



The Village of
Glenview

Regulatory Review Reference Appendix

The following chart is provided as a reference appendix. The appendix includes specific descriptions of each regulatory approval, the review criteria and standards for approval. Each Commissioner has a copy of the appendix and copies for the public are located on the table near the Board Room entrance doors and are available in the Planning Division section of the Village website www.glenview.il.us.

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Regulatory Review Reference Appendix

A. ANNEXATION:

Petition for Voluntary Annexation of property into the corporate boundaries of the Village of Glenview is contingent upon 2 factors:

1. The property must be contiguous to the existing corporate boundaries of the Village of Glenview in accordance with State Statutes.
2. The Village of Glenview desires to annex the property. Issues such as the level of infrastructure improvements present, the ability to service the area, and past feasibility studies are examples of factors commonly used to guide the Corporate Authorities in determining the appropriateness of annexation into Glenview.

Upon the annexation of property into the Village, State Law replaces the County zoning that applied to the property with the most restrictive Glenview zoning category, in this case R-1 Residential District (i.e. - 1 residential unit allowed per 1 acre of land). Therefore, the Village needs to reconsider the zoning designation for this property and zone them in accordance with Glenview's zoning districts.

B. OFFICIAL MAP:

The Village of Glenview Official Map, as amended, serves as a regulatory document which governs the subdivision of property and ensures connectivity of future subdivided lots to existing and future transportation infrastructure. This regulation of future development is accomplished by applying minimum lot sizes to property, identifying locations for future roadway locations and transportation improvements, and reserving land for future public amenities such as schools, parks, and/or municipal service buildings. Per State of Illinois law, the Official Map must include all incorporated areas of the municipality as well as unincorporated areas within 1.5 miles of the municipal boundary. Any proposed rezoning of property within unincorporated Cook County that lies within 1.5 miles of the Village's corporate limits could be contested by the Village. If a rezoning request was submitted to the County and the Village chose to object on the basis that the proposed zoning would not be consistent with the Village's Official Map, the County would have to obtain a favorable 3/4 majority in order to pass an ordinance to rezone said property.

A public hearing on the application shall be held in accordance with the procedures set forth in Section 98-49 of the municipal code. Notice of a public hearing must be published within a newspaper of general circulation within the Village not more than thirty (30) days nor less than fifteen (15) days before the said date set for the hearing, in compliance with the requirements of the Illinois Revised Statutes. Copies of the public notice were distributed to surrounding property owners in accordance with the Plan Commission Rules of Procedure.

C. REZONING:

“Zoning” is a way that municipalities divide its area into districts according to the type of structures and uses permitted in each district. Application for Rezoning of property in the Village of Glenview is a means of requesting a designation of a certain Zoning District classification by ordinance in order to permit certain uses on that property. This is known as a Zoning Map Amendment. The Plan Commission assumed jurisdiction of the subject matter of the application pursuant to Chapter 98, Article II of the Glenview Municipal Code.

The Commission considers the following Judicial Standards and Requisites for rezoning with petitioner’s responses noted in their attached exhibits:

1. The existing uses and zoning of nearby property.
2. The extent to which property values are diminished by the particular zoning restrictions.
3. The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.
4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
5. The suitability of the subject property for the zoned purposes.
6. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property.
7. The community need for the proposed use.
8. The care with which the community has undertaken to plan its land use development.

A public hearing on the application shall be held in accordance with the procedures set forth in Section 98-49 of the municipal code. Notice of a public hearing must be published within a newspaper of general circulation within the Village not more than thirty (30) days nor less than fifteen (15) days before the said date set for the hearing, in compliance with the requirements of the Illinois Revised Statutes. Copies of the public notice were distributed to surrounding property owners in accordance with the Plan Commission Rules of Procedure.

D. PLANNED DEVELOPMENT:

Typically the purpose of the planned development district is to facilitate a more creative and efficient use of land than would otherwise be possible under traditional zoning regulations. The planned development also provides for preservation of natural site qualities, such as vegetation, topography and other unique physical site characteristics, the creation of urban amenities, the creation of additional open space and generally the design and development of unique high quality projects. The planned development is intended to provide for projects with either a single type of land use or a variety of land uses developed as a unified project.

A public hearing on the application shall be held in accordance with the procedures set forth in Section 98-49 of the municipal code. Notice of a public hearing must be published within a newspaper of general circulation within the Village not more than thirty (30) days nor less than fifteen (15) days before the said date set for the hearing, in compliance with

the requirements of the Illinois Revised Statutes. Copies of the public notice were distributed to surrounding property owners in accordance with the Plan Commission Rules of Procedure.

