

APPLICATION CHECKLIST

- Application Form** (page 2)
 - Complete in its entirety.
 - Petitioners' name(s) should be written *exactly* as on the proof of ownership.
 - Notarized signatures of all owner(s) and petitioner(s) are mandatory.
- Summary Sheet** (pages 3 & 4)

Complete in its entirety, including height and F.A.R. calculations for any covered addition, regardless of requested variance.
- Established Building Setback Survey**

If Applicable (pages 5 & 6)
See also Sections [150.105](#) and [150.711](#), and "Useful Definitions"
- F.A.R. Calculations of Neighborhood**

For F.A.R variation requests only. (page 7)
See also "Useful Definitions"
- Affidavit of Title** (page 8)

Any form of ownership must be accompanied by a notarized affidavit of title citing date of title and/or trust agreement.
- Affidavit of Survey** (page 9)

Needed for all surveys over one year old.
- Cost Recovery Acknowledgement & Fee**

(page 10) Make check payable to: City of Highland Park
- Authorization To Enter And Traverse Land**

To be signed by owner and City representative (pages 11 & 12)
- Pending Land Use Relief Disclosure Notice**

Applicable only for Corporations or LLC. (pages 13 – 15)
- Plat of Survey: 1 Full Size (Drawn to Scale) and 1 Reduced (11" x 17" or smaller)**
 - Legal description of property
 - Dated and stamped by surveyor
- Proof of Lot of Record** (see useful definitions)

Required for issuance of a building permit
- Tree Survey (11" x 17" or smaller)**

Regardless of the proposed work, submit a tree survey showing all existing trees. A hand drawing of tree locations on a plat of survey is usually acceptable.
- Set of Plans: 1 Full Size (Drawn To Scale) and 1 Reduced (11" x 17" or smaller):**
 - Dated and stamped by architect (if applicable)
 - Folded to size suitable for mailing
 - Proposed Site Plan showing:**
 - Illustration **clearly** indicating the location of proposed variance
 - Dimensions of variance(s) requested
 - All required yard setbacks, including the established front yard setback
 - Dimensions to all lot lines
 - Existing and Proposed Floor Plans**

COMPLETE floor plans with room names & dimensions
 - Existing and Proposed Elevations**
- Letter of Situation and Hardship**

Explain in detail the proposed project, the variances to be requested, all alternatives to the proposal, and the hardship to be incurred if the variance is denied. (Refer to *Standards for Granting a Variation* in this packet for further information.)
See also: [Section 150.1205](#)
- Proof of Ownership**
 - *Warranty deed* or owner's *title policy* in its entirety.
 - If the property is held in trust, the Trust Agreement in its entirety.
 - If petitioner is contract purchaser or lessee, proof of authority to file on behalf of the owner is required.
- Other Exhibits:** Photos, letters, reports, requested materials, etc.
- Application Fee**

Make check payable to: City of Highland Park

| | |
|--|----------|
| <input type="checkbox"/> Deposit (cost recovery) | \$500.00 |
| <input type="checkbox"/> Application Fee | \$225.00 |
| <input type="checkbox"/> Compere Fee (if needed) | \$100.00 |

[\[Section 150.1204\(A\)\(13\)\]](#)

Signature of Petitioner _____ Date _____

Signature of Owner's Agent _____ Date _____

Property Address: _____

ZBA Application 1

APPLICATION FOR ZONING VARIATION REQUEST



CITY OF HIGHLAND PARK

1150 Half Day Road
Highland Park, IL 60035
phone: 847/ 432-0867 fax: 847/432-0964
www.cityhpil.com

OFFICE USE ONLY

VAR No.: _____

Submitted: _____ Fee Paid: _____

Hearing Date: _____ Planner: _____

Address: _____ Zoning District: _____

Present Use of Property: _____

Petitioner Name(s): _____

Address (City, State, ZIP): _____

Daytime Phone: _____ Alternate Phone/Cell: _____ Fax: _____

Email: _____

Title Holders Name(s): _____

Address (City, State, ZIP): _____

Phone: _____ Fax: _____

Email: _____

Attorney Name: _____

Address (City, State, ZIP): _____

Phone: _____ Fax: _____

Email: _____

Architect/Builder: _____

Address (City, State, ZIP): _____

Phone: _____ Fax: _____

Email: _____

AFFIDAVIT

I HEREBY DEPOSE AND SAY THAT I HAVE READ THE REQUIREMENTS AND PROCEDURES OUTLINED IN ARTICLE XII OF THE 1997 HIGHLAND PARK ZONING ORDINANCE , AS AMENDED, AND ALL OF THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN MY APPLICATION PACKET ARE TRUE.

