

Village of Lily Lake

43W870 Empire Road, Lily Lake Illinois
Phone 630-365-9677 | Fax 630-365-9827

Mailing address
43W955 Twilight Lane, St. Charles, IL 60175

INSTRUCTIONS FOR FILING REQUEST FOR REZONING OR SPECIAL USE

A request for the rezoning of property, or for certain special uses of property as set forth in the Lily Lake Zoning Ordinance, may be made by filing the original and 6 copies of the request with the Clerk of the Village of Lily Lake, 43W955 Twilight Ln, Ste A, St. Charles, Illinois 60175. A copy of the request must also be sent to the Hearing Officer for the Village, G. Alexander McTavish, Foote, Mielke, Chavez, & O'Neill 10 W State Street, Geneva, IL 60134. No special form of application is required and the request may be made by letter or formal petition.

The request must state the existing zoning classification of the property under the Zoning Ordinance and the classification desired. Information regarding the necessary classification for the proposed use can be obtained directly from the Zoning Ordinance. In the case of a special use, it must be determined first that the zoning classification is correct and then a request for the particular special use should be submitted. If the zoning classification is not correct for the special use desired, a request for rezoning and for the special use shall be incorporated in the same petition.

The following items must accompany the request. These items must be accurate, as any rezoning is actually an amendment to the Zoning Ordinance itself, and upon adoption by the Board of Trustees of the Village, the maps, which are a part of the ordinance, are changed to show the reclassification.

A detailed sketch, survey, or plan with the legal description of the property, the tax parcel lines of all parcels, and the tax parcel numbers of all parcels. If the area is part of a larger parcel include the legal description, lot lines and pin numbers of the larger parcel as well.

The exact size and location of all existing buildings on the property. The size and location of all proposed buildings. The existing and intended use of each building or structure. The number of dwelling units or lodging rooms a building is designed to accommodate.

The location and number of off-street parking and off-street loading spaces and all proposed entrances and exits to and from all public highways. The location of all such entrances and exits must be obtained from the particular governmental agency or authority having jurisdiction. To promote safety, these should be kept to a minimum. It may be necessary to dedicate road right-of-way in connection with the rezoning or special use

Any other information with regard to the subject property and neighboring properties as may be necessary to determine whether the proposed use complies with the provisions of the Zoning Ordinance, shall be submitted with the petition.

A Land Use Opinion must accompany the petition for rezoning or special use. Forms for requesting such an opinion may be obtained from the Kane-DuPage Soil & Water Conservation District Office located at 545 Randall Road, St. Charles, Illinois 60174.

An Endangered Species Consultation Agency Action Report must accompany any rezoning or special use request involving land zoned A-District Agriculture. Forms for requesting such a report may be obtained from the Endangered and Threatened Species Program Manager, Illinois Department of Conservation, 524 South Second Street, Springfield, Illinois 62701 (phone: (217)

785-8774).

A certification of a professional engineer to the effect that the proposed use complies with the performance standards set forth in the Zoning Ordinance must accompany an application for rezoning to or a special use in a manufacturing district.

An aerial photo with the property **clearly** highlighted is required. An aerial photo may be obtained from the Sitwell Company, 28W240 North Avenue, West Chicago, Illinois 60185 (phone: (708) 231-8200).

Certification is required of the names and addresses of all owners of adjacent and adjoining property, or their tenants, and of all owners of property, or their tenants, within 500 feet of the property for which rezoning or a special use is sought. An affidavit showing the names and addresses of these persons must be filed with the Hearing Officer not less than 14 days prior to the public hearing.

The petition must be signed by the owner of record of the property. In the case of property under purchase contract, the owner of record and the contract purchaser must sign.

Pursuant to the Land Trust Disclosure Act of the State of Illinois, if the property involved is held in a land trust, a notarized certification, signed by the land trustee or an officer of the land trustee, giving the names, addresses and percentage of interest of all beneficiaries, is to be filed with all petitions for rezoning and special use.

A fee must accompany the petition for rezoning or for special use. The fees are set forth in the accompanying table. An additional \$250 deposit is required for publications. If there is a balance of deposit left, it will be reimbursed to the applicant.

Fees – Rezoning or Special Use	
Less than 2 acres	\$700
2 to 4.000 acres	\$800
5 to 9.999 acres	\$900
10 acres or more	\$1000 plus \$30 per acre or portion thereof over 10 acres

Upon receipt of the application and other required documents and fee, the Village Clerk initiates the zoning process which includes a meeting of the Plan Commission, and a public hearing conducted by the Hearing Officer prior to final action by the Village Board. Notice of the public hearing is published in a newspaper of general circulation in the Village at least 15 days in advance of the hearing. A notice is sent by mail to the applicant, giving the time and place of the public hearing. The applicant must attend, or be represented at the public hearing.

After the public hearing, the Hearing Officer will make a recommendation to the Village Board. The Board may also receive a recommendation from the Plan Commission. Action on the request is taken at the next regular meeting of the Village Board which is at least 15 days after the public hearing.