

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** or at comdev@wilmette.com.

❖ 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 and 5 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.

- ❑ Tree Survey. For requests to remove a Heritage Tree or for relief necessary to preserve a Heritage Tree, the applicant should submit a tree survey identifying the location, size, and condition of all trees on the private property.
- ❑ Tree Removal Neighbor Notification Forms. For requests to remove a Heritage Tree, notice using the Tree Removal Neighbor Notification process is required. Once your administrative request has been reviewed, you will be instructed on how to complete the Tree Removal Neighbor Notice.

❖ QUALIFYING PROJECTS

The administrative zoning review process applies only to single-family detached dwellings and single-family detached dwelling accessory structures and only in the following instances, listed below. Any project that requires more than one (1) request for a variation where any one (1) of those variations is not listed below or requires a special use do not qualify for the administrative zoning review process. In such case, the project is subject to the variation or special use process, as described in the zoning ordinance.

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, or provides a greater setback that still requires relief, where the existing setback is within twenty percent (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, or provides a greater setback that still requires relief, where the existing setback is within forty percent (40%) of the minimum setback required.
3. For an addition into a required 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 fifty (50) feet in width, where the addition meets the required side yard percentages when applied to the actual lot width.
4. For a dormer addition into a required front yard, side yard adjoining a street, interior side yard or rear yard that is one and one-half (1.5) feet or less into the required setback.
5. For a replacement detached garage of the same square footage and location, where the detached garage does not exceed six-hundred (600) square feet in area.
6. For a detached garage that does not conform to the side yard requirements because location within a utility easement has been denied in whole or in part.
7. 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.
8. For new or expanded windows and/or doors on a legal non-conforming wall of a detached dwelling.

9. For a modification to roof pitch on a legal non-conforming wall of a detached dwelling.
10. For an increase in front yard impervious surface coverage up to twenty percent (20%) 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.
11. For front yard impervious surface coverage on an irregularly-shaped lot to permit a driveway eight (8) feet in width.
12. For new permitted encroachments 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 six (6) feet in depth and new or replacement front porch and front deck steps up to three (3) feet in depth on a legal non-conforming wall of a detached dwelling.
14. For the location of an accessibility ramp, where the ramp encroaches more than three (3) feet into a required side yard or five (5) feet into a required front yard, side yard adjoining a street or rear yard.
15. For the location of heating and air conditioning equipment. In order to qualify for administrative zoning review of heating and air conditioning equipment, the unit(s) must be a minimum of five (5) feet from the side or rear lot line. A proposed setback of less than five (5) feet requires that a variation must be sought in accordance with this Zoning Ordinance.
16. For the location of permanently installed stand-by generators that meet the decibel requirements and are located within a front yard, side yard adjoining a street or rear yard of a double-frontage lot or are a minimum of five (5) feet from the side or rear lot line. In order to qualify for administrative zoning review of a generator setback, the unit may not exceed seventy (70) decibels 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 this Zoning Ordinance.
17. For the installation of a swimming pool, spa or hot tub that is not within an enclosed building. See the separate swimming pool and spa handout.
18. For the Removal of a Heritage Tree, as provided defined in Chapter 29 of the Village Code, located in a required yard as provided for in Chapter 29. Specifically, for the removal of a Heritage Tree in a required front yard, side yard adjoining a street, or rear yard for the purposes of demolition of a principal structure, construction of a new principal structure, an addition to a principal structure or construction of a detached garage.
19. For a single-family principal structure, allowable encroachment on a single-family principal structure or a single-family detached garage setback relief necessary to preserve a Heritage Tree as defined in Chapter 29 of the Village Code as follows:
 - a. In a required front yard or side yard adjoining a street where the proposed principal structure or accessory structure setback is within twenty percent (20%) of the minimum setback

required or

- b. In an interior side yard or rear yard where the proposed principal or accessory structure setback is within forty percent (40%) of the minimum setback required.