Property Owner(s)

Sworn to before me this _____ day of _____,
20____.

Notary

Petitioner, if different from Property Owner

Sworn to before me this _____ day of _____,
20____.

Notary

Property Address:

ZBA Application 2

DESCRIPTION OF PROJECT:

1. COMPLETE THE FOLLOWING: *(regardless of requested variance)*

A) Height Calculations: (see also: 'Useful Definitions')

- Maximum Allowable Height per Zoning District: _____ feet
- Maximum Height of Proposed Structure _____ feet

B) Floor Area Ratio (F.A.R.) Calculations (see 'Useful Definitions' sheet)

| |
|---|
| $\frac{\text{F.A.R.} = \text{Floor Area}}{\text{Lot Size}}$ |
|---|

- Area of Lot: _____ square feet

****NOTE** Properties requesting a Variation are NOT eligible for Bonus F.A.R.**

- Allowable Floor Area: _____ square feet Allowable F.A.R.: _____ %
- Total Existing Floor Area: _____ square feet Existing F.A.R.: _____ %
- Area of Addition: _____ square feet
- Total Proposed Floor Area: _____ square feet Proposed F.A.R.: _____ %

2. INDICATE ALL REQUESTED VARIANCES:

Front Yard Encroachment: *(note as many as apply – corner lots have two front yards, one on each street frontage)*

Structure will encroach _____ feet into the **minimum front yard** of _____ feet on the (north / south / east / west) side of the property for a distance of _____ feet.

Structure will encroach _____ feet into the **established building setback** of _____ feet on the (north / south / east / west) side of the property for a distance of _____ feet.

Structure will encroach _____ feet into the **minimum front yard** of _____ feet on the (north / south / east / west) side of the property for a distance of _____ feet.

Structure will encroach _____ feet into the **established building setback** of _____ feet on the (north / south / east / west) side of the property for a distance of _____ feet.

Side Yard Encroachment: *(note as many as apply)*

Structure will encroach _____ feet into the **minimum** side yard of _____ feet on the (north / south / east / west) side of the property for a distance of _____ feet.

Structure will encroach _____ feet into the **minimum** side yard of _____ feet on the (north / south / east / west) side of the property for a distance of _____ feet.

Structure will encroach _____ feet into the **total combined side yard** of _____ feet on the (north / south / east / west) side of the property for a total distance of _____ feet.

Property Address:

ZBA Application 3

Rear Yard Encroachment:

Structure will encroach _____ feet into the *minimum rear yard* of _____ feet for a distance of _____ feet.

F.A.R.: (For existing structures only)

Structure will exceed the *maximum permitted F.A.R.* of _____% [or _____ sq. ft.] by _____% [or _____ sq. ft.] for a total F.A.R. of _____% [or _____ sq. ft].

Fence:

Structure will exceed the maximum permitted fence height of _____ feet by _____ feet for a distance of _____ linear feet.

Lot Coverage:

Structure will exceed the *maximum permitted lot coverage* of _____% [or _____ sq. ft.] by _____% [or _____ sq. ft.] for a total lot coverage of _____% [or _____ sq. ft].

Other: (please specify): _____

****The following requests include additional information or review beyond the Zoning Board of Appeals****

Subdivision Setback Encroachment: (Neighbor approval required – [Section 150.1202 \(D\)](#))

(Also known as a Building Line)

Structure will encroach _____ feet into the *subdivision setback* of _____ feet on the (north / south / east/ west) side of the property for a distance of _____ feet.

Steep Slope Encroachment: (requires review by the **Lakefront Commission** and additional submission materials)

Structure will encroach _____ feet into the *10' / 40' / Special Steep Slope setback* for a distance of _____ feet.

