ZONING VARIATIONS

INFORMATION and APPLICATION

REV 12/21

Assistance

All zoning standards and procedures are described in detail in the City Code, Title 5A, which is presented in full on the City website www.darienil.us. This website also has links to this packet and related information. The City Staff is dedicated to help all those involved. Our goal is to make your experience understandable, informative, meaningful, protective of your rights, responsive to your needs, and not unnecessarily long or costly. Contact the City Planner for guidance.

Available Relief

The zoning standards are uniform throughout the City and for each zoning district. However, there may be some unique properties that would be very difficult to develop if strictly conforming to these zoning standards. So, zoning relief may be available. Property owners have the opportunity to apply for variations that would substitute a lesser zoning standard to be used for a particular development but only for properties that have a unique hardship situation. For example, locating a proposed house 35 feet setback from the rear lot line of a property in the R-1 District would not normally be allowed where the uniform zoning standard is 40 feet, however a variation might be justified if the particular lot is extra shallow.

Fair Process

The City has a process to review each zoning variation application on its merits. It starts with the property owner or buyer or builder or their representative submitting an application with all the relevant information needed. The City staff (and consultants if needed) review the application, assist the applicant on technical issues, and schedule a public hearing for the Planning and Zoning Commission. The PZC are nine volunteer residents appointed by the Mayor and City Council to evaluate all variation applications. The PZC approves or denies 'simple' variations, which are front yard or corner side yard reductions of 10% or less or side yard reductions to not less than 7.5 feet for single family houses. For all other types of variations, the PZC recommends to the Municipal Services Committee. The MSC are three aldermen who review the findings of the PZC and make their own recommendation to the full City Council. The City Council then has the final vote to approve or deny. The process usually takes about 2-3 months, but in some cases it may take longer if hearings are continued to get more information.

Transparency

A key step in the process is the public hearing held by the PZC. The application and City staff report are posted on the City website for all to see before the hearing. City staff mails notice of the hearing to neighbors and publishes it in a local newspaper and posts it in City Hall. The applicant places a sign on the property that gives notice of the hearing. Everyone is invited to attend, listen to the applicant's presentation, join in the discussion, and give their comments. Decision criteria in the Code are used to focus all input to determine the unbiased, objective reasons for or against the variation requested.

CITY OF DARIEN

ZONING VARIATIONS

SUBMITTAL CHECKLIST

___ 1. APPLICATION. *See attached one-page form.*

___ 2. OWNER AUTHORIZATION LETTER. If the applicant is not the owner, include letter from owner describing the relation to applicant and authorizing the applicant to act on behalf of the owner.

___ 3. PROOF OF OWNERSHIP. If the owner name and address on the Application form is different than on the County Tax Assessor's records, then include proof of ownership such as a deed or title search and list of trust beneficiaries, partners, or corporation owners and officers.

___ 4. APPLICATION FEE. Cash or check payable to the City of Darien. This is non-refundable and is used to pay for administrative expenses. *See attached Fee Schedule.*

___ 5. REIMBURSEMENT AGREEMENT. Some case reviews may need extra engineering, legal, or other consultants review, publication, recording, or other costs. By signing this form, the applicant agrees to reimburse the City if there are such costs. *See attached form.*

___ 6. NEIGHBOR LIST. Provide a stamped envelope with name and address of the owner of each of the neighboring properties within 250 feet of the applicant's property. City staff will put notices of the public hearing in each envelope and then mail them. These names and addresses can be obtained from the Downers Grove Township Assessor's Office 630-719-6630.

___ 7. PUBLIC NOTICE SIGN(S). The applicant must provide and post one or two signs on the property giving notice when the public hearing is scheduled. *See attached Public Hearing Signs and Hearing Schedule.*

___ 8. PLAT OF SURVEY. It should show property boundaries, easements, buildings, other structures, legal description, and any other existing conditions relevant to the variation requested.

