

Village of Lily Lake

43W870 Empire Road, Lily Lake Illinois
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Mailing address
43W955 Twilight Lane, St. Charles, IL 60175

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, 43W955 Twilight Ln., Ste A, St. Charles, IL 60175. One 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 contain (a) the existing zoning classification of the property (R1, B1, etc.), (b) the standard or requirement of the Zoning Ordinance from which the applicant seeks a variation, and (c) 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.

1. A survey or accurate drawing to scale of the property to which the variation applies that includes:
 - The legal description of the property and the tax parcel identification numbers of all parcels that comprise the property.
 - The approximate size and location of all existing buildings on the property. The approximate size and location of all proposed buildings. The existing and intended use of each building or structure to which the variation relates.
 - Any other information regarding the property and neighboring properties that may be bear on the decision to grant or deny the request or variation.
2. 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.
3. A list of the names and addresses of all owners of property, or their tenants, within 500 feet of the property for which a variation is sought. A public hearing on the request will not be scheduled until the list is provided.
4. An aerial photograph showing parcels involved in the variation may be required. An aerial photograph may be obtained from The Sidwell Company, 28W240 North Avenue, West Chicago, IL 60185.

5. 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.
6. 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. An additional \$250 deposit is required to cover the cost of publication. If there is a balance of deposit left, it will be reimbursed to the applicant.

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 usually taken at the next regular meeting of the Village Board that is at least 15 days after the public hearing.