E. FINAL SITE PLAN REVIEW:

It is a procedure for the review of proposed developments or redevelopments to ensure they are compatible with adjacent developments by taking into account the relationship of the new development to its surroundings. The purpose of Site Plan Review is to go beyond the basic zoning, subdivision, design and building requirements in order to address site details which these other codes may not regulate in such detail. The review process is intended to promote more orderly and harmonious development and are intended to ensure that all codes and ordinances have been met helping to provide a logical and coordinated review of proposed developments.

Site Plan Review Evaluation Criteria:

The goals and objectives of the Village Comprehensive General Plan and other applicable Village planning and policy documents shall be utilized in the review of proposed site plans. In addition, the criteria listed below shall be used to determine whether a proposed site plan fulfills the requirements of Chapter 54, Section 54-85. Site plans are reviewed against these criteria which form the basis of the staff report ultimately considered by the Plan Commission and Village Board as part of Final Site Plan Review.

1. **Building and Structure Locations** - The arrangements of the structures on the site shall allow for the effective and efficient use of the proposed development. Such arrangement shall be compatible and harmonious with development on adjacent property. Also, the arrangement of structures on the site shall be evaluated to ensure effective and efficient provision of Municipal services. In the downtown and downtown frame area, the site plan shall embody a pedestrian orientation, generally represented by a building location at or near the street, with parking at the rear.
2. **Building Scale** - The scale of the proposed building must be appropriate to the site, location, and function of the site. Building scale must promote harmonious transitions to adjacent developments and land uses.
3. **Open Space** - The proposed development should be designed to maximize the preservation of natural site features, including vegetation and drainage and topography. The landscape treatment of exterior open spaces should enhance the quality of the project and create a desirable and functional environment for patrons, visitors, and occupants. Storm water detention facilities should be integrated into the proposed site design to provide functional and attractive open space. The amount of open space provided shall be appropriate to the proposed use and compatible with surrounding development. Excessive lot coverage shall

be prohibited, notwithstanding the amount of such coverage permitted by the Zoning Ordinance.

4. **Landscaping** - Landscape design shall provide an aesthetically pleasing design, create a logical transition to adjoining development, screen incompatible uses, screen unsightly activities from public view, and break up large expanses of asphalt with plant materials. Existing mature trees and shrubs should be maintained to the maximum extent practicable. Plant materials shall be selected so as to withstand Glenview's climatic conditions and the specific constraints imposed by adjacent functions.
5. **Graphics and Signage** - Signs and other site graphics shall be minimized in size and number to promote their effectiveness. Such signs and site graphics shall be integrated with architectural and site landscape features.
6. **Circulation** - All site circulation systems (vehicular and pedestrian) shall provide adequate and safe access to the site. Dangerous traffic movements will be prohibited and curb cuts shall be minimized. Disruption of traffic flows on adjacent streets and undue congestion shall be minimized or avoided. Connections and linkages with adjacent developments are encouraged to promote logical circulation patterns and minimize curb cuts.
7. **Parking Lots** - Proposed parking lots shall be designed, located, and screened to minimize visual impact on adjacent properties. Such parking shall also be designed and located to minimize the number of curb cuts. Shared parking lot access shall be promoted where practical. Perimeter screening is encouraged and interior lot landscaping shall be provided to break up large expanses of asphalt with plant and other landscape materials.
8. **Site Illumination** - Site illumination shall be designed, located, and installed in such a manner that will minimize adverse impact on adjacent properties.
9. **Preservation** - Preservation of unique architectural, cultural, environmental, or historical resources is encouraged. Development designs and treatments that respect such desirable resources on adjacent properties are also encouraged.

F. SUBDIVISION:

Preliminary Subdivision Approval:

The site plan typically acts as a preliminary subdivision plat. Once a project is approved and following the granting of Final Engineering Approval from the Village's Senior Civil Engineer, the petitioner will prepare a final subdivision plat and appear before the Plan Commission to gain approval of the final lot configuration and necessary easements before a permit can be issued.

Final Subdivision Approval:

The petitioner is requesting approval of a Final subdivision. Before a building permit can be issued for the subject property, a legal description must be created which refers to the property as a single lot of record. As currently configured, the subject property does not meet the definition of a "Lot" as defined by the Glenview Zoning Ordinance since the property consists of a portion of one or more lots. Public notice is not required for Final subdivision approval. The Plan Commission assumed jurisdiction of the subject matter of the application pursuant to Chapter 66, Subdivisions.

