

## **REZONING AND SPECIAL USE PERMIT APPLICATION**

**A. The following steps are required for all Rezoning and/or Special Use Permit applications:**

1. The applicant meets with the Assistant City Manager, Director of Engineering, and Director of Planning & Economic Development to discuss the proposal.
2. The applicant is advised to obtain copies and closely review the following items:
  - (a) City of Wheaton Stormwater Management Ordinance. (\$10.00 from the Engineering Department);
  - (b) Subdivision Control Regulations (Chapter 62). (\$10.00 from the Engineering Department);
  - (c) A Zoning Ordinance (\$15.00) and map (\$5.00) from City Hall;
  - (d) The DuPage County Countywide Stormwater Management and Floodplain Ordinance (from DuPage County);
  - (e) Wheaton Comprehensive Plan (\$30 from City Hall).

Above documentation can be reviewed on the City's web page at [www.wheaton.il.us](http://www.wheaton.il.us).

3. The applicant files a **complete** application packet with the Director of Planning & Economic Development, pursuant to requirements in **Section B**.
4. After City Staff verifies all information is submitted according to City Codes and Policies, a Public Hearing is scheduled before the Planning and Zoning Board (PZB) for review and a recommendation.
5. The Director of Planning & Economic Development and Director of Engineering prepare a report regarding the application to the PZB offering background information and a recommendation. The applicant will receive copies of the Staff Report. If during preparation of the report City Staff determines the proposal does not comply with the City's Stormwater Management Ordinance and pertinent regulations of the Zoning Ordinance, Staff reserves the right to remove the application from any scheduled agenda.
6. The PZB holds Public Hearings on the second and fourth Tuesday of each month at 7:00 p.m. in the City Council Chambers. The applicant's attendance is mandatory. The applicant must present testimony regarding the proposal and the public is allowed to comment. The applicant is responsible to present sufficient evidence to support the application. **Please see attached Standards Applicable to Special Use Permits.**

7. The City Council receives the PZB Report and Recommendation at a regular Council meeting. The Council regularly meets on the first and third Monday of every month at 7:00 p.m. Depending upon the number of other pending applications, your Application will not necessarily be forwarded to the first City Council meeting after the PZB recommendation.
8. The applicant must attend the City Council meeting to respond to Council questions. The City Council will then usually direct the City Attorney to prepare an appropriate Draft Ordinance. If you submit information to the Council substantially different than reviewed by the PZB, the Council reserves the right to send the application back to the PZB for further review. At this point, the Council may deny any Application via a motion and vote.
9. At its next meeting, the City Council takes action on the Draft Ordinance. If the Ordinance is approved, the City has the Ordinance recorded at the County Recorder of Deeds Office.
10. After the Ordinance is effective and all fees are paid, the applicant may apply for the necessary Site Development and Building Permits.

The outlined procedures are for Rezoning and Special Use Permit Applications only. If the application is filed with another request, such as a Subdivision or Annexation, the process is slightly altered. However, this and other applications proceed concurrently.

#### **B. APPLICATION REQUIREMENTS**

A complete application must be filed at least 30 days prior to review by the PZB. Submittal of a complete application does not necessarily mean the item will appear on the next agenda, depending upon availability of agenda time.

