



**PROCEDURE
FOR
FILING APPLICATIONS
FOR A
CONDITIONAL USE PERMIT**

Questions regarding these procedures should be directed to J. Martin Olsen, Director of Community Development or Marge Linnane, Assistant Planning & Zoning Administrator at (630)260-6030.

**VILLAGE OF GLENDALE HEIGHTS
GENERAL INFORMATION**

Address: Glendale Heights Civic Center
300 Civic Center Plaza
Glendale Heights, Illinois 60139
Community Development Department

Telephone Number
(630) 260-6030
Fax Number
(630) 260-1317

Regular Business Hours: Monday thru Friday 8:00 A.M. - 4:30 P.M.

Village Board Members

Linda Jackson	Village President
Ed Pope	District 1
Sharon Fonte	District 2
Scott Kibort	District 3
Pat Maritato	District 4
Chester Pojack	District 5
Mary Schroeder	District 6

Plan Commission Members

Bob Ristich, Chairperson
James Baffa
Sohail Bari
Vic Macias
Doug Reimer
Phillip Ritchey
Kurt Preble

Meeting Schedule:

Village Board Regular Meeting 1st & 3rd Thursday 7:30 P.M.
Village Board C.O.W. Meeting 1st & 3rd Thursday Following Reg. Mtg.
Plan Commission Regular Meetings 2nd & 4th Tuesday 7:30 P.M.
Plan Commission C.O.W. Meetings 2nd & 4th Tuesday 7:35 P.M.

Administrative Staff

Donna Becerra, Village Administrator
Roger Mabbitt, Asst. Village Administrator
J. Martin Olsen, Director of Community Development
Marie Schmidt, Village Clerk/Collector
Mike Marron, Chief of Police
Rachael Kaplan, Director of Public Services
Bill Poling, Director of Finance
Alex G. Dilan, Staff Engineer
Cecelia Sullivan, Director of Parks, Recreation & Facilities

Telephone Extensions

5331
5314
5334
5333
5430
630-260-6040
5342
5325
630-260-6060

Consultants

Engineering:

Mr. Dan Lynch
Christopher B. Burke Engineering, LTD.
9575 West Higgins Road, Suite 600
Rosemont, Illinois 60018
Telephone (847) 823-0500

Legal:

Mr. Donald J. Storino, President
Storino, Ramello, & Durkin Law Firm
9501 W. Devon
Rosemont, Illinois 60018
Telephone (847) 318-9500

CONDITIONAL USE PERMIT GENERAL INFORMATION

I) PURPOSE:

Certain uses cannot be permitted in any particular zoning district because of the character of such use and its potential impact on surrounding areas. Such uses may be allowed only under special conditions or restrictions pursuant to a Conditional Use Permit.

II) CRITERIA:

In evaluating the suitability of a proposed Conditional Use, the Plan Commission and Village Board shall examine the following characteristics of the proposed use and its individual structures or components:

1. Location and orientation
2. Lot size
3. Size of facility, including floor area, structure height, design capacity, and anticipated employment.
4. Site design and arrangement
5. Provisions affecting on and off-site pedestrian and traffic movement, vehicle storage, and the passage of emergency vehicles
6. Appearance
7. Screening or landscaping
8. On or off-site buffering from incompatible uses with open spaces or transitional uses
9. Operations factors, such as hours of use or environmental controls
10. Other characteristics of the proposed use pertinent in the judgement of the Board to an assessment of the impact of the use on the area.

Before approving a Conditional Use, the Board shall determine that on the basis of the above characteristics, or changes to the above characteristics that the Board shall require, the proposed use will be compatible with existing uses in the area, and with Permitted Uses in the zoning district, in the following ways:

1. Traffic

Any adverse impact of types or volumes of traffic flow not otherwise typical in the zoning district has been minimized.

2. Environmental Nuisance

Any adverse effects of noise, glare, odor, dust, waste disposal, blockage of light or air, or other adverse environmental effects of a type or degree not characteristic of Permitted Uses in the zoning district, have been minimized.

3. Neighborhood Character

The proposed use will fit harmoniously with the existing natural or man-made character of its surroundings, and with Permitted Uses in the zoning district. The use will not have undue deleterious effect on the environmental quality, property values, or neighborhood character already existing in the area or normally associated with Permitted Uses in the district.

4. Public Services and Facilities

The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of Permitted Uses in the district, nor generate disproportionate demand for new services or facilities, in such a way as to place undue burdens upon existing development in the area.

5. Public Safety and Health

The proposed use will not be detrimental to the safety or health of the employees, patrons, or visitors associated with the use nor of the general public in the vicinity.

6. Other Factors

The proposed use is in harmony with any other elements of compatibility pertinent in the judgement of the Board to the particular conditional use or its particular location.

The Plan Commission may recommend, and the Board may make its approval contingent upon, any modifications, conditions, or restrictions relating to any of the above characteristics of the use to minimize its adverse impact in the location proposed.

The Commission or the Board may call upon technical experts or have studies performed to determine specific development standards or conditions for any particular Conditional Use.