Height: (Requires Compere Referral)

Structure will exceed the *maximum permitted height* of _____ feet by _____ feet for a height of _____ feet.

| | |
|---|--|
| COMPERE REFERRAL TO CITY COUNCIL: YES / NO | OFFICE USE ONLY |
| City Council Date: _____ | Describe Referral: _____ |
| ZBA Final Disposition: YES / NO | ZBA Recommendation to City Council on: _____ |

Property Address:

ZBA Application 4

ESTABLISHED BUILDING SETBACK SURVEY

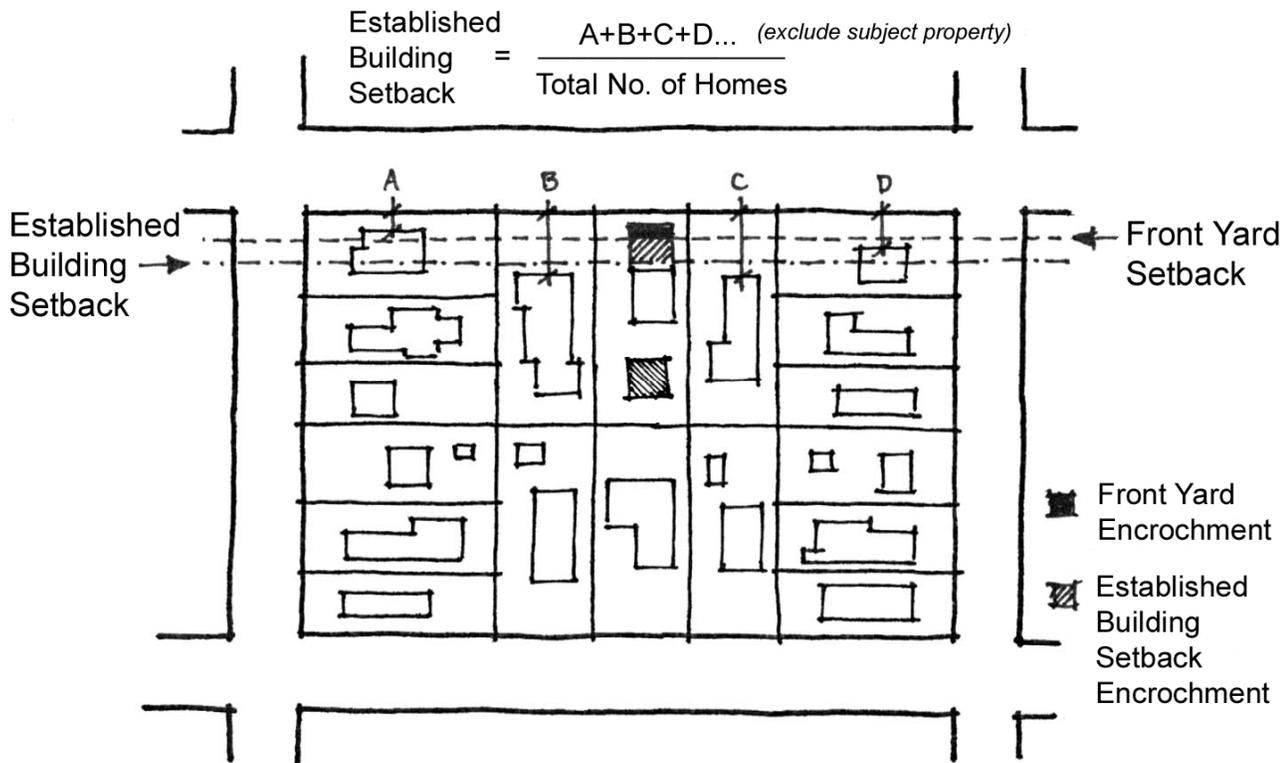
In any single family residential zoning district, if the Established Building Setback (the average of the existing building setbacks on one side of a block*) is greater than the minimum front yard setback required for the zoning district; no new structure or addition may be erected closer to the street than the established building setback. Refer to Sections [150.105](#) and [150.711](#), or the "Useful Definitions" sheet for more information.

The regulation applies to blocks containing three (3) or more single-family residences in which fifty percent (50%) or more of the lots fronting on one side of the block are improved with principal buildings that have setbacks greater in depth than required for the zoning district.