___ 9. PLANS. Usually this includes a site plan, drawn to scale on the plat of survey, showing proposed improvements with appropriate dimensions. One copy is sufficient if 11"x17" or smaller. Ten copies if larger than 11"x17" or in color. Additional plans may be appropriate to show all relevant information depending on the nature of the variation being requested, such as;

- ___ elevation drawings
- ___ photos simulations
- ___ traffic studies
- ___ landscaping plans
- ___ other (*contact the City Planner for guidance*)

___ 10. JUSTIFICATION NARRATIVE. The applicant is responsible for providing written evidence (facts) that supports a conclusion (finding) that the variation is necessary and would not cause problems. *See attached form.*

ZONING APPLICATION

CITY OF DARIEN
1702 Plainfield Road, Darien, IL 60561
www.darienil.us 630-852-5000

CONTACT INFORMATION

Applicant's Name	Owner's Name
Address, City, State, Zip Code	Address, City, State, Zip Code
Telephone	Telephone
Email	Email

PROPERTY INFORMATION

Property address	PIN Number(s)
Zoning District	Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

_____

_____

_____

_____
Applicant Signature

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that _____ is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.
Given under my hand and seal, this ____ day of _____ 20____ .

_____
Notary Public

For office use only	
Date Received:	
Case Number:	
Fee Paid:	
Hearing Date:	

CITY OF DARIEN

1702 Plainfield Road, Darien, Illinois 60561

DEVELOPMENT APPLICATIONS

REIMBURSEMENT AGREEMENT

The undersigned applicant for development approval acknowledges that the City of Darien may seek advice and council from professional sources outside the employee staff of the City of Darien. The purpose of such consultation would be for traffic impact analysis, engineering, stormwater, legal, or other such reviews related to variation, special use, rezoning, subdivision, site plan, permits, or other proposals submitted to the City of Darien by the applicant. The City of Darien may also incur expenses as part of the development review and approval process, such as copying, mailing, publication, recording, inspecting, or other such activities.

As an express condition in submitting said application and the consideration thereof by the City of Darien, the applicant both personally and on behalf of the property owner(s), agrees to reimburse the City of Darien forthwith for all costs and expenses that may be incurred by the City of Darien for such consultation and activities.

The applicant hereby accepts and acknowledges that if at any time the application fails to pay for such consultation and activity costs in accordance with the direction of the City of Darien, the no further action will be taken by the City of Darien in relation to the application until such time as said payment is paid in full.

Applicant's Name (print)

Applicant's Name (signature)

Applicant's Address

Date

CITY OF DARIEN

Fee Schedule
Ordinance O-38-92

	Residential		Commercial	
	<5 acres	**> 5 acres**	**< 5 acres**	**> 5 acres**
Rezoning	385.00	435.00	485.00	510.00
Special Use	510.00	535.00	585.00	610.00
Special Use Amendment	460.00	460.00	510.00	560.00
Special Use PUD	600.00	650.00	700.00	750.00
Major PUD Amendment	485.00	510.00	560.00	610.00
Minor PUD Amendment	385.00	410.00	435.00	460.00

	Residential			Commercial
	< 5 lots	**> 5 lots**	**> 10 lots**	
Preliminary Plat	205.00	230.00 + 15.00 per lot	305.00 + 15.00 per lot	305.00 + 30.00 per lot
Final Plat	180.00	205.00 + 10.00 per lot	255.00 + 10.00 per lot	255.00 + 20.00 per lot

	Residential		Commercial
	Single lot	**Multi lot**	
Major Variation	360.00	460.00	485.00
Simple Variation	75.00		

	One lot	**> 1 lot**
Annexation Petition	30.00	50.00
Annexation Agreements	200.00	
Annexation Agreement Amendment	200.00	
Text Amendment	400.00	
Appeal of Administrative Decisions/Interpretation	250.00	

For new development/redevelopment (excluding petitions involving a single-family residence):
$2,000.00 deposit required when the petition is submitted, to be returned once all invoices from professional services are paid (engineering, legal and traffic reviews, etc.)

The bill incurred for publishing the public hearing notice in the newspaper will be billed to the petitioner (excluding petitions involving a single-family residence.)

