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## **Special Use Information and Application Packet**

### **Introduction**

This information packet was created to assist anyone who is considering applying for special use approval. The packet presents an overview of the procedures and requirements for special use requests. It also includes all forms and information necessary to compile a complete a special use application. However, this packet does not have any statutory standing and should not be considered a substitute for the actual law, ordinances, codes, or policies of the Village of Campton Hills. At a minimum, those considering a rezoning request should consult Section 308.0 of the Campton Hills Zoning Code. See: <https://camptonhills.illinois.gov/wp-content/uploads/2023/02/Zoning-Ordinance-of-2024-approved-3-Dec-2024.pdf>. Also, any person who intends to apply for a special use should consider a meeting with Building and Zoning Department staff prior to submitting an application.

### **What is a Special Use?**

The Village of Campton Hills Zoning Ordinance establishes the zoning and land development regulations for all properties within the Village. The official zoning map divides the Village into zoning districts. Zoning districts establish the allowable uses for all properties within the district; they also regulate aspects of development such as lot size, building height, etc. Every property in the Village has a zoning designation. Within each zoning district various land uses, e.g. single-family home, are permitted as of right. That is, to establish a new single-family home on the property one would need only to submit a building permit.

It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in a particular district or districts without consideration of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Thus, the Village desires a discretionary review for their approval. This review allows the Village to determine if there are potential adverse impacts of the particular use and if those impacts can be mitigated by revising the design or attaching conditions to the approval. These uses that must undergo the discretionary review are called “special uses.”

### **Criteria for a Special Use**

The listing of a use as a special use within a zoning district does not constitute an assurance or presumption that such special use will be approved. Rather, each special use application must be evaluated on an individual basis, in relation to all applicable standards of Zoning Ordinance. Such an evaluation will determine whether approval of the special use is appropriate at the particular location and in the particular manner

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proposed. The recommendation of the Planning and Zoning Commission will be accompanied by findings to support each of the following conclusions, which the Village Board will consider in its decision:

1. The proposed special use will not endanger the public health, safety, or welfare.
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted Village land use policies.

### **Application, Review, and Approval Process**

To apply for a special use, an applicant must submit all the items listed on the attached Special Use Application Checklist to the Building and Zoning Department. The Department staff will review the application for completeness. If the application is incomplete, the applicant will be notified and no further action will be taken by the Building and Zoning Department staff until the application has been completed. If the application is complete, the department staff will schedule a public hearing before the Planning & Zoning Commission. The Planning & Zoning Commission is an advisory board appointed by the village president. Prior to the public hearing, the applicant must fulfill certain public notice requirements detailed in the attached Special Use Public Notice Requirements. Failure to complete the required public notice could result in cancellation or postponement of the public hearing.

At the conclusion of the public hearing, the Planning & Zoning Commission will make findings of fact and recommend approval or denial of the Special Use. The findings and recommendation will be forwarded to the Village Board. Additionally, Village staff will prepare an ordinance authorizing the Special Use. At a public meeting of the Village Board—usually held within one month of the conclusion of the public hearing, the Village Trustees will review the findings and recommendation of the Planning & Zoning Commission and vote to approve or deny the Special Use application.

### **Attachments:**

1. Special Use Application Form
2. Special Use Application Checklist of Required Materials
3. Special Use Filing (Application) Fees
4. Special Use Criteria
5. Public Notice Requirements
6. Applicant's Agreement with Respect to Fees and Deposits

**BUILDING AND ZONING DEPARTMENT**

40W270 LaFox Road, Suite B

Campton Hills, IL 60175

**SPECIAL USE APPLICATION****APPLICANT INFORMATION**

Applicant name:

Company:

Address:

Tel and email:

**CHECK ONE OF THE FOLLOWING:**

- ☐ Applicant is the owner of the subject property
- ☐ Applicant is the contract purchaser of the subject property
- ☐ Applicant is acting on behalf of a beneficiary of a trust
- ☐ Applicant is acting on behalf of the owner

**SUBJECT PROPERTY/PROPERTIES INFORMATION**

Address(es):

PINs:

Total area (in acres or sq ft):

Tel and email:

**DESCRIPTION OF PROPOSED SPECIAL USE**

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**OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)**

Name and address of legal and beneficial owner of property:

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Tel and email:

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**REQUIRED DOCUMENTS**

See Special Use Application Checklist for items that must accompany this application.

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**AFFIRMATION**

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject property during the period of processing of this application. I understand that as part of this application I may be required to establish an escrow account to pay for direct costs associated with the approval of this application, such as the fulfillment of public notice requirements, removal of the public notice sign, taking of minutes at the public hearing and fees for consultants hired by the Village to evaluate this application. I understand that the submitted fee is non-refundable and that any escrow amount leftover upon project completion will be refunded upon request.

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**SIGNATURE OF APPLICANT****DATE**

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## Speical Use Application Checklist of Required Materials

A complete application for a special use approval must include all of the following items. Any application that does not include all of the following items will be considered incomplete. The Zoning Officer will not schedule a public hearing before the Planning & Zoning Commission until the application is complete.

