

**Village of Wilmette**  
**Administrative Zoning Review Handbook**

This information has been prepared to help guide you through the Administrative Zoning Review Process. The Administrative Zoning Review Committee is staffed by the Assistant Director of Community Development and the Zoning Review Planner; other Village staff may be consulted as needed. This committee reviews variations for residential requests described on pages 2 and 3 of this booklet.

If you are unsure if your project requires administrative zoning review or if you need more information on the development process, please contact the **Community Development Department** at **(847) 853-7550**.

❖ **APPLICATION SUBMISSION**

The following items must be submitted to the Community Development in order to request review of your project. The Committee will not review a project until a complete application is submitted. **Please note that a building permit application is a separate submittal.** Please contact the Community Development Department for details on the building permit process.

- Letter to the Administrative Zoning Review Committee. The letter should contain a brief description of the request and state how the request conforms to the standards of the Zoning Ordinance (please see the relevant standards on pages 4 through 6 of this packet.)
- Plan review fee. Please consult the department fee schedule.
- Application. Please complete the last page of this packet.
- Plans. Please submit plans in a format no larger than 11" x 17".
  - A site plan drawn to accurate scale showing lot dimensions, existing and proposed structures, existing and proposed setbacks, and distances to structures on adjoining lots.
  - Floor plan(s) drawn to accurate scale with all dimensions indicated.
  - Elevations drawn to accurate scale with all dimensions indicated.
- Plat of Survey. Please make sure the following information is clear on the plat of survey.
  - Boundary lines, dimensions, lot numbers and area of the site.
  - Location and dimensions of all existing structures, parking lots and drives, sidewalks and other freestanding structural features.
  - Name and location of all immediately adjacent streets and right-of-ways.
  - Location and dimensions of all building setbacks.
  - Location and dimensions of all existing easements including a statement of their general purpose.
- Lot Coverage and Total Floor Area Worksheets. The lot coverage and total floor area worksheets must be submitted for residential variation requests where additional floor area is being proposed. The worksheets are available from the Community Development Department and on-line at [www.wilmette.com](http://www.wilmette.com).

## ❖ QUALIFYING PROJECTS

Any project that requires more than one (1) request for a variation where any one of those variations is not listed below or requires a special use will **not** qualify for the administrative zoning review process and the entire project shall be reviewed by the Zoning Board of Appeals.

The administrative zoning review process shall apply to single-family detached dwellings and accessory structures for which a request for a variation is:

1. For an addition into a required front yard or side yard adjoining a street that is in line with an existing non-conforming wall of a detached dwelling, where the existing setback is within 20% of the minimum setback required.
2. For an addition into a required side yard or rear yard that is in line with an existing non-conforming wall of a detached dwelling, where the existing setback is within 40% of the minimum setback required.
3. For an addition into a required front yard, side yard adjoining a street, side yard, or rear yard that is directly above and in line with an existing first floor load-bearing wall of a detached dwelling, where the existing setback is within 1.5 feet of the minimum setback required.
4. For an addition into a required side yard adjoining a street, side yard, or combined side yard that is directly above and in line with an existing first floor load-bearing wall of a detached dwelling on a lot less than 50' in width, where the addition meets the required side yard percentages set forth in Article 5 of the Zoning Ordinance when applied to the actual lot width.
5. For an addition that meets the minimum side yard and combined side yard setback requirements, that does not increase the width of the building as viewed from the street, but the existing detached dwelling does not meet the combined side yard setback requirement(s) when calculated using the setbacks of the existing non-conforming structure.
6. For a replacement detached garage of the same square footage and location, where the detached garage does not exceed 600.0 square feet in area.
7. For a detached garage that does not conform to the side yard setback requirements because location within a utility easement has been denied in whole or in part.
8. For a structural modification to a non-conforming detached garage, where the modification is to facilitate the removal of a curb cut by altering the garage from a street-loading entrance to an alley-loading entrance.
9. For a new or expanded windows and/or doors on a legal non-conforming wall of a detached dwelling.
10. For an increase in roof pitch on a legal non-conforming wall of a detached dwelling.