**Do not submit any portion of an application until you have a complete application, which consists of the following:**

<u>GENERAL APPLICATION REQUIREMENTS CHECKLIST</u>	<u>Yes</u>	<u>No</u>
1. The application form, filled out in its entirety by the applicant. (Attached)	—	—
2. Proof of ownership (title insurance or policy) of the property and signature of the property owner if different from the applicant.	—	—
3. Five hundred dollars \$500.00 - (Ord F-1395 12/1/2008) application fee. <b>(Prior to final Council action, applicant is billed for placement of notification sign(s) on property (\$40), legal notice publication, and the Court Reporter fee. After Council action, applicant is billed for recording the Ordinance with the County.)</b>	—	—
4. List of neighboring property owners within a 250-foot radius of property, excluding public right-of-ways and alleys. Information can be obtained from the County Assessor's Office, 421 N. County Farm Road, Wheaton, Illinois.	—	—
<b><u>List must be typed or written legibly onto stick-on mailing labels.</u></b>		
5. A Sworn affidavit, signifying accuracy of list of adjacent property owners (attached).	—	—
6. If you have not previously built in Wheaton, provide a list of projects built in other communities.	—	—
7. Narrative statement describing the proposal and addressing the Special Use standards as contained in Article 5.10.D of the Zoning Ordinance.	—	—
<u>DOCUMENT SUBMISSIONS CHECKLIST</u>		
1. Three (3) copies of a current Plat of Survey made by a registered Illinois Professional Land Surveyor, including all existing structures located on the property.	—	—
2. Fifteen (15) copies of the Site Plan, <b>folded</b> to a size no larger than 11 x 17 inches. (With title, date prepared, and by whom).	—	—
3. Fifteen (15) copies of a Landscape Plan, <b>folded</b> to a size no larger than 11 x 17 inches. (With title, date prepared, and by whom).	—	—
4. Fifteen (15) sets of the Preliminary Engineering Plan, conforming to the City's Stormwater Management Ordinance and Subdivision Control Regulations <b>folded</b> to a size no larger than 11 x 17 inches.	—	—
5. Fifteen (15) copies of the Plat of Annexation, (if applicable).	—	—

	<u>Yes</u>	<u>No</u>
6. One (1) copy each of the Site Plan, Preliminary Engineering, and Plat of Annexation reduced to 8½ x 11 inches.	—	—
7. Five (5) sets of Preliminary Floor Plans, <u>folded</u> to a size no larger than 11 x 17 inches.	—	—
8. Fifteen (15) sets of Exterior Elevations, <u>folded</u> to a size no larger than 11 x 17 inches.	—	—
9. A Signage Plan for the proposal, including all on-site directional signage.	—	—
10. For residential projects of 10 units or more, or for any non-residential project of over 10,000 square feet, applicant must coordinate the proposal with PACE, the Suburban Bus Service. Has written confirmation of this coordination been received? Please contact PACE, 505 West Algonquin Road, Arlington Heights, Illinois, 60005, (847) 364-PACE.	—	—
11. If the proposal demolishes any building(s), have you submitted a Building Demolition Permit Application? (Available from Building Dept.)	—	—
12. State Law requires submittal of a "Natural Resource and Inventory Application" to the Kane/DuPage Soil and Water Conservation District (see attached). Does not take the place of the required engineering soils report.	—	—
13. If the proposal includes multiple lots or parcels of land, has a Plat of Consolidation conforming to the City's Subdivision Control Regulations been filed?	—	—
14. State Law requires submittal of an " <a href="https://dnr.illinois.gov/programs/ecocat.html">Illinois Department of Natural Resources Application</a> - ( <a href="https://dnr.illinois.gov/programs/ecocat.html">https://dnr.illinois.gov/programs/ecocat.html</a> )" to the Illinois Department of Natural Resources.	—	—
15. Three (3) copies of a Stormwater Management Report meeting the requirements of the City's Stormwater Management Ordinance and the Countywide Stormwater Management Ordinance.	—	—
16. Three (3) copies of stormwater detention and storm sewer calculations.	—	—
17. Five (5) copies of a soil report for the subject property.	—	—
18. Six (6) copies of a Traffic Report as required by the Director of Engineering and Director of Planning & Economic Development during pre-development review.	—	—
19. If the project has access to or is adjacent to a State or County highway, has written approval been obtained from the appropriate authority?	—	—

	<u>Yes</u>	<u>No</u>
20. Three (3) copies of the engineer's estimate for the subject improvement.	—	—
21. Three (3) copies of the specifications for the subject improvement.	—	—

**An application will not be accepted and processed until all the applicable items required above have been submitted with the application.**

Staff reserves the right to withdraw a petition from an agenda if the engineering plans do not conform to the City's Stormwater Management Ordinance and Subdivision Control Regulations. In addition, all plans submitted for the Application must have a title, a preparer's name, preparation date, revision date, and be fully dimensioned. All submitted revised plans must be folded.