### **APPLICATION MAY BE SUBMITTED IN DIGITAL FORM.**

\_\_\_\_\_ **Application form.** In addition to digital copy, submit one original copy of the special use application form, signed by the applicant.

\_\_\_\_\_ **Application fee.** A non-refundable application, or filing, fee, payable to the Village of Campton Hills. Credit card payment option is available—contact Village staff. For amount of fee, see next page.

\_\_\_\_\_ **Reimbursement of fees agreement.** A reimbursement of fees agreement may be required based on the nature and scope of the project. See Applicant's Agreement with Respect to Fees and Deposits, included with this Rezoning Information Packet.

\_\_\_\_\_ **Proof of ownership and/or authorization.** One copy of a deed that documents the current ownership of the subject property/properties. If the applicant is the owner, this is the only documentation necessary. If the applicant is not the owner, the following are required in addition to a copy of the deed:

- If the applicant is the contract purchaser of the property, or in negotiations with the owner for purchase of the property, a statement by the owner shall stating such shall be included with the application.
- If the applicant is acting on behalf of the beneficiary of a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries must be attached. The letter must also provide the name, address and percentage of interest of each beneficiary.
- If the applicant is acting on behalf of the owner, a letter of consent from the owner must be attached.

\_\_\_\_\_ **Legal description.** A legal description of the properties or properties, including PINs.

\_\_\_\_\_ **Plat of survey.** Submit a current plat of survey. If paper copy submitted, then minimum 11x17.

\_\_\_\_\_ **Project summary.** A written overview, narrative form, briefly describing why the rezoning is being sought.

\_\_\_\_\_ **Other.** Other documents or plans that may be required by the Zoning Officer to explain or clarify the scope and nature of the proposal and its impacts on surrounding properties.

## **Filing (Application) Fees for Rezoning – Excerpt from Village Code**

### **3-3-3: ZONING AMENDMENTS AND SPECIAL USE PERMITS:**

#### **A. Generally:**

##### **1. Filing Fees:**

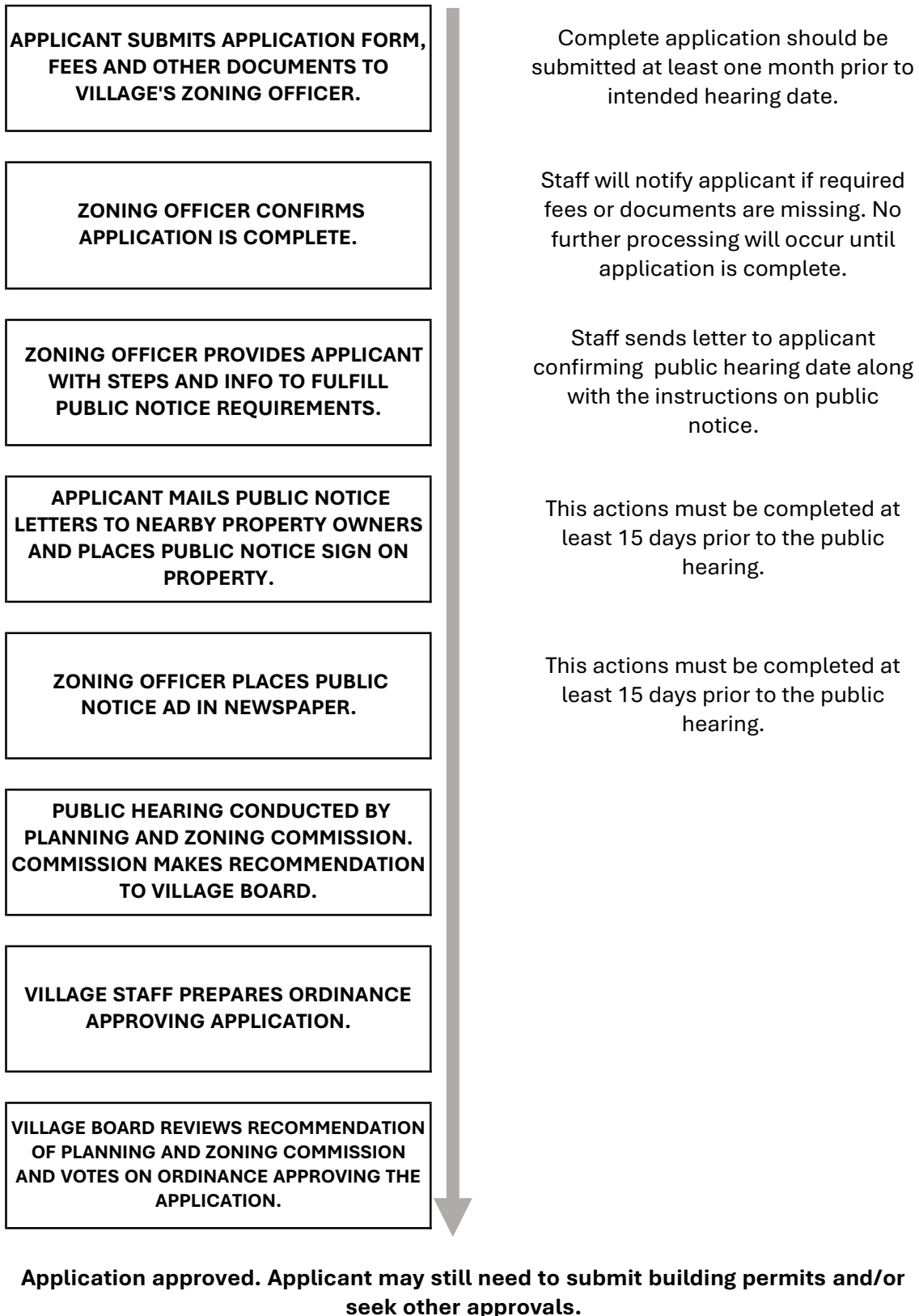
a. Residential use: Eight hundred dollars (\$800.00) for areas of less than two (2) acres; nine hundred dollars (\$900.00) for two (2) acres but less than five (5) acres; one thousand one hundred twenty five dollars (\$1,125.00) for five (5) acres but less than ten (10) acres; one thousand two hundred dollars (\$1,200.00) for ten (10) acres or more, plus fifty dollars (\$50.00) per acre or portion thereof over ten (10) acres.

