



ZONING MAP AMENDMENT APPLICATION

For City Use

Project Name: _____
Project Number: _____-PR-_____
Cityview Project Number: _____

Received Date

- *File this application to request a zoning map amendment (rezoning) for a property.*
- *Complete the application and submit with all required attachments to the Community Development Division.*
- *The information you provide must be complete and accurate. If you have any questions please contact the Community Development Division.*
- *City staff will review the submittal for completeness and for compliance with applicable requirements prior to establishing a public hearing date.*

1. Property Information:	Location:	
	Parcel Number (s):	
2. Applicant Information:	Name:	Phone:
	Address	Email:
3. Record Owner Information:	Name:	Phone:
	Address:	Email:

4. Zoning & Use Information:

Current zoning of the property:

Current use of the property:

Comprehensive Plan land use designation of the property:

Is the property a designated Landmark or in a Historic District?

Proposed zoning of the property:

Proposed use of the property:

If the proposed Map Amendment is approved, what improvements or construction are planned?

5. Required Attachments:

If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

Provide 1 copy of each required item, unless otherwise noted.

☐ **APPLICATION FEE:** \$500

☐ **REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

☐ **REIMBURSEMENT OF FEES INITIAL DEPOSIT:** Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$2,000	\$3,000	\$4,000	\$5,000
2 or 3	\$3,000	\$5,000	\$6,000	\$8,000
4 or more	\$4,000	\$6,000	\$8,000	\$11,000

☐ **PROOF OF OWNERSHIP:** a) A current title policy report; or
b) A deed and a current title search

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.

☐ **OWNERSHIP DISCLOSURE:** Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.

- ❑ **LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the zoning application with the City of St. Charles for the subject property.
- ❑ **LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper and Microsoft Word file.
- ❑ **PLAT OF SURVEY:** A current plat of survey for the subject property showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ❑ **SITE PLAN:** A site plan drawn to scale to demonstrate that the property can meet the minimum requirements of the proposed zoning district (including setbacks, landscaping, parking, etc.).
- ❑ **FINDINGS OF FACT:** Fill out the attached form.
- ❑ **ZONING COMPLIANCE TABLE:** Fill out the attached worksheet to compare the requirements of the proposed Zoning District with the existing/proposed development. Use the Residential table for residential zoning and the Nonresidential table for nonresidential zoning.
- ❑ **LIST OF PROPERTY OWNERS WITHIN 250 FT.:** Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized. Property ownership information may be obtained using Kane County's interactive GIS mapping tool: http://gistech.countyofkane.org/gisims/kanemap/kanegis4_AGOx.html
- ❑ **SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCES INVENTORY APPLICATION:** As required by State law, submit a Natural Resources Inventory (NRI) application and required fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy of completed NRI application to the City. The NRI application can be found on the Kane-DuPage SWCD website: <http://www.kanedupageswcd.org/kd/natural-resource-inventory>
- ❑ **ENDANGERED SPECIES REPORT:** As required by State law, file an Endangered Species Consultation Agency Action with the Illinois Department of Natural Resources. Provide a copy of the report to the City. The online Ecological Compliance Assessment Tool (EcoCAT) should be utilized: <https://dnr2.illinois.gov/EcoPublic/>
- ❑ **KANE COUNTY TRANSPORTATION IMPACT FEE:** The Kane County Road Improvement Impact Fee Ordinance applies to new residential and non-residential development within Kane County. The impact fee is determined by Kane County upon submittal of an application to Kane County Department of Transportation at the time of building permit. At this stage, the Impact Fee Estimator Tool can be used to estimate the cost of the fee: <http://kdot.countyofkane.org/Pages/Impact-Fees.aspx>

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

Record Owner _____ Date _____

Applicant or Authorized Agent _____ Date _____

CITY OF ST. CHARLES
REIMBURSEMENT OF FEES AGREEMENT

I. Owner:

Owner of Property:

Date:

Owner's Address:

Owner's Phone Number:

If Owner is a Land Trust, the names and addresses of the beneficiaries of the Trust:

II. Person Making Request (Petitioner/Applicant):

Name of Petitioner/Applicant:

Petitioner's/Applicant's Address:

Petitioner's /Applicant's Phone Number:

III. Location of Property:

General Location of Property:

Acreage of Parcel:

Permanent Index Number(s):

Legal Description (attach as Exhibit A)

IV. Reimbursement of Fees:

If the City determines, in its sole and exclusive discretion, that it is necessary to obtain professional services, including, but not limited to, attorneys; engineers; planners; architects; surveyors; court reporters; traffic, drainage or other consultants, and/or to incur costs related to any required notices or recordations, in connection with any Petition or Application filed by the Petitioner/Applicant, then the Petitioner/Applicant and Owner shall be jointly and severally liable for the payment of such professional fees and costs, as shall actually be incurred by the City.