In the **R5, R5A, R6, and R7** zoning districts, the Established Building Setback is the lesser of :

- (i) the average of the existing setbacks of such foundations on such block
- (ii) 150% of the minimum front yard setback set forth in the bulk regulations of the applicable zoning district.

For a lot with two front yards, the Establishing Building Setback regulations shall not apply on the side of the lot with the longest front lot line, unless either (i) the lot depth of the lot, measured on that side, is greater than 125 feet, or (ii) the lot is a through lot.



*A block is defined as a tract of land bounded by streets or cul-de-sacs, or in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way, ravines, corporate boundary lines of municipalities, or the shoreline of Lake Michigan.

ESTABLISHED BUILDING SETBACK SURVEY

Completion of an Established Building Setback survey ensures compliance with the regulation, or alternatively, determines whether a variation may be necessary. This survey is also required prior to the issuance of a building permit. The subject property should be excluded from the established building setback calculation.

Measurements for Established Building Setbacks can be obtained using the on-line mapping tool available at: <http://www.mgpinc.com/mapoffice/>. Type in the subject property address, zoom in for an accurate reading, and click the "Measure Distance" tool. Measurements can also be collected in the field with the property owner's permission.

| ADDRESS | | ACTUAL SETBACK | SOURCE/NOTES |
|------------------------|--|----------------|--------------|
| 1 | | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
| 15 | | | |
| 16 | | | |
| 17 | | | |
| 18 | | | |
| 19 | | | |
| 20 | | | |
| AVERAGE SETBACK | | | |

AFFIDAVIT OF TITLE, COVENANT AND WARRANTY

STATE OF ILLINOIS
COUNTY OF LAKE

The undersigned affiant, being first duly sworn, on oath says, and also covenants with and warrants to the City of Highland Park:

- 1) That affiant has an interest in the real estate described below:

- 2) The following mortgagees, firms, corporations or persons are holders of liens against the above described real estate:

- 3) That since the title date of _____, _____ in the policy of title insurance issued by _____ affiant has not done or suffered to be done anything that could in any way affect the title to premises, and no proceedings have been filed by or against affiant, nor has any judgment or decree been rendered against affiant, nor is there any judgement note or other instrument that can result in a judgment or decree against affiant within five days from the date hereof.

- 4) That this instrument is made to induce the City of Highland Park to accept for review the affiant's application for a variation request.

- 5) Affiant further states:

Affiant

Subscribed and sworn to before me this _____
Day of _____, 20_____.

Notary Public

_____(SEAL)

PLAT OF SURVEY AFFIDAVIT

STATE OF ILLINOIS
COUNTY OF LAKE

AFFIDAVIT

_____, being first duly sworn upon oath, deposes and states that the Plat of Survey dated _____ for the property commonly known as _____, Highland Park, Illinois, shows all of the structures presently on the property.

Affiant

Subscribed and sworn to before me this _____
day of _____, 20_____.

Notary Public _____(SEAL)

ZONING BOARD OF APPEALS COST RECOVERY FEES

Third Party Cost Recovery

During the course of reviewing and processing development applications, the City of Highland Park often incurs expenses for third party costs. In order to efficiently process zoning applications, every filed petition is subject to certain cost recovery fees ("Cost Recovery Fees") that are placed in a City escrow account ("Cost Recovery Fee Escrow"), as provided in Section 150.306 of "The Highland Park Zoning Code of 1997," as amended. Cost Recovery Fees are in addition to any and all other filing fees and other charges established by the City. The fee is based upon an application of typical complexity and need for third party consulting services.

Zoning Board of Appeals Application Cost Recovery Fee: \$500.00

All Zoning Board of Appeals applications have the following costs, which will be deducted from the Cost Recovery Fee Escrow:

- **Publication of Legal Notice(s)**
- **Court Reporter Fees Incurred at Each Meeting**
- **Mailing of the final Order**

The following items denote other costs *occasionally* incurred for Zoning Board of Appeals cases that would be deducted from the Cost Recovery Fee Escrow:

- Professional and technical consultant services
- Document recordation and/or copy reproduction
- Corporation Counsel, or other City retained attorney or law firm, consultation, meeting attendance, document preparation, and review

PLEASE READ & INITIAL: The cost incurred and deducted from the Cost Recovery Fee Escrow varies with each case. Several factors impacting the amount deducted include but are not limited to: length of Legal Notice, length of discussion at the public hearing, additional notification or continuations of the public hearing.

