

**The Village of East Dundee  
Planning, Zoning, and Historic  
Commission**

**Application for Rezoning, Special Use,  
and Variance**



**Application Updated: May 2024**

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## 1. APPLICATION FEE SCHEDULE

The Village Board has adopted the following schedule of fees for processing development applications. These fees are intended to cover only the Village's basic processing costs and can be found in Chapter 151 - Building Code or Other Related Fees. In addition, the Village requires an initial deposit until the applicant has paid any outstanding costs for professional consulting services (engineers, planners, attorney) that the Village may employ to assist Village staff on a project-by-project basis and will be discussed at the initial pre-application process.

### **FEES AND FINES (CHAPTER 37):**

- Planning, Zoning, and Historic Commission public hearing: \$100
- (HH) Zoning - Fees and deposits for variations, special uses, and map amendments:
- a) All Single-Family Residential Districts (E, R-I, R-2, and R-3 Districts):
    - Non-refundable fee: \$75
    - Deposit: \$150
  - b) All Residential Multiple Family District (R-4 and R-5 Districts):
    - Non-refundable fee: \$100
    - Deposit: \$250
  - c) All Business Districts (B-1, B-2, B-3 and B-4 Districts):
    - Non-refundable fee: \$150
    - Deposit: \$250
  - d) Other Districts: (AG-1, OD, M-1, and M-2) - fees and deposits for variations, special uses, and map amendments (all zoning districts):
    - Non-refundable fee: \$200
    - Deposit: \$1,000

## 2. PLANNING, ZONING, AND HISTORIC COMMISSION ("PZHC") MEETING SCHEDULE

The PZHC petitions/applications deadline, ("Application Deadline") is **35 days prior** to meeting date for petitions/applications requiring public hearings or **15 days prior** when no public hearing is required. **All PZHC meetings are scheduled for the first Thursday of every month, unless otherwise specified.**

## 3. STAFF CONTACT LIST

<b>Review Agency</b>	<b>Contact Name</b>	<b>Phone</b>	<b>E-Mail</b>
<b>Village of East Dundee Staff</b>			
Village Administrator	Erika Storlie	(847) 426-7120	estorlie@eastdundee.net
Asst. to Village Administrator	Franco Bottalico	(847) 426-7102	fbottalico@eastdundee.net
Building Inspector	Chris Ranieri	(847) 426-7107	cranieri@eastdundee.net
Public Works Director Village	Phil Cotter	(847) 426-1256	pcotter@eastdundee.net
Building Clerk	Gail Hess	(847) 426-7115	ghess@eastdundee.net
Engineer	Joe Heinz	(847) 426-4535	jheinz@glheinzinc.com

#### 4. OTHER APPLICAITONS & FORMS

##### **Necessary documents to accompany your application:**

- Planning, Zoning, and Historic Commission Requirements (ON WEBSITE)
- Agreement to Pay Costs Incurred and Hold the Village Harmless (PAGE 10)
- Affidavit of Ownership & Control (PAGE 11)
- Affidavit & Disclosure (PAGE 12)
- Trust Agency Development Form ( PAGES 13 - 15)
- Site Plan
- Square footage of building/property, if applicable
- PIN & Legal Description (with Common Address, if applicable) provided in a separate word document. This is typically found on a plat of survey. (PAGE 5)
- List of Property Owners within 250 ft. of Property
- Check made Payable to "The Village of East Dundee" per the Fee Schedule
- 1st Class; pre-paid; plain white envelopes addressed to the property owners with 1st class postage. There should be no return address on envelopes.

##### **Project Data Tables** *(Required, when applicable. Determined during Building Department Review):*

- Site Area Calculations Table
- Building Area Calculations Table
- Parking Calculations Table
- Subdivision Calculations Table
- Residential Density Calculations Table

#### 5. APPLICATION STEP-BY-STEP PROCESS

- A. Application and fees submitted to the Building Department
- B. Review by Building Department
- C. List of all properties within 250 ft. submitted to the Building Department in a word document format with address labels of property owners listed.
  - i. A good resource is the Kane County GIS Website ([https://gistech.countyofkane.org/gisims/kanemap/kanegis4\\_agox.html](https://gistech.countyofkane.org/gisims/kanemap/kanegis4_agox.html))
- D. Use 1st class; pre-paid; generic plain white envelopes with the labels attached, but without a return address. Village staff will mail out on applicants' behalf.
- E. Notice of public hearing published by staff, mailed out, and sent to Daily Herald no later than 15 days prior to the public hearing.
- F. PZHC conducts the public hearing and motions a recommendation to approve or deny to the Village Board or can ask for more information.
- G. Village Board approves/denies within 45 days of PZHC's recommendation.

## Application for Rezoning, Special Use, and/or Variance

Please review the accompanying PZHC Requirements packet for all requirements applicable.  
Failure to complete this form properly will delay its consideration.