20. For the reduction of one full parking space as otherwise required by Section 30-14.4.A.2 and Section 30-14.4.A.3 to preserve a Heritage Tree as defined in Chapter 29 of the Village Code.

❖ REVIEW PROCESS

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.

In the case of a Heritage Tree removal request, Tree Removal Neighbor Notice is required in place of the neighbor notice described above.

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 and 5 of this handbook.

Notice of Committee Decision

1. The Zoning Administrator will review and evaluate the complete application, pursuant to the standards in Paragraph F (Approval Standards) below. The Zoning Administrator must render a written decision within a reasonable time to approve, approve with conditions or deny the application.
2. If the request is approved by the Zoning Administrator, he/she 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 Zoning Administrator's decision. Recipients of the notice have fifteen (15) days from the date of that notice to file an objection in writing with the Zoning Administrator.
3. If no objection is received after fifteen (15) days, the applicant may file for a building permit. If an objection is received, the Zoning Administrator will 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 of the zoning ordinance.

4. If the Zoning Administrator denies the request, in whole or in part, he/she will issue written notice of the 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 of this Ordinance.
5. In the case of a swimming pool, spa or hot tub request, where the request is denied by objection or denied by the Zoning Administrator, in order to seek approval of the request, the applicant must submit a new application and proceed with the special use process of the zoning ordinance.
6. In the case of a Heritage Tree Removal request, the Zoning Administrator will issue written notice of the decision by first class mail to the applicant.

❖ **STANDARDS OF REVIEW**

The following approval standards apply to administrative zoning reviews. Administrative zoning review approvals may only be granted when the applicable standards have been met.

1. Additions, Detached Garages, New or Expanded Openings, Roof Pitch, Impervious Coverage, Permitted Encroachments, Front Porches and Decks, setback relief to preserve a Heritage Tree, reduction of a Parking Space to preserve a Heritage Tree
 - a. 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 Ordinance were strictly enforced.
 - b. The plight of the property owner was not created by the owner.
 - c. The difficulty or hardship resulting from the application of this Ordinance 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 is not considered as grounds for granting the variation.
 - d. 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.
 - e. 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.
2. Accessibility Ramp
 - a. Through certification by a licensed physician that the ramp is medically necessary due to the occupant's disability.
 - b. 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.

- c. There is no other practical and conforming location for the ramp.
 - d. Any ramp installed pursuant to this section must 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.
3. Heating and Air Conditioning Equipment and Permanently Installed Stand-by Generators
- a. The plight of the property owner was not created by the owner.
 - b. The alternative locations for the equipment would impose upon the owner a practical difficulty as opposed to a mere inconvenience, if the requirements of this Ordinance were strictly enforced.
 - c. The proposed variation shall have a minimum impact on adjoining private properties and land uses. This standard is 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.
 - d. 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.
 - e. 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.
4. Swimming Pools, Spas and Hot Tubs - See the separate Swimming Pool and Spa handbook
5. Removal of a Heritage Tree (see Chapter 29 of the Village Code)
- a. A hardship or practical difficulty exists because the existing Heritage Tree makes it impossible and/or impractical to perform the Construction in a size and configuration allowed by right on a lot of similar size;
 - b. There are no reasonable alternative methods to perform the Construction that would preserve the condition of the Heritage Tree;
 - c. The Heritage Tree to be Removed is not expected to remain in a “good” condition if it remains in place, because of Construction.

❖ **OTHER STAFF REVIEW**

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

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"/> Detached Garage |
| <input type="checkbox"/> Generator | <input type="checkbox"/> Impervious Surfaces | <input type="checkbox"/> Porch/Deck/Stair |
| <input type="checkbox"/> Projections from wall | <input type="checkbox"/> Ramp | <input type="checkbox"/> Relief for Tree Preservation |
| <input type="checkbox"/> Removal of Heritage Tree | <input type="checkbox"/> Roof Pitch | <input type="checkbox"/> Window/Door Change |

Briefly describe the request: _____

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, comdev@wilmette.com