Subdivision Code Waivers:

A property is evaluated against the Village's Subdivision Code to ensure the proposed lot is in compliance with current standards. Waivers are granted from certain Subdivision Code requirements on a case-by- case basis, often due to characteristics of the property and the surrounding neighborhood.

G. CONDITIONAL USE:

A Conditional Use is the use of land, building, and/or structure which, because of its unique characteristic, can only be permitted in a particular Zoning District through a special approval process. There are seven standards (the last two, heliports and stand alone parking lots are seldom applicable) the Plan Commission uses to evaluate the impact of a particular Conditional Use and determine the appropriateness of that use in the designated zoning district.

1. The proposed conditional use at the particular location is necessary or desirable for the public convenience; and it will not be injurious to the use and enjoyment of property already permitted in the immediate vicinity; nor will it diminish or impair property values in the neighborhood; nor will it affect a significant change in the character of the neighborhood.
2. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, shall be such that it will be in harmony with present development and the appropriate and orderly future development of the district in which it is located, as well as other butting districts.
3. The location, nature, and height of buildings, walls, and fences, and the nature and extent of the landscaping on the site shall be such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent and nearby land and buildings.
4. Parking areas shall be of adequate size for the particular use, properly located, and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to prevent traffic hazards and nuisances, and minimize traffic congestion in the area.

5. A use which is permitted in another district by conditional use shall comply with all applicable bulk regulations of the district in which the use is located.

A public hearing on the application shall be held in accordance with the procedures set forth in Section 98-49 of the municipal code. Notice of a public hearing must be published within a newspaper of general circulation within the Village not more than thirty (30) days nor less than fifteen (15) days before the said date set for the hearing, in compliance with the requirements of the Illinois Revised Statutes. Copies of the public notice were distributed to surrounding property owners in accordance with the Plan Commission Rules of Procedure.

H. SECOND CURB CUT:

Within single-family residential zoning districts, only one (1) driveway curb cut is permitted per lot unless the subject property can meet each of three (3) standards. A second curb cut is allowed by right, only in the case where the following conditions are met:

1. The width of the lot at the lot line where the second curb cut will occur must be a minimum of 75.0 feet;
2. The principal structure on the lot must be set back a minimum of 45.0 feet from the lot line where the second curb cut will occur; and,
3. A second curb cut may not be located within 20.0 feet of an intersection. In the event that any petition cannot comply with one or more of these requirements, a second curb cut approval must be sought from the Plan Commission.

If a petition for second curb cut is approved, the decision would require no Village Board action as the Plan Commission has final authority in this matter. If however, the Plan Commission denies the appeal, the applicant may appeal the Plan Commission's determination to the Village Board of Trustees.

I. VARIATION:

All residential variation requests are heard exclusively by the Zoning Board of Appeals. All commercial and industrial variations are heard by the Zoning Board of Appeals and subsequently forwarded with a recommendation for final decision to the Board of Trustees. If a variation request is included within a proposed annexation agreement or related to a proposed Planned Development, the Plan Commission assumes jurisdiction to consider and grant variations. The Plan Commission and Zoning Board of Appeals make a finding of fact based upon the standards prescribed that the application of the strict letter of the regulations of this chapter will create practical difficulties or hardship for the owner, lessee or occupant of land, buildings or structures.

Variation Standards – Section 98.47 (c)

- (1) The board shall not vary the regulations of this chapter, as authorized by subsection (d) of this section, unless it shall make a finding of fact, based upon the evidence as presented to it in each specific case, that the:

- a. Particular physical surroundings, shape or topographical condition of the specific property involved would result in a practical difficulty or hardship upon or for the owner, lessee or occupant, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out.
- b. Conditions upon which the petition for a variation is based are unique and would not be generally applicable to other property within the same zoning classification.
- c. Alleged difficulty or hardship has not been created by any person presently having an interest in the property.
- d. Granting of the variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- e. Proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.
- f. Variation, if granted, will not alter the essential character of the locality.

(2) If all of the standards set forth in subsection (c)(1) of this section cannot be met, yet an identifiable overriding public benefit can be realized by the granting of the requested variation, the zoning board of appeals shall forward a written recommendation, including a specific finding of fact of overriding public benefit, to the board of trustees for final disposition.

(3) The board may impose such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in this subsection (c) to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and better to carry out the general intent of this chapter.