11. For an increase in front yard impervious surface coverage up to 10% in excess of the maximum permitted, where the proposed additional coverage is equal to or less than the area in the required front yard that is covered by the principal structure and the proposed increased coverage is not part of a driveway or parking pad.
12. For new projections (as listed on Table 6.1.2 of the Zoning Ordinance) on a legal non-conforming wall of a detached dwelling, where the projection is less than or equal to the size of the allowable encroachment.
13. For new or replacement front porches and front decks up to 6' in depth and new or replacement front porch and front deck steps up to 3' in depth on a legal non-conforming wall of a detached dwelling.
14. For a ramp which is necessary to provide access to a dwelling for an occupant who is mobility impaired, where the ramp encroaches more than 3' into a required side yard or 5' into a required front yard or rear yard.
15. For heating and air conditioning equipment as provided for in Section 6.4.13 of the Zoning Ordinance.
16. For permanently installed stand-by generator that meet the decibel requirements of Section 6.4.21(b) of the Zoning Ordinance.

## ❖ REVIEW PROCESS

### A. Notice of Request

For requests that include setback relief for those items numbered 1 through 7 listed on pages 2 and 3 of this handbook, the Committee will send a notification letter by first class mail to the applicant and to all properties that adjoin and abut the subject property or are across the street or alley from the subject property. The letter will include the nature of the pending review, the location of the property and will inform the recipients that any comments regarding the variation request must be made in writing and received by the Director of Community Development no later than fifteen (15) days from the date of the notice.

### B. Site Visit

For all requests, the Administrative Zoning Review Committee will conduct a site visit to better understand the proposal. From the site visit, application letter, submitted plans, and neighbor comment letters as provided for above, the Committee will consider the request and base its decision on the applicable standards described on pages 4 through 6 of this handbook.

### C. Notice of Committee Decision

1. If the Request is Approved by the Committee

If the request is approved by the Committee, the Committee will send a letter by first class mail to the applicant and to all properties that adjoin and abut the subject property or are across the street or alley from the subject property notifying them of the Committee's decision.

Recipients of the notice will have fifteen days from the date of that letter to file in writing with Community Development an objection to the proposed work.

If an objection is received, the Director of Community Development shall notify the applicant that due to the objection, the request is automatically denied, and, that in order to seek approval of the request, the applicant must submit a new application and proceed with the variation process and procedures required by Section 20-4.4 of the Zoning Ordinance.

If no objection is received after fifteen days, the applicant may file for a building permit.

**Note: The decision of the Administrative Zoning Review Committee granting a request shall not become final until the expiration of the deadline within which objections to the decision may be filed.**

## 2. If the Request is Denied by the Committee

If the Committee denies the request, in whole or in part, the Administrative Zoning Review Committee shall issue written notice of its decision by first class mail to the applicant advising that in order to seek approval of the request, the applicant must submit a new application and proceed with the variation process and procedures required by Section 20-4.4 of the Zoning Ordinance.

## ❖ STANDARDS OF REVIEW

In order for your request to be reviewed, the standards below must be addressed. When writing a letter explaining your proposal, please addresses as clearly as possible each of the relevant standards listed below.

### **Additions/Detached Garages/New or Expanded Openings/Roof Pitch/Impervious Coverage/Projections/Porches and Decks (Qualifying Projects #1-13)**

The Administrative Zoning Review Committee shall approve additions, garages and alterations/expanded windows that qualify as items numbered 1 through 13 above only in cases where the following standards have been met:

- (i) The particular physical conditions, shape, or surroundings of the property would impose upon the owner a practical difficulty or particular hardship, as opposed to a mere inconvenience, if the requirements of the Chapter were strictly enforced; and
- (ii) The plight of the property owner was not created by the owner; and
- (iii) The difficulty or hardship resulting from the application of this Chapter would prevent the owner from making a reasonable use of the property; however, the fact the property could be utilized more profitably with the variation than without the variation shall not be considered as grounds for granting the variation; and

- (iv) The proposed variation will not impair an adequate supply of light and air to adjacent property or otherwise injure other property or its use, will not substantially increase the danger of fire or otherwise endanger the public health, safety and welfare, and will not substantially diminish or impair property values within the neighborhood; and
- (v) The variation, if granted, will not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan.

**Ramp (Qualifying Project #14)**

The Administrative Zoning Review Committee shall approve a non-conforming ramp which is necessary to provide access to a dwelling for an occupant who is mobility impaired as item 14 above only where the following standards have been met:

- (i) Through certification by a licensed physician, that the ramp is medically necessary due to the occupant's disability; and,
- (ii) The ramp will not impair access to or use of adjacent property, or otherwise injure other property or its use, will not substantially increase the danger of fire or otherwise endanger the public health, safety or welfare; and,
- (iii) There is no other practical and conforming location for the ramp; and,
- (iv) Any ramp installed pursuant to this Section shall be removed by the owner at such time as the ramp is no longer needed to serve an occupant of the dwelling, and any permit issued to allow the installation of such a ramp pursuant to this Section shall inform the recipient of this obligation to remove the ramp.