Note: Attach a Word Doc. that includes the project property PIN, legal description, and common address.

1) Applicant Information

Date: \_\_\_\_\_ Project Location: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Phone: \_\_\_\_\_

Applicant Email: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Check each box being requested and provide the project description in the lines provided below:

Rezoning: \_\_\_\_\_ Special Use: \_\_\_\_\_ Variance: \_\_\_\_\_

Cite the section in the Zoning Code that permits your desired use as a special use: \_\_\_\_\_

PIN: \_\_\_\_\_ Project property size in acres/sq. ft.: \_\_\_\_\_

2) Current Zoning Districts

Indicate what the property is currently zoned as below:

E R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4 OD AG-1 M-1 M-2

Current use at the property: \_\_\_\_\_

Surrounding land use zoning (may be more than one): \_\_\_\_\_

Zoning district being requested per PIN: \_\_\_\_\_

3) Owner Information (If different than the applicant)

Owner Name: \_\_\_\_\_ Owner Signature: \_\_\_\_\_

Owner Address: \_\_\_\_\_

Owner Phone: \_\_\_\_\_

Owner Email: \_\_\_\_\_

4) Billing Information (Include the name and address that all bills should be sent to)

Legal Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**B. SPECIAL USE - FINDINGS OF FACT FOR APPLICANT TO ANSWER (157.244 (C)(2))**

The questions contained in this part are directly related to the criteria in the Code that the Village must use to evaluate the project. Under the Code, most of the actions taken by the PZHC and Village Board require a "findings of fact" that a particular project meets all the applicable criteria. Accordingly, it's important that as much evidence of compliance as possible be provided with the application. **Please be sure to review the actual requirements in the relevant sections of the Code to assist you in preparing your responses.**

Please answer all questions but be concise and brief in your answers. **If additional pages are needed to complete your answers, please be sure to include the appropriate and complete question number for each response.** You are encouraged to refer to drawings, pictures, or other materials as necessary to add clarity to your answers.

1.The use is not injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; Yes/No/Not Applicable (N.A.), Explain:

2.The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; Yes/No/N.A.

3.Adequate utilities, access roads, drainage or necessary facilities have been or will be provided; Yes/No/N.A.

4.Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; Yes/No/N.A.

5.How is the proposed special use in harmony with the purposes, goals, objectives, policies and standards of the Village of East Dundee Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice, by the Village?

**C. SUMMARY OF REQUESTED ZONING VARIANCES:**

Project Location: \_\_\_\_\_

<b>Applicable Code Section</b> (Title, Chapter, Section)	<b>What does Code require now?</b> (Brief Summary)	<b>Proposed Variation(s)</b> (Brief Summary)





5. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

6. Other than financial return, what other purposes is the variance request based on?

7. Has the alleged difficulty been created by any person presently having an interest in the property?

8. Please give an explanation for any questions answered Yes. Check box Yes or No to each question.

Will the granting of the variation be:

- a) detrimental to the public welfare?      Yes      No
- b) Injurious to the surrounding properties?      Yes      No
- c) Impair an adequate supply of light and/or air to adjacent properties?      Yes      No
- d) Endanger public health and safety?      Yes      No
- e) Substantially diminish property values within the neighborhood or surrounding area?      Yes      No
- f) Conform to the comp plan / land use plan?      Yes      No



**APPLICATION AGREEMENT  
TO PAY COSTS INCURRED AND HOLD THE VILLAGE HARMLESS**

The Undersigned applicant acknowledges that the Village of East Dundee may seek advice and counsel from professional sources outside the employee staff of the Village of East Dundee in consideration of the application submitted by the applicant, including the services as those may be provided by the Village Staff, Village Attorney, Village Engineer, Planner, and Fire Protection District.

The applicant further acknowledges that testimony of all witness at Public Hearings may be recorded before a court reporter and that full transcripts of the proceedings may be prepared and retained by the Village of East Dundee as part of the official record concerning the said applicant and the applicant's costs.

As an express condition in making the said application and the consideration thereof by the Village of East Dundee, the undersigned, both personally and on behalf of the applicant, agrees to hold the Village harmless and agrees to pay forthwith the costs and expenses that may be incurred by the Village of East Dundee for such professional services, including the costs and expenses of recording and transcribing any testimony at Public Hearings in connection with the said application.

The owner hereby authorizes and consents to this request for variation, special use, and/or re-zoning and further authorizes, agrees, and consents to allow the temporary installation and display by the Village of East Dundee of Public Notice signage upon the subject property.

The applicant, having read this application and fully understanding the purpose thereof, declares that the proceeding statement made are true and that the information provided herein is complete to the best of the applicant's knowledge and belief.

