

# Village of Lily Lake

43W870 Empire Road, Lily Lake Illinois  
Phone 630-365-9677 - Fax 630-365-9827

Mailing address  
43W955 Twilight Lane, St. Charles, IL 60175

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## INSTRUCTIONS FOR FILING REQUEST FOR A VARIATION

A request for a variation from the Zoning Ordinance of the Village of Lily Lake may be made by filing the original and 6 copies of the request with the Clerk of the Village of Lily Lake, Village Hall, 43W870 Empire Road, St. Charles, IL 60175. A copy of the request must also be sent to the Hearing Officer for the Village, G. Alexander McTavish, Foote, Mielke, Chavez & O'Neill 10 W State Street, Geneva, IL 60134. Requests should be submitted using the Zoning Variation, Re-Zoning or Special Use Application form.

The application must set forth the actual variation desired, with a clear explanation of what is wanted and why the request is made. This explanation should show why the regular requirements of the Zoning Ordinance cannot be met, and must show proof that a particular hardship would result if a variation were not granted. **Such a hardship must not be self-created.**

The following items must accompany the request. These items must be accurate, as any rezoning is actually an amendment to the Zoning Ordinance itself, and upon adoption by the Board of Trustees of the Village, the maps, which are a part of the ordinance, are changed to show the reclassification.

A survey showing the property to be rezoned that includes;

The legal description of the property to be rezoned, the tax parcel lines of all parcels to be rezoned, the tax parcel numbers of all parcels to be rezoned. If the area to be rezoned is part of a larger parcel include the legal description, lot lines and pin numbers of the larger parcel as well as the area to be rezoned.

The exact size and location of all existing buildings on the property. The size and location of all proposed buildings. The existing and intended use of each building or structure. The number of dwelling units or lodging rooms a building is designed to accommodate.

The location and number of off-street parking and off-street loading spaces and all proposed entrances and exits to and from all public highways. The location of all such entrances and exits must be obtained from the particular governmental agency or authority having jurisdiction. To promote safety, these should be kept to a minimum. It may be necessary to dedicate road right -of-way in connection with the rezoning or special use

Any other information with regard to the subject property and neighboring properties as may be necessary to determine whether the proposed use complies with the provisions of the Zoning Ordinance, shall be submitted with the petition.

The petition must be signed by the owner of record of the property. In case the property is under

purchase contract, both the owner of record and the contract purchaser must sign.

Certification is required of the names and addresses of all owners of adjacent and adjoining property, or their tenants, and of all owners of property, or their tenants, within 500 feet of the property for which a variation is sought. An affidavit showing the names and addresses of these persons must be filed with the Hearing Officer not less than 14 days prior to the public hearing.

An aerial photograph showing parcels involved in the variation is required. An aerial photograph may be obtained from The Sidwell Company, 28W240 North Avenue, West Chicago, IL 60185.

Pursuant to the Land Trust Disclosure Act of the State of Illinois, if the property involved is held in a land trust, a notarized certification, signed by the land trustee or an officer of the land trustee, giving the names, addresses and percentage of interest of all beneficiaries, is to be filed.

The appropriate fee must be paid at the time of filing the application. If the variation requested is less than 10% of the applicable standard, the fee is \$300. If the variation requested is 10% or more of the applicable standard, the fee is \$500.

Upon receipt of the application and other required documents and fee, the Village Clerk initiates the zoning process which includes a public hearing conducted by the Hearing Officer prior to final action by the Village Board. Notice of the public hearing is published in a newspaper of general circulation in the Village at least 15 days in advance of the hearing. A notice is sent by mail to the applicant, giving the time and place of the public hearing. The applicant must attend, or be represented at the public hearing.

After the public hearing, the Hearing Officer will make a recommendation to the Village Board. Action on the request is taken at the next regular meeting of the Village Board which is at least 15 days after the public hearing