are paid in full. Furthermore, if all outstanding fees are not paid in full pursuant to this Chapter, within seven business days after the notice was mailed, the application shall be considered withdrawn by the owner or petitioner. Upon failure to reimburse the Village in accordance with this Section, the Village may, in its discretions, elect to place a lien on any real property associated with petitioner's request. Interest in the amount of 1 ½ percent per month shall accrue on all sums outstanding for 30 days or more. Such lien shall be in an amount equal to the outstanding amount owed to the Village.
- k) Should the Village Board, Village staff, or the owner or petitioner desire professional services, the Village Board and the designated Village staff members are authorized to assign requests for professional services to the Village staff or to consultants as the Village Board deems appropriate.
- l) When any professional services contemplated by this Ordinance are rendered by the Village staff, then in such case the party making the request shall reimburse the Village for its costs incurred in providing said professional services. Said reimbursement shall be at the rate of \$30.00 per hour.
- m) The remedies available to the Village as set forth in this Chapter are non-exclusive and nothing herein shall be construed to limit or waive the Village's right to proceed against any or all parties in a court of law competent jurisdiction.
- n) At the time the petitioner requests action from the Village he will be required to enter into an agreement with the Village that contains the parameters of this Section.
- o) If it is determined that there are outstanding professional fees or costs not paid at the time an occupancy permit is granted, the Village may apply the funds deposited for a construction bond to any outstanding fees.

2. The applicant shall pay said fee to the Village promptly after request. The Village Treasurer shall be responsible for collecting said fee and disbursing same, on the approval of and at the direction of the Village Board, on account of the fees and costs.
3. This agreement is made pursuant to Beach Park Ordinance 2005-O-42, adopted by the Village Board of Beach Park on October 12, 2007.

\_\_\_\_\_  
Applicant (Please print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

\_\_\_\_\_  
City & State

\_\_\_\_\_  
Applicant Signature

Received and Accepted by  
The Village of Beach Park by:

\_\_\_\_\_  
Village Official

\_\_\_\_\_  
Date

Adopted by the Village Board  
Of Trustees 0 June 11, 2002





## VILLAGE OF BEACH PARK

*Building, Planning and Zoning  
11270 W. Wadsworth Road  
Beach Park, IL 60099  
(847) 746-1770*

### Zoning Fee Schedule

<b>TEXT AMENDMENT</b>		650.00
<b>VARIATION</b>		
	First variation on lot or parcel	650.00
	Each additional variation on lot or parcel	300.00
<b>MAP AMENDMENT TO ANY RESIDENTIAL DISTRICT</b>		
	Less than 2 acres	1,000.00
	2 acres but less than 5 acres	1,600.00
	5 acres but less than 10 acres	1,750.00
	10 acres to 20 acres	2,000.00
	Each additional full acre over 20 acres	15.00
<b>MAP AMENDMENT TO ANY COMMERCIAL AND INDUSTRIAL DISTRICT</b>		
	Less than 2 acres	2,100.00
	2 acres but less than 5 acres	2,700.00
	5 acres but less than 10 acres	3,800.00
	10 acres to 100 acres	5,000.00
	Each additional full acre over 100 acres	100.00
<b>CONDITIONAL USE</b>		
All conditional uses except as listed below		
	20 acres or less	1,900.00
	Each additional full acre over 20 acres	30.00
Cemetery Addition		2,000.00
Recreational Uses	20 acres or less	1,800.00
	Each additional full acre	30.00
Recreational Accessory Uses		1,600.00
Shopping Centers	20 acres or less	3,500.00
	Each additional acre	35.00

Mobile Home Parks	10 acres or less	3,000.00
	Each additional full acre	35.00
Travel Trailer Parks		
	20 acres or less	3,000.00
	Each additional full acre	30.00
Replacement of floodplain nonconforming structures		625.00
<b>SUBDIVISION APPLICATION</b>		1,500.00
<b>PLANNED UNIT DEVELOPMENT</b>		
Application Fee		3,000.00
Preliminary Development Plan fee per dwelling unit		350.00
Final Development Plan fee per dwelling unit		350.00
<b>ADMINISTRATIVE APPEAL</b>		450.00
<b>TEMPORARY USE PERMITS</b>		
Home and Garage Sales	Not more than four (4) days and not more than two (2) permits in one calendar year for any one zoning lot.	No Fee
Other Temporary Use Permits		450.00
<b>REINSPECTION FEE</b>		
First Inspection		Part of original application fee
First Reinspection		Fifty percent (50%) of original fee or \$25 whichever is greater

Second Reinspection		Seventy-five percent (75%) of original fee or \$50 whichever is greater
Third and Each Subsequent Reinspection		One hundred percent (100%) of the original fee or \$100 whichever is greater

**NOTES TO FEE SCHEDULE:**

1. The filing fee for Planned Unit Development Preliminary and Final Development fees shall have a \$500.00 minimum charge and \$5,000.00 maximum charge.
2. Upon return of the Application to the Village of Beach Park, the Applicant will be responsible for submitting all Application fees.

<b>MAP FEES:</b>	Zoning Map		Actual Cost

## 12.8 VARIATIONS

### 12.8.1 PURPOSE

A variation is that power authorized by the State Act to permit municipalities to vary the requirements of the Zoning Ordinance. It is the intent of the Zoning Ordinance to use variations only to modify the application of the Zoning Ordinance to achieve a parity among properties similarly located and classified. Specifically, it is to be used to overcome some exceptional physical condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from using his property as intended by the Zoning Ordinance. Such practical difficulty or hardship must be clearly exhibited and must be as a result of an external influence; it may not be self-imposed.

### 12.8.2 STANDARDS FOR VARIATIONS

The Zoning Board shall recommend and the Village Board of Trustees shall grant a variation only when it shall have been determined, and recorded in writing, that all of the following standards are complied with:

1. That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.
3. That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.
4. That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
5. That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the Village Board of Trustees as "similar and compatible uses."
6. That the variation granted is the minimum adjustment necessary for the reasonable use of the land.
7. That the granting of any variation is in harmony with the general purposes and intent of the zoning ordinance, and will not be injurious to the neighborhood, be detrimental to



the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for the development of the Village.

8. That, for reasons fully set forth in the recommendations of the Zoning Board and the report of the Village Board of Trustees, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land. In addition, the Village Board of Trustees upon the recommendations of the Zoning Board may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Section to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.

In addition, the Village Board of Trustees upon the recommendations of the Zoning Board may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Section to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.