The City Administrator is hereby authorized to assign the above described services to the City staff or to consultants, as they deem appropriate. When the City staff renders any services contemplated by this agreement, then in such case the City shall be reimbursed for its cost per productive work hour for each staff person providing said services.

At the time the Petitioner/Applicant requests action from the City, he shall deposit the following amounts with the City as an initial deposit to collateralize the obligation for payment of such fees and expenses:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$2,000	\$3,000	\$4,000	\$5,000
2 or 3	\$3,000	\$5,000	\$6,000	\$8,000
4 or more	\$4,000	\$6,000	\$8,000	\$11,000

As the review proceeds, the City shall deduct incurred expenditures and costs from the funds deposited. If the remaining deposit balance falls below \$500.00, the petitioner/applicant, upon notice by the City, shall be required to replenish the deposit to its original amount. The Petitioner/ Applicant shall replenish the deposit amount within fifteen (15) days of receipt of an invoice directing the replenishment of said deposit. Failure to remit payment within fifteen (15) days will cause all reviews to cease.

A petitioner/applicant who withdraws his petition or application may apply in writing to the Director of Community Development for a refund of his initial deposit. The City Administrator may, in his sole discretion, approve such refund less any actual fees and costs, which the City has already paid or incurred relative to the Petition or Application.

Upon the failure to the Petitioner/Applicant or Owner to reimburse the City in accordance with this Agreement, no further action shall be undertaken on any Petition or Application by the Mayor and City Council, or by any other official or quasi-deliberations, the granting of any relief or approvals, and the execution or recording of any documents, until all such outstanding fees are paid in full and/or the initial deposit is restored to its full amount. Further, the City may deny any application for a grading, building or other permit if such amounts have not been paid in full.

Upon any failure to reimburse the City in accordance with this section, the City may in its discretion, apply any or all of the initial deposit to the outstanding balance due and/or elect to place a lien against any real property associated with the Petitioner/Applicant's Petition or Application. In the event such amounts are not paid in full within sixty (60) days after the date when the statement of such amounts due is delivered or deposited in the U.S. mail by the City, such amounts due shall be deemed delinquent and finance charges in accordance the City's policy for accounts receivable shall be added to the amount due until such amount due, including all delinquency charges, is received by the City. Said lien shall be in an amount equal to the outstanding amount owed to the City.

The remedies available to the City as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the City's right to seek relief of such fees against any or all are responsible parties in a court of competent jurisdiction.

Any remaining balance of funds deposited pursuant to this Agreement shall be refunded upon the later occurring of the following events: completion of City deliberation on the petition or application, recordation of all necessary documents associated with the petition or application, or issuance of a building permit upon the real property in question.

BY SIGNING BELOW, THE PETITIONER/APPLICANT AND OWNER ACKNOWLEDGE THAT EACH OF THEM HAS READ THE FOREGOING PARAGRAPHS AND EACH OF THEM FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, EACH SIGNATORY WARRANTS THAT HE/SHE/IT POSSESSES FULL AUTHORITY TO SO SIGN.

THE PETITIONER/APPLICANT AND OWNER AGREE THAT PETITIONER/APPLICANT AND OWNER SHALL BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE CITY OF ST. CHARLES, AND AS SET FORTH HEREIN.

City of St. Charles

Petitioner/Applicant

By: _____

City Administrator

Owner

Attest

Date:

Date:

**OWNERSHIP DISCLOSURE FORM
PARTNERSHIPS**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, _____, being first duly sworn on oath depose and say that I am a
General Partner of _____, an Illinois
(General) (Limited) Partnership and that the following persons are all of the partners thereof:

_____	(General)(Limited) Partner
_____	(General)(Limited) Partner
_____	(General)(Limited) Partner
_____	(General)(Limited) Partner
_____	(General)(Limited) Partner
_____	(General)(Limited) Partner

By: _____ (General)(Limited) Partner

Subscribed and Sworn before me this _____ day of
_____, 20 _____.