An applicant must present evidence by which their petition for variation meets each of the above variation standards. In the event that the Zoning Board of Appeals finds that a petition fails to meet any one (1) of the six (6) variation standards, the petition will be denied. In order for a variation to be granted, a positive/supporting vote is needed from any combination of four (4) members of the Zoning Board of Appeals.

A public hearing on the application shall be held in accordance with the procedures set forth in Section 98-49 of the municipal code. Notice of a public hearing must be published within a newspaper of general circulation within the Village not more than thirty (30) days nor less than fifteen (15) days before the said date set for the hearing, in compliance with the requirements of the Illinois Revised Statutes. Copies of the attached public notice are distributed to surrounding property owners in accordance with the Plan Commission Rules of Procedure.

J. APPEARANCE COMMISSION:

Appearance review is required for any sign installation or replacement and for any construction, alteration or repair of any building or structure in any multiple-family dwelling, business, commercial, planned development, public lands, hospital and industrial zoning districts. All aesthetic issues are considered for appropriateness of scale and proportionality to ensure the proper mix of development characteristics. The proposal reviews are handled under a separate application and heard by the Appearance Commission prior to their granting of a Certificate of Appropriateness and after consideration of the following:

- Architectural Style – exterior colors, design compatibility with adjoining structures and building materials.
- Signage – size and content, color scheme, proportionality, compatibility with other recently approved signage in the area.
- Landscaping – size of species and quality of same, location and quantity, compatibility with architectural style of building.
- Fencing, Screening and Garbage Enclosures – colors, materials, style and compatibility with building.
- Site Lighting – illumination and effect on neighboring properties, location and height, aesthetics of fixtures and standard.
- Parking Lot Layout – landscaping buffers, striping, circulation, lighting and aesthetics associated with the islands.

K. VILLAGE BOARD OF TRUSTEES:

The Village Board of Trustees adopts ordinances and resolutions. A recommendation for all Plan Commission cases (except second curb cuts), all commercial and industrial variations granted by the Zoning Board of Appeals, and landmark designations from the Historic Preservation Commission are sent to the Village Board for final determination. Contact the Development Department to confirm the meeting date in which your recommendation will be scheduled and the necessary exhibits needed.

L. BUSINESS LICENSE:

A business license is required to engage in any of the lines or kinds of businesses, trades or occupations provided for in the Village's ordinances, including those allowed businesses conducted in or from a residential location. An application has to be submitted, is reviewed by Village staff, and issued in accordance with the provisions of the Municipal Code.

M. BUILDING PERMIT:

A permit is needed to ensure construction is in compliance with Glenview's building, health, zoning and fire codes. As part of the process a proposal is reviewed, a permit is issued, construction is inspected, and occupancy of a structure is approved. Visit www.gelnview.il.us for specific details on the types of work that require a permit, the approval process, the applicable codes, and the necessary inspections.

N. COMMON DEFINITIONS:

1. Easements

An interest in real property generally established in a real estate document or on a recorded plat to reserve, convey or dedicate the use of land for a specialized or limited purpose without the transfer of fee title to allow access to another property to be able to install and maintain facilities. Such specified uses may include but are not limited to utilities, access, and stormwater drainage.

2. Plat of Survey

A document, prepared by a registered surveyor or engineer, which delineates property lines and shows monuments and other landmarks for the purpose of identifying property. The document is drawn to scale, showing the actual measurements, the size and location of any existing structures, the location of the lot in relation to abutting streets, and other such information.

3. Plat of Subdivision

A schematic representation of a land development showing the street and lot layout including descriptions, locations, specifications, dedications, provisions, and other such information as required by the Subdivision Code.

4. ROW – Right of Way

An area of land that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, water lines, sewer lines, power lines, gas lines and drainage facilities.

5. Storm Water Detention

Any storm drainage technique that detains runoff, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, or any combination thereof. The area is designed to capture specific quantities of stormwater on a temporary basis and to gradually release the stormwater at a controlled rate to avert flooding. A detention basin may drain completely after a storm event, or it may be a body of water with a fixed minimum and maximum water elevation between runoff events.

6. Curb Cut

A curb break, or a lowered curb level for the purpose of gaining vehicular access between a street and abutting property.

7. Zoning District

An area or areas within the limits of the Village for which the regulations and requirements governing use, lot, and size of building and other structures are uniform.

8. Land Use

A description of how land is occupied or utilized including but not limited to residential, commercial, industrial, recreational, or agricultural practices.