Any continuation of a public hearing to a future meeting requires an additional \$500 deposit into the Cost Recovery Fee Escrow. If the additional \$500 deposit is not received by the Planning Division prior to the scheduled meeting date, the City reserves the right to suspend processing of the petition.

Initial: _____

Costs incurred exceeding the final deposit amount will be billed to the applicant, and any remainder refunded, as indicated below.

Process

Every petition must be accompanied by the required Application Fee and Cost Recovery Fee. Cost Recovery Fees will be forwarded to the Finance Division and deposited in a Cost Recovery Fee Escrow. Within 90 days following final action on a petition, a final accounting will be made and any remaining funds in the Cost Recovery Fee Escrow after payment of the total actual costs due will be returned to the owner or petitioner. Failure to pay any portion of the Cost Recovery Fee or submit the continuation deposit fee prior to the Zoning Board of Appeals' consideration of the case shall be grounds for refusing to process a petition and for denying or revoking any permit.

Petitioner Agreement

By signing below, the owner or petitioner acknowledges that it is subject to all of the provisions contained in Section 150.306 of the Zoning Code and agrees to pay, and to have consented to, (i) the Cost Recovery Fees, (ii) any costs of collection that have not been paid within 30 days following the mailing of a written demand for payment to the owner or petitioner at the address set forth on the petition, and (iii) any additional Cost Recovery Fees assessed. No petition filed shall be considered complete unless and until all fees and deposits have been paid. Every approval granted and every permit issued, whether or not expressly so conditioned, shall be deemed to be conditioned upon payment of Cost Recovery Fees as required pursuant to City ordinance.

Owner Signature: _____ Date: _____

Petitioner Signature (if different than Property Owner): _____ Date: _____

Billing and Refunds shall be sent to the Petitioner/Owner at the following address:

Name: _____ Address (City, State, ZIP): _____

Phone # _____ Email Address: _____

Property Address:

ZBA Application 10

AUTHORIZATION TO ENTER AND TRAVERSE LAND

AUTHORIZATION TO ENTER AND TRAVERSE LAND FOR RESEARCH OF REQUESTED ZONING RELIEF OR OTHER MATTERS

This **Authorization** is dated as of the ____ day of _____, 20__ (the "**Authorization**") by and between _____, ("**Owner**") as Owner of the property located at _____, Highland Park, Illinois ("**Subject Property**"), and the **CITY OF HIGHLAND PARK**, an Illinois Municipal Corporation (the "**City**").

SECTION ONE. GRANT OF AUTHORIZATION.

A. The Owner grants and conveys to the City, its employees, the City Council, and the members of the Zoning Board of Appeals, Plan Commission, Design Review Commission, Historic Preservation Commission, Lakefront Commission and/or other City Commissions _____ (collectively, "**City Representatives**"), authorization and a right to enter on, over, across, and upon the Subject Property, for the purpose of researching the requested relief for the Subject Property that is the subject of an application to the City for one or more of the following types of zoning relief: i) variation; ii) special use; iii) special exception; iv) conditional use; v) planned unit development; vi) amendment; vii) sign variance (collectively, "**Zoning Relief**"), and for other purposes incidental thereto ("**Zoning Relief Research**"). The Owner also grants the City Representatives with authorization and a right to enter on, over, across, and upon any property owned or controlled by the Owner that is located adjacent to the Subject Property, if any, for the purpose of providing access to the Subject Property for the Zoning Relief Research.

B. The Owner represents that it has the authority and power to grant this Authorization.

C. The Owner shall not take, or cause or permit any other party to take, any action that will impair, prevent, or prohibit the City Representatives' use of the Subject Property for the purposes stated in this Authorization.

SECTION TWO. DUTY TO WARN. The Owner shall notify the City Representatives of the presence of any items located on the Subject Property that require protection or may cause injury to the City Representatives.

SECTION THREE. INSURANCE AND INDEMNIFICATION. The City agrees to indemnify and hold harmless the Owner from all claims, losses, or damages of any kind, including legal and other expenses incidental to the investigation, defense, and settlement of such claims or losses to the extent such claims or losses result on the Subject Property from either the negligent or willful acts or omissions of the City Representatives in performing the Zoning Relief Research.