\_\_\_\_\_  
Individually and for the Applicant Date

\_\_\_\_\_  
Address Phone Number

**FEES AND FINES (CHAPTER 37):**

\_\_\_\_\_  
Email

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    - Non-refundable fee: \$200
    - Deposit: \$1,000



### Affidavit of Property Ownership & Control

I (We), \_\_\_\_\_ do hereby certify or affirm that I am the legal property owner(s), contract purchasers, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

Signature: \_\_\_\_\_

Owner: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(NOTARY SIGNATURE)

\_\_\_\_\_  
(NOTARY STAMP)



**Affidavit & Disclosure Agreement**

To cover the Village expenses relating to applications for site plans, Subdivisions, Annexations, Zoning Amendments, Special Uses, Variations and the like:

Applications shall deposit the sum required based on the type and extent of the applicants project. Any bills received by the village and any costs incurred by the Village related to the project will be expensed against the deposit already made. Any remaining deposit funds will be returned to the applicant once the process is complete.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Email: \_\_\_\_\_



## **TRUST AGENCY DEVELOPMENT FORM**

### **TITLE XV; CHAPTER 160: PROPERTY DEVELOPMENT COSTS FINDINGS:**

- A. Certain costs are necessarily incurred by the village in processing building permits, petitions for annexation, disconnections, rezoning, variances, planned unit developments, subdivisions, site plans and other land use matters (the development petition), including, but not limited to, staff costs and fees of planning consultants, engineers, attorneys, building officials, environmental consultants, and other consultants, as well as out of pocket costs of the village such as mailing, photocopying, telephone, publication, recording and other out of pocket costs (collectively "development costs"); and
- B. The village board has determined that development costs should be borne by the person filing a development petition ("petitioner") rather than the taxpayers of the village. It shall be at the Village Administrators discretion to institute the Trust & Agency Agreement.

### **TRUST AND AGENCY ACCOUNT:**

The village shall establish a trust and agency account (also known as an escrow account): a) for the purpose of accounting for development costs and reimbursement for such costs with subaccounts for each separate petitioner; and b) for the purpose of accounting for other deposits being held in trust from time to time. Such trust and agency account shall be subject to audit as in the case of all other accounts and funds of the village but shall not be part of the budget process of the village.

## **DEPOSIT REQUIREMENTS:**

- A. **Initial Deposit:** Whenever the village is asked to consider a development petition, the village administrator, or the designee of the administrator, shall, prior to the time when the village incurs any significant expense for staff or consultants establish the amount of the petitioner's initial deposit in the trust and agency account of the village (the "initial deposit"). Before any expenses for consultant and out of pocket costs are incurred by the village, the petitioner shall pay to the village treasurer the amount of such initial deposit.
- B. **Second and Subsequent Deposits:** Prior to the time when the accrued fees and costs equal (90%) of the amount of said initial deposit, the village administrator, or the designee of the administrator, shall establish the amount, if any, of a second deposit to the trust and agency account (the "second deposit"). Likewise, prior to the time when the accrued fees and costs equal the amount of said second deposit (and any subsequent deposits), the village administrator, or the designee of the administrator, shall establish the amount of subsequent deposits (the "subsequent deposits") to the trust and agency account.
- C. **Failure To Make Deposits:** In the event that the petitioner fails to promptly make the required payments of the initial deposit, the second deposit or any subsequent deposit, the village may advise all consultants to the village to cease performing any services and incurring any costs relative to the development petition, and the village may postpone or cancel any scheduled hearings, meetings or considerations of the pending development petition.
- D. **Waiving Fees:** The Village Administrator shall have the right to waive staff cost or other costs if by doing so benefits the village.

## **INVOICES:**

Copies of all invoices submitted to the village by its consultants shall be provided to the petitioner. Any questions as to such invoices must be raised by the petitioner within fourteen (14) days after transmittal of the invoices to the petitioner, and in the absence of such questions within such time, the invoices shall be conclusively deemed acceptable to the petitioner.

## **REFUNDS:**

Whenever it appears that there will not be further development costs incurred relative to a petitioner, the balance in such petitioner's trust and agency account will be refunded to the petitioner.

## **COPY OF PROVISIONS TO PETITIONER:**

At the time that the amount of initial deposit is established, the petitioner shall be provided with a copy of this chapter and shall deliver to the village the following statement signed by the petitioner:

The undersigned, having filed or expecting to file, a development petition with the Village of East Dundee, certify that I have received a copy of Village of East Dundee’s Code TITLE XV; Chapter 160 and have read and understand the same and agree to make the deposits as provided in said Code Chapter, including the initial deposit of \$ \_\_\_\_\_.

Check # \_\_\_\_\_ Dated \_\_\_\_\_

Type of Project: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

PIN(s): \_\_\_\_\_

Owners Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Owners Address: \_\_\_\_\_

Owners Email: \_\_\_\_\_

Owners Signature: \_\_\_\_\_

Petitioners Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Petitioners Address: \_\_\_\_\_

Petitioners Email: \_\_\_\_\_

Petitioners Signature: \_\_\_\_\_

-----

Received By: \_\_\_\_\_ Date: \_\_\_\_\_