III) RIGHTS OF APPLICANTS AND PROPERTY OWNERS:

Applicants for Conditional Uses shall have the following rights, in addition to any others they may possess in law, at any hearing before the Plan Commission.

1. To have subpoenas issued for persons to appear at the Plan Commission hearings and for the examination of documents by the person requesting the subpoena either before or at the Plan Commission hearings in accordance with the provisions and limitations provided in State Statute.
2. To cross examine all witnesses testifying.
3. To present witnesses on their behalf.
4. Property owners who object to the Conditional Use applications may, upon request, be granted one (1) continuance for the purpose of presenting evidence to rebut testimony given by the applicant. The date of such continued hearing shall be at the discretion of the Plan Commission.

**CONDITIONAL USE PERMIT
PROCEDURE AT A GLANCE
AND
AVERAGE PROCESS TIME**

		Target Date
Optional	Informal Hearing 2nd or 4th Tuesday	_____
Start	File Application & Supporting Documents	_____
15 Days	Mail & Publish Legal Notices	_____
15 Days	Public Hearing - Plan Commission 2nd or 4th Tues.	_____
14 Days	Plan Commission C.O.W. Mtg. 2nd or 4th Tues.	_____
14 Days	Plan Commission Reg. Mtg. Recommendation	_____
9 Days	Village Board C.O.W. Mtg. 1st or 3rd Thurs.	_____
14 Days	Village Board Reg. Mtg. 1st or 3rd Thurs. First Reading of Ordinance	_____
14 Days	Village Board Reg. Mtg. 1st or 3rd Thurs. Final Approval of Ordinance	_____
95 Days	TOTAL AVERAGE PROCESSING TIME	

IMPORTANT NOTE: The schedule above provides the approximate time it will take to process your application for a Conditional Use Permit. Please recognize that many variables can affect this schedule. For example, months with five (5) Tuesdays or Thursdays, Holidays, cancelled meetings, or full agendas can slow the process down. Difficult issues or additional information, i.e. a Traffic Study may add weeks to the schedule. Upon request, the Village Board may consider waiving the first reading on the ordinance which will save time.

PROCEDURES

The Owner/Applicant must initiate the procedure by submitting the following to the Department of Community Development. All written documents must be on standard 8 1/2 X 11" letter size paper. No legal size paper will be accepted. All blue prints or other drawings must be folded separately.

I DOCUMENTS AND FEES TO BE SUBMITTED TO VILLAGE

- (1) The completed and signed application form. (Attachment I)
- (2) Evidence of applicants ownership of or interest in the subject property, and a complete disclosure of interest. (See Attachment II for additional information)
- (3) Application Filing Fee \$250.00
- (4) Application Deposit \$1000.00

All costs incurred by the Village for administrative, engineering, legal services, newspaper publication, etc. shall be applied against this deposit. Any costs incurred in excess of the \$1000.00 cash deposit shall be invoiced by the Village to the applicant who shall be responsible for payment of the invoice upon its receipt. Any remaining balance in the account after final action on the application shall be refunded.

- (5) A recent plat of survey (one year or less) and legal description prepared by a registered land surveyor of Illinois showing all the improvements thereon as it exists as of the date of application.
- (6) A typed list of surrounding property owners within 250' of the affected property according to the records of the County Treasurer or Township Assessor. Such list shall include the permanent parcel index number and the name, address and zip code of the record owner.
- (7) The zoning district classifications of the property and of all other properties within 250 feet thereof.
- (8) A site plan showing the locations of all structures, parking and loading areas, open spaces, landscaping, yards, refuse and service areas, utilities, signs, and traffic accesses and circulation ways.
- (9) Architectural renderings, and floor plans illustrating the appearance of the existing or proposed building.
- (10) A narrative statement describing the existing use of the property and evaluating
 - a. the environmental and economic effects that noise, glare, odor, vibration, traffic generation, or other characteristics of the proposed use will have on nearby properties

- b. the general compatibility of the proposed use with nearby properties
 - c. the compatibility of the proposed use with the Village Comprehensive Development Plan.
- (11) Any other information the Plan Commission may require to determine if the proposed use meets the requirements herein, i.e. traffic study.

II SIGN DISPLAY AND LEGAL NOTICES

After the Director of Community Development has determined that a complete and accurate application has been filed a date for the Public Hearing will be scheduled. All applications must be received a minimum of 30 days prior to the date of the hearing.

(1) Sign Display

The applicant shall post a sign in the front yard of the affected property, facing a public street and no further than thirty (30) feet therefrom. The sign shall plainly state the type of zoning action requested and the scheduled date, time, and location of the public hearing thereupon. The Village will provide the suggested wording for this sign.

The sign shall have length and width dimensions of at least four (4') and eight (8') feet. The sign shall be erected no less than fifteen (15) days prior to the date of the scheduled public hearing and remain continuously in place until the public hearing is concluded but no more than ten (10) days thereafter.