SECTION FOUR. EXPIRATION. This Authorization shall expire immediately upon the final action of the City in its consideration of the Zoning Relief requested on the Subject Property.

AUTHORIZATION TO ENTER AND TRAVERSE LAND

SECTION FIVE. NO OBLIGATION OF CITY. The City Representatives shall be under no obligation to exercise any of the rights granted to any of them in this Agreement. The failure of the City Representatives, or any one of them, to exercise at any time any such right shall not be deemed or construed to be a breach of this Authorization, nor shall such failure void or affect the City Representatives' right, or that of any one of them, to enforce such right or any other right.

OWNER

By: _____

CITY OF HIGHLAND PARK

By: _____
Director of Community Development
or designee

2431517_v5

PENDING LAND USE RELIEF DISCLOSURE NOTICE

**CITY OF HIGHLAND PARK
PENDING LAND USE RELIEF DISCLOSURE NOTICE**

Subject Property Address: _____

Current Zoning: _____

Land Use Relief Requested: _____

This property is the subject of an application for land use relief initially filed with the City of Highland Park on _____, 20____. Unless and until the application is approved by the City of Highland Park, in accordance with its applicable codes and ordinances, the land use relief requested in the application shall not be allowed.

Applicant: _____

Address: _____

City, State, ZIP: _____

Phone: _____

Email: _____

CERTIFICATE OF COMPLIANCE

**Certificate of Compliance
Notice of Pending Land Use Relief**

I, _____, am the (circle one: land owner, developer,
other _____) of the property described herein as follows:

I certify that all efforts have been made to comply with the applicable requirements of Section 150.308 of “The City of Highland Park Zoning Ordinance of 1997” and Section 151.112 of “The Highland Park Code of 1968”, and that the required notice has been provided in the following forms:

(check all that apply)

- Promotional Sales and Advertising Literature
- Attachments to Real Estate Contracts
- Other forms (please specify): _____

ATTACH EXAMPLES OF ALL FORMS OF DISCLOSURE NOTICE

Applicant: _____

Signature: _____

Title of Representative: _____

Subscribed and sworn to before me this _____
day of _____, 20_____.

Notary Public (SEAL)

CERTIFICATE OF COMPLIANCE

Sec. 150.308 Pending Land Use Application Disclosure Notice.

(A) Notice Required. A disclosure notice in the form and content set forth in this Section shall be required in connection with all applications seeking any of the following land use relief:

- (1) A variation from the regulations of this Chapter, in accordance with Article XII of this Chapter;
- (2) A Special Use Permit, in accordance with Article XIV of this Chapter; or
- (3) An amendment to either the text of this Chapter or the Official Zoning Map, in accordance with Article XV of this Chapter.

(B) Notice Location and Form. The applicant shall cause a disclosure notice of a pending application for land use relief, on a form to be provided by the City, to be attached to (1) any contract for the sale of any portion of the real property that is the subject of the pending application; (2) all promotional, sales, and advertising literature; and (3) all information packets distributed to prospective purchasers; provided, however, that no disclosure notice shall be required to be attached to, or made part of, advertisements in newspapers, magazines, and other similar forms of print media

(C) Notice Content. The disclosure notice shall, at a minimum, include the following information:

- (1) The existing zoning classification of the real property;
- (2) The name of, and contact information for, the applicant;
- (3) A brief description of the nature of the land use relief requested; and
- (4) The following statement: *“This property is the subject of an application for land use relief initially filed with the City of Highland Park on [DATE]. Unless and until the application is approved by the City of Highland Park, in accordance with its applicable codes and ordinances, the land use relief requested in the application shall not be allowed.”*

(D) Demonstration of Compliance. Prior to the approval by the City Council or the Zoning Board of Appeals, as the case may be, of any or all of the land use relief requested, the applicant shall provide evidence of compliance with the requirements set forth in this Section to the City Director of Community Development.

(E) Responsibility for Compliance. The obligation set forth in this Section shall be the sole responsibility of the applicant for the requested relief. Nothing herein shall be deemed or interpreted as imposing upon the City any responsibility to satisfy the disclosure requirements set forth in this Section. **(Section 150.308 added by Ord. 18-07, J. 33, p. 069-072, passed 2/12/07)**