Depending upon the various meeting schedules and staff workloads, this process generally will be completed within 90 days to 120 days of the date the applicant submits the completed application.

Any questions pertaining to the City's Rezoning and Special Use Permit application procedures should be directed to the Director of Planning & Economic Development at (630) 260-2080.

**The applicant must complete, sign, and submit this checklist with the full submittal.**

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Applicant's Signature

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Date

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Name of Development

## **Standards Applicable to Special Use Permits**

The various permitted uses listed in the zoning district requirements are compatible with other permitted uses within the district. The various uses for which a special use permit is required, however, may or may not be compatible with adjacent uses, depending upon their location relative to other uses, the capacity of adjacent streets, the characteristics of the proposed use, and other factors. The purpose of the special use permit procedure is to ensure that all granted special uses comply with the purposes and intent of this Zoning Ordinance.

A special use permit shall not be granted unless the proposed use complies with the following standards:

1. The establishment, maintenance, or operation of the special use shall not be detrimental to the public health, safety, morals, comfort, convenience, and general welfare;
2. The special use shall not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish property values within the neighborhood;
3. The establishment of a special use shall not impede the normal and orderly development and improvement of the surrounding property for uses already permitted;
4. Adequate utilities, access ways, drainage, and other necessary facilities shall be provided;
5. Adequate measures shall be taken to provide ingress and egress designed to minimize traffic congestion in the public streets;
6. The special use shall comply with the objectives of the Wheaton Comprehensive Plan; and
7. The special use shall conform to the applicable requirements of the district in which it is located, as well as any other applicable requirements of this ordinance, except as may be varied by the Board or City Council.

**REZONING/SPECIAL USE APPLICATION**

The undersigned petitions the City Council of the City of Wheaton, Illinois to consider a zoning amendment and/or special use permit, as stated herein, for the following parcel(s) of land:

A. Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Present Zoning \_\_\_\_\_ Requested Zoning \_\_\_\_\_

Is a Special Use Permit Being Requested? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

Present Use \_\_\_\_\_

Intended Use \_\_\_\_\_

Date to Begin Construction or New Use \_\_\_\_\_

B. Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

Nature of Petitioner's Interest in Parcel and Relationship to Owner \_\_\_\_\_  
\_\_\_\_\_

Name of Owner(s)\* \_\_\_\_\_

Address \_\_\_\_\_

C. Experts (Architects, Planner, Attorney, etc.) \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

\*Please note that the applicant is required to disclose the identity of every owner and beneficiary of any land trust.

The applicant hereby agrees and consents to pay the City of Wheaton all costs incurred from the court reporter, who will make a transcript of the public hearing, placement of zoning notification sign(s), and legal notice publication(s). The applicant further certifies that:

1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge;
2. Affirms that no City of Wheaton elected official, appointed official, or employee has a proprietary interest in the above-referenced property for which this application is being filed (except as stated below);
3. None of the above-referenced individuals has been promised or given any contract for any consultation, planning, or construction in relation to this project (except as stated below); and 4) Applicant has read and understands all information in this packet.

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Signature of Applicant

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Signature of Owner of Property, if different

Exceptions:

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Date Received \_\_\_\_\_ Fee Paid \_\_\_\_\_ Application # \_\_\_\_\_

**AFFIDAVIT**

STATE OF ILLINOIS    )  
                          ) SS  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, being first duly sworn, do hereby state under oath that to the best of my knowledge the attached list is a true, correct, and complete list of all permanent parcel numbers, and names and addresses of owners, of all lots and parts of lots located within 250 feet (exclusively of any public streets and alleys) of the property legally described on the attached application for rezoning, special use permit, planned unit development, variation, or other zoning amendment. I further state that said list was obtained from the current tax rolls of the DuPage County Treasurer's Office, on \_\_\_\_\_, 20\_\_\_\_.