(2) Written Notification

The Village shall, not more than thirty (30) days or less than fifteen (15) days before the hearing, send written notice by certified mail, return receipt requested to the persons appearing on the list furnished by the applicant which notice shall contain:

- 1. the name and address of the applicant
- 2. the street address and legal description of the property affected by the application
- 3. the type of conditional use requested
- 4. the date, time, and location of the public hearing thereupon

(3) Newspaper Publication

The Village shall publish a notice of the public hearing in the newspaper of general circulation in the Village at least fifteen (15) days but no more than thirty (30) days before the scheduled date of the hearing.

III THE PUBLIC HEARING

The Public Hearing will be conducted by the Glendale Heights Plan Commission. The applicants must be prepared to make a brief presentation in support of their application. Following the presentation, the meeting will be opened for questions and comments from the Plan Commission, Village Board, Village Staff, and the general public. Thereafter the hearing will be closed and the application scheduled for further review and discussion by the Plan Commission Committee of the Whole at a near future meeting.

IV PLAN COMMISSION ACTION

Within sixty (60) days after the close of the public hearing, the Commission shall submit to the Village Board findings of fact relating to the Conditional Use Criteria herein, a recommendation for action, and any conditions or restrictions relating to the recommendation.

V VILLAGE BOARD ACTION

The Village Board shall not act upon any Conditional Use Permit application until either it has received a report thereupon from the Plan Commission or sixty (60) days have elapsed from the close of the public hearing. The Village Board shall not approve a Conditional Use Permit application unless it finds that the proposed use meets applicable Conditional Use Criteria herein.

The Board may make its approval of a Conditional Use subject to any conditions or restrictions it finds necessary to assure the use will be compatible with its vicinity. The Board may also set time limits within which such conditions or restrictions must be complied with.

VI RESUBMISSION

No application for a Conditional Use Permit that has been denied by the Village Board shall be resubmitted within one year of the date of that denial except on the grounds of new factual evidence or a change in conditions found to be valid by the Plan Commission.

VII REVOCAION OF PERMIT

A Conditional Use Permit may be revoked by the Village Board:

- a. if any conditions or restrictions are not complied with within the time limit specified on the Permit
- b. if after they are initially complied with, compliance with such conditions or restrictions is not maintained at any time
- c. if the Conditional Use is not established, or a required Building Permit is not obtained and building started, within one year of the date the Permit is issued
- d. if the Conditional Use shall cease for more than one year
- e. if prior to the issuance of any required Building Permit, the Conditional Use permittee transfers his interest in the property to another party.

VIII EXPANSION OR ALTERATION

Any expansion, enlargement, or structural alteration of a Conditional Use shall require an additional Conditional Use Permit.

APPLICATION FOR CONDITIONAL USE

ATTACHMENT I

The undersigned petitions the President and Board of Trustees of the Village of Glendale Heights, Illinois, to consider the granting of a Conditional Use Permit on property legally described in the application.

Date Filed: _____

Address of Property: _____

Legal Description: Attach Exhibit A

CONDITIONAL USE REQUEST: _____

Section No.	Description
-------------	-------------

APPLICANT

Name: _____ Telephone No. (____) _____

Address: _____ Fax No. (____) _____

Applicant's Interest: Owner _____ Lessee _____ Contract Purchaser _____

Other _____

OWNER(S)

Name: _____ Telephone No. (____) _____

Address: _____ Fax No. (____) _____

ATTORNEY'S

Name: _____ Telephone No. (____) _____

Address: _____ Fax No. (____) _____

ATTACHMENT II

PAGE 2

The Applicant and Owner agrees to pay all costs incurred by the Village for administrative, and engineering and legal services for the review of this application and all supporting plans and documents.

Applicant's Signature

Date

Owner(s) Signature

Date

This application must be signed by the Owner of the property or his duly authorized agent. **UNDER PENALTIES OF INTENTIONAL MISREPRESENTATION AND OR PERJURY**, I declare that I have examined and or made this application and it is true and correct to the best of my knowledge and belief.

ATTACHMENT II

DISCLOSURE OF INTEREST

The party signing the application shall be considered the applicant.

An applicant must be the fee owner, trustee, beneficiary, contract purchaser, lessee, or option holder of the affected property or his or her agent or nominee.

- a. If the applicant is not the fee owner of the affected property, the application shall disclose the full names, addresses, and telephone numbers of all owners.

In addition, an affidavit of the fee owner or owners shall be filed with the application stating that the applicant has authority to make the application.

- b. Applicant or Fee Owner Is Corporation

If either the applicant or the fee owner is a corporation, the application shall disclose the names and addresses of the corporation's officers, directors, registered agents, and those shareholders owning in excess of five percent of the outstanding stock or interest in the corporation.

- c. Applicant is Trustee

If the applicant is a trustee, the full name, address, telephone number, and extent of interest of each beneficiary must be disclosed in the application.

- d. Applicant is Beneficiary, Agent, or Nominee

If the applicant is a beneficiary, agent, or nominee, the application must disclose the names, addresses, and telephone numbers of those parties on whose behalf he or she is acting.

- e. Applicant is Option Holder or Contract Purchaser

If the applicant is an option holder or contract purchaser a valid (unexpired, fully executed, enforceable) non-contingent (except for zoning and financing approval) contract or option to purchase the premises for which the application is being filed shall be submitted.