Notary Public

**OWNERSHIP DISCLOSURE FORM
CORPORATION**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, _____, being first duly sworn on oath depose and say that I am the
_____ of _____, an (Illinois)
(_____) Corporation and that the following persons are all of the shareholders of 7%
or more of the common stock of said Corporation:

_____	_____
_____	_____
_____	_____
_____	_____

BY: _____

TITLE: _____

Subscribed and Sworn before me this _____ day of
_____, 20 _____.

Notary Public

**OWNERSHIP DISCLOSURE FORM
LAND TRUST**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, _____, being first duly sworn on oath depose and say that I am
Trust Officer of _____, and that the following
persons are all of the beneficiaries of Land Trust No. _____:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: _____, Trust Officer

Subscribed and Sworn before me this _____ day of
_____, 20 _____.

Notary Public

**OWNERSHIP DISCLOSURE FORM
LIMITED LIABILITY COMPANY (L.L.C.)**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, _____, being first duly sworn on oath depose and say that I am
Manager of _____, an Illinois Limited Liability
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: _____, Manager

Subscribed and Sworn before me this _____ day of
_____, 20 _____.

Notary Public

FINDINGS OF FACT – MAP AMENDMENT

The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the “burden of proof” is on you to show why the proposed zoning is more appropriate than the existing zoning. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the property in question, indicate “not applicable” and explain why it does not apply.

Project Name or Address:

From the St. Charles Zoning Ordinance, Section 17.04.320.D:

In making its recommendation to grant or deny an application for a Zoning Map Amendment, including changes to Zoning District and Overlay boundaries, the Plan Commission shall consider:

- 1. The existing uses and zoning of nearby property. *(Relate the proposed land use and zoning to the land use and zoning of other properties in the area)***

- 2. The extent to which property values are diminished by the existing zoning restrictions. *(Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.)***

- 3. The extent to which the reduction of the property’s value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public. *(If the existing zoning decreases the value of the subject realty, does it also produce any perceptible public benefits?)***

4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification. *(Can the subject property reasonably be used for any of the uses currently permitted? Physical and market conditions may be considered.)*
5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located. *(If a property has been vacant longer than other similar properties in the area, it may be an indicator that the existing zoning is inappropriate.)*
6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district. *(Development trends, market forces, and the Comprehensive Plan may be considered.)*
7. The consistency of the proposed amendment with the City's Comprehensive Plan.
8. Whether the proposed amendment corrects an error or omission in the Zoning Map.

9. The extent to which the proposed amendment creates nonconformities. *(Generally it is not appropriate to rezone a property unless it can comply with the requirements of the new zoning.)*

10. The trend of development, if any, in the general area of the property in question. *(New development, redevelopment, changes in use, or other changes in the area may help to justify a change in zoning.)*

Plan Commission recommendation shall be based upon the preponderance of the evidence presented and the Commission shall not be required to find each Finding of Fact in the affirmative to recommend approval of an application for Map Amendment.

RESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development:

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District:	Ordinance #:	
Minimum Lot Area			
Minimum Lot Width			
Maximum Building Coverage			
Maximum Building Height			
Minimum Front Yard			
Interior Side Yard			
Exterior Side Yard			
Minimum Rear Yard			
Landscape Buffer Yards ¹			
% Overall Landscape Area			
Building Foundation Landscaping			
Public Street Frontage Landscaping			
Parking Lot Landscaping			
# of Parking Spaces			

¹ Within the RM-3 zoning district, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, or RT District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers.

NONRESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development:

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District:	Ordinance #:	
Minimum Lot Area			
Minimum Lot Width			
Maximum Building Coverage			
Maximum Gross Floor Area per Building			
Maximum Building Height			
Front Yard			
Interior Side Yard			
Exterior Side Yard			
Minimum Rear Yard			
Landscape Buffer Yard ²			
% Overall Landscaped Area			
Building Foundation Landscaping			
Public Street Frontage Landscaping			
Parking Lot Landscaping			
# of Parking Spaces			
Drive-through Stacking Spaces (if applicable)			

² Within the zoning districts specified, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, RT or RM District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers. Landscape Buffer Yards may include or overlap with other required yards.

City of St. Charles, Illinois

Prepared by:

[illegible]