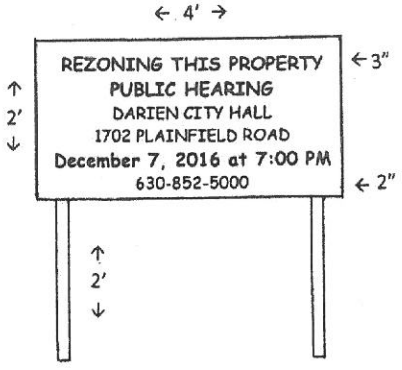
CITY OF DARIEN

ZONING APPLICATIONS

PUBLIC NOTICE SIGNS

Applicants requesting zoning approval of a map amendment, special use, variation or annexation are responsible for obtaining, posting, and maintaining signs on the subject property to inform the public about the application and the public hearing. See City Code Section 5A-2-3 (B).
Contact the City Planner for guidance.

1. Post sign(s) for 15 – 30 days before hearing and remove within 3 days after City Council vote.
2. Place one sign in front yard where most visible to drivers, but not in parkway.
3. Place a second sign for large or usual lots.
4. Signs should be made of durable materials to withstand weather.
5. Signs are to be self-supporting – not attached to buildings, fences, trees.
6. Signs should be legible from street – light background, dark letters – no hand lettering.
7. Minimum sizes 8 – 32 square feet – see samples below.



For lots less than 1 acre



For lots 1 acre or larger

CITY OF DARIEN

ZONING VARIATIONS

JUSTIFICATION NARRATIVE

Purpose

To be consistent and fair, the City is obligated to make decisions on zoning variation requests based on findings-of-fact. The Applicant should write a justification narrative that contains evidence (facts) that support a conclusion (finding) that the variation is necessary and would not cause problems. It should include: a) explanation of why the variation is being requested, b) describe the 'hardship condition' of the property that makes it difficult to conform, c) estimate the impact on neighbors , and d) respond to each of the decision criteria below.

Decision Criteria (See City Code Section 5A-2-2-3)

2a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.

_____

2b. The plight of the owner is due to unique circumstances.

_____

2c. The variation if granted will not alter the essential character of the locality.

_____

3a. Essential Need? The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.

_____

3b. Problem with Property? There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with the Zoning Code. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.

_____

3c. Smallest Solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.

_____

3d. Create Neighbor Problem? The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.

_____

3e. Create Community Problem? The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.

_____

3f. Net Benefit? The positive impacts to the community outweigh the negative impacts.

_____

3g. Sacrifice Basic Protections? The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A) and summarized as follows; to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.

_____

CITY OF DARIEN
PLANNING, ZONING AND ECONOMIC DEVELOPMENT COMMISSION

2027 Schedule

Meeting Dates	Public Hearing Notice and Sign Posting Deadlines	Submittal Deadlines
January 6, 2027	December 18, 2026	November 20, 2026
January 20, 2027	December 31, 2026	December 4, 2026
February 3, 2027	January 15, 2027	December 18, 2026
February 17, 2027*	January 29, 2027	December 31, 2026
March 3, 2027*	February 12, 2027	January 15, 2027
March 17, 2027	February 26, 2027	January 29, 2027
April 7, 2027	March 19, 2027	February 19, 2027
April 21, 2027	April 2, 2027	March 5, 2027
May 5, 2027	April 16, 2027	March 19, 2027
May 19, 2027	April 30, 2027	April 2, 2027
June 2, 2027	May 14, 2027	April 16, 2027
June 16, 2027	May 28, 2027	April 30, 2027
July 7, 2027	June 18, 2027	May 21, 2027
July 21, 2027	July 1, 2027	June 4, 2027
August 4, 2027	July 16, 2027	June 18, 2027
August 18, 2027	July 30, 2027	July 2, 2027
September 1, 2027	August 13, 2027	July 16, 2027
September 15, 2027	August 27, 2027	July 30, 2027
October 6, 2027	September 17, 2027	August 20, 2027
October 20, 2027	October 1, 2027	September 3, 2027
November 3, 2027	October 15, 2027	September 17, 2027
November 17, 2027	October 29, 2027	October 1, 2027
December 1, 2027	November 12, 2027	October 15, 2027
December 15, 2027	November 24, 2027	October 29, 2027

Meetings are held on the first and third Wednesday of each month, in Council Chambers at Darien City Hall, 1702 Plainfield Road, Beginning at 7:00 PM.

*** Meeting held in the Darien Police Department Training Room, 1710 Plainfield Rd, Darien.**

**** Due to City Hall Closure for Holiday, Please Note Date Change.**