b. Nonresidential use: One thousand five hundred dollars (\$1,500.00) for areas of less than two (2) acres; one thousand eight hundred dollars (\$1,800.00) for two (2) acres but less than five (5) acres; two thousand two hundred fifty dollars (\$2,250.00) for five (5) acres but less than ten (10) acres; two thousand two hundred fifty dollars (\$2,250.00) for ten (10) acres or more, plus seventy five dollars (\$75.00) per acre, or portion thereof, over ten (10) acres.

Also, each request for a variation as part of a rezoning or special use petition shall be assessed a fee of one hundred dollars (\$100.00). Said fee must accompany the application for rezoning or special use. Request for a variance on existing zoning shall require a fee of five hundred fifty dollars (\$550.00).

2. Additional Charges: Pursuant to chapter 2 of this title, the applicant shall be responsible to reimburse the Village for all expenses incurred by the Village relative to each application. (2016 Code)

## APPROVAL PROCESS - SPECIAL USE, VARIANCE, REZONING



## Public Notice Requirements

The following public notice requirements apply to zoning map amendments. See Section 3.2 of the Zoning Ordinance of 2024.

**Publication in newspaper.** the Zoning Officer will cause to be published a notice in a newspaper of general circulation within the Village. The notice must include the date, time, venue and purpose of such hearing, and the address and Parcel Identification Number (PIN) of the subject property. Notice must be published no less than fifteen (15) days and no more than thirty (30) days in advance of the scheduled hearing date.

**Written notice.** Written notice shall be mailed by the applicant no less than fifteen (15) and no more than thirty (30) days in advance of the scheduled hearing date to all property owners within two hundred and fifty (250) feet of all property lines of the subject property. The Zoning Officer shall provide the applicant with the text of the notice to be mailed and a list of property owners and their addresses to whom the notice shall be mailed. The applicant is responsible for providing mailing material and postage costs. Following completion of the mailing, the applicant shall return to the Zoning Officer a signed affidavit, as provided by the Village, indicating compliance with the mailing requirements.

**Sign notice. The applicant shall be responsible for placing a public notice sign on the subject property.** The required posting period must be no less than fifteen (15) days and no more than thirty (30) days in advance of the scheduled hearing date. The Zoning Officer shall draft the text for sign, and forward to the applicant the text and the sign guidelines as specified in Article 3 of the Zoning Ordinance. The applicant shall bear cost of sign production. The Zoning Officer or other Village staff shall verify timely placement of the sign and that the sign was installed in a proper location.



## **Applicant's Agreement with Respect to Fees and Deposits**

### **3-2-1 : FINDINGS:**

A. Certain costs are necessarily incurred by the village in processing petitions for annexation, rezoning, 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 (2013 Code § 1-17-5; amd. 2016 Code)

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. (2013 Code § 1-17-5)

### **3-2-2 : 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. (Ord. O-15-18, 10-6-2015)

### **3-2-3 : 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 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 number of subsequent deposits (the "subsequent deposits") to the trust and agency account. (2013 Code § 1-17-5; amd. 2016 Code)

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. (2013 Code § 1-17-5)

### **3-2-4 : 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. (2013 Code § 1-17-5)

### **3-2-5 : 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. (2013 Code § 1-17-5)

### **3-2-6 : COPY OF PROVISIONS TOPETITIONER:**

At the time that the amount of the 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: (2013 Code § 1-17-5)



To: Village of Campton Hills

I certify that I have received a copy of Title 3, Chapter 2 of the Village of Campton Hills Code, have read and understand the same and agree to make the deposits as provided in said Code Chapter, including the following:

Escrow deposit of \$ \_\_\_\_\_

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

Dated: \_\_\_\_\_

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

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

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

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

Petitioner's Name: \_\_\_\_\_

Petitioner's Address: \_\_\_\_\_

Petitioner's Signature: \_\_\_\_\_

Received

Date: \_\_\_\_\_

By: \_\_\_\_\_

Case #: \_\_\_\_\_