**Heating and Air Conditioning Equipment (Qualifying Project #15)**

In order to qualify for administrative zoning review of heating and air conditioning equipment, the unit(s) must be a minimum of 5.0' from the side or rear lot line. A proposed setback of less than 5.0' requires that a variation be sought in accordance with Section 4.4 of the Zoning Ordinance.

Any request for a variation with respect to the installation of heating and air conditioning equipment that is reviewed by the Administrative Zoning Review Committee shall meet the following standards:

- (1) The plight of the property owner was not created by the owner and is due to unique circumstances; and
- (2) The alternative locations for the equipment would impose upon the owner a practical difficulty or particular hardship, as opposed to a mere inconvenience, if the requirements of this Chapter were strictly enforced; and
- (3) The proposed variation shall have a minimum impact on adjoining private properties and land uses. This standard shall be deemed to be met when the conditions of the adjoining private property are such that the noise and visual impacts will not impose unreasonable impact on said property; and

- (4) The variation, if granted, will not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan; and
- (5) The equipment will be screened to its full height from the view of the street and abutting properties by a solid fence and/or evergreen shrubbery.

### **Permanently Installed Stand-by Generators (Qualifying Project #16)**

In order to qualify for administrative zoning review of a generator setback, the unit may not exceed 70 dBA at the receiving lot line under normal load when located at the proposed setback. If the unit does exceed this decibel limit at the proposed setback, a variation must be sought in accordance with Section 4.4 of the Zoning Ordinance. The generator must comply with all other requirements of Section 6.4.21 of the Zoning Ordinance.

Any request for a variation with respect to the installation of a permanently installed stand-by generator that is reviewed by the Administrative Zoning Review Committee shall meet the following standards:

- (1) The plight of the property owner was not created by the owner and is due to unique circumstances; and
- (2) The alternative locations for the equipment would impose upon the owner a practical difficulty or particular hardship, as opposed to a mere inconvenience, if the requirements of this Chapter were strictly enforced; and
- (3) The proposed variation shall have a minimum impact on adjoining private properties and land uses. This standard shall be deemed to be met when the conditions of the adjoining private property are such that the noise and visual impacts will not impose unreasonable impact on said property; and
- (4) The variation, if granted, will not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan; and
- (5) The equipment will be screened to its full height from the view of the street and abutting properties by a solid fence and/or evergreen shrubbery.

### **❖ OTHER STAFF REVIEW**

Proposed projects approved through the Administrative Zoning Review process may also be subject to grading and drainage review and approval.

Applicants are encouraged to check with the Community Development staff to determine what approvals, in addition to zoning, are necessary for their proposal.

**APPLICATION FOR ADMINISTRATIVE ZONING REVIEW  
VILLAGE OF WILMETTE**

**1. PETITIONER AND OWNER INFORMATION**

Property Address: \_\_\_\_\_  
Owner's Name: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Applicant's Name (if difference from above): \_\_\_\_\_  
Business Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Signature Date

**2. DESCRIPTION OF REQUEST**

Application for:

- |   |  |                                   |  |  |
|---|--|-----------------------------------|--|--|
| <input type="checkbox"/> Addition         | <input type="checkbox"/> Air Conditioner   | <input type="checkbox"/> Garage   | <input type="checkbox"/> Generator             | <input type="checkbox"/> Impervious Surfaces |
| <input type="checkbox"/> Porch/Deck/Stair |  | <input type="checkbox"/> Pool/spa | <input type="checkbox"/> Projections from wall |  |
| <input type="checkbox"/> Ramp             | <input type="checkbox"/> Roof Pitch Change |                                   | <input type="checkbox"/> Window/Door Change    |  |

Briefly describe the request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

o Please attach a separate letter addressed to the Administrative Zoning Review Committee stating how this request conforms to the standards of review as set forth in the Village of Wilmette Zoning Ordinance.

**All correspondence should be addressed to the Administrative Zoning Review Committee, Village of Wilmette, 1200 Wilmette Avenue, Wilmette, IL 60091.**