X \_\_\_\_\_

Subscribed and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

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Notary Public

# Natural Resources Inventory (NRI) Application

**Petitioner:** \_\_\_\_\_  
 Contact person: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Email: \_\_\_\_\_

Please select: How would you like to receive a copy of the NRI Report? Email  Mail

## Site Location

Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Township(s) \_\_\_\_\_ N Range(s) \_\_\_\_\_ E Section(s) \_\_\_\_\_  
 Parcel Index Number(s): \_\_\_\_\_

## Type of Request

Change in Zoning from \_\_\_\_\_ to \_\_\_\_\_  
 Subdivision or Planned Unit Development (PUD)  
 Variance (Please describe fully on a separate sheet)  
 Special Use Permit (Please describe on separate sheet)

## Site Information

Project or Subdivision Name: \_\_\_\_\_ Total Acres: \_\_\_\_\_  
 Current Use of Site: \_\_\_\_\_ Proposed Use: \_\_\_\_\_  
 Surrounding Land Use: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

## Proposed Improvements (Check all that apply)

Dwellings with Basements  Parking Lots  Commercial Buildings  Common Open Space  
 Dwellings without Basements  Roads and Streets  Utility Structures  Other \_\_\_\_\_

## Stormwater Treatment

Drainage Ditches or Swales  Dry Detention Basins  No Detention Facilities Proposed  
 Storm Sewers  Wet Detention Basins  Other \_\_\_\_\_

## Water Supply

Individual Wells  
 Community Water

## Wastewater Treatment

Septic System  
 Sewers  Other \_\_\_\_\_

## Required: Include One Copy of Each of the Following (Processing will not begin until all items are received)

Application (completed and signed)  
 Fee (according to fee schedule on back)  
 Make Checks payable to Kane-DuPage Soil and Water Conservation District  
 Plat of Survey showing legal description, legal measurements  
 Site Plan/Drawings showing lots, storm water detention areas, open areas, streets etc.  
 Project Narrative with additional details on the proposed use, including total area of ground disturbance  
 Location Map (if not on maps above) include distances from major roadways or tax parcel numbers

## If Available- Not Required:

Any applicable surveys including wetland delination, detailed soil survey, topographic survey etc.

I (we) understand the filing of this application allows the authorized representative of the Kane-DuPage Soil and Water Conservation District to visit and conduct an evaluation of the site.

**Petitioner or Authorized Agent** \_\_\_\_\_ **Date** \_\_\_\_\_

## FOR OFFICE USE ONLY

NRI # \_\_\_\_\_ Natural Resource Review Letter \_\_\_\_\_ Date Initially rec'd \_\_\_\_\_ Date all rec'd \_\_\_\_\_

Date Due \_\_\_\_\_ Fee Due \$ \_\_\_\_\_ Refund Due \_\_\_\_\_ Check # \_\_\_\_\_

The report will be issued on a nondiscriminatory basis without regard to race, color, religion, sex, age, marital status, handicap, or national origin.

Effective January 01, 2024

## Natural Resources Inventory (NRI) Fees

### FEE AMOUNTS FOR TOTAL ACRES OF PARCEL\*: Effective January 01, 2024

**¼ acre or less= \$100**

**¼ acre-5 acres or fraction thereof= \$475.00**

**6 acres or fraction thereof = \$500.00**

**ADD \$20 for each additional acre or fraction thereof OVER 6**

\*\*\*Please contact KDSWCD for non-contiguous parcels\*\*\*

**MAKE CHECKS PAYABLE TO:** Kane DuPage Soil and Water Conservation District

Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee
1	475	21	800	41	1200	61	1600	81	2000	101	2400	121	2800	141	3200	161	3600	181	4000
2	475	22	820	42	1220	62	1620	82	2020	102	2420	122	2820	142	3220	162	3620	182	4020
3	475	23	840	43	1240	63	1640	83	2040	103	2440	123	2840	143	3240	163	3640	183	4040
4	475	24	860	44	1260	64	1660	84	2060	104	2460	124	2860	144	3260	164	3660	184	4060
5	475	25	880	45	1280	65	1680	85	2080	105	2480	125	2880	145	3280	165	3680	185	4080
6	500	26	900	46	1300	66	1700	86	2100	106	2500	126	2900	146	3300	166	3700	186	4100
7	520	27	920	47	1320	67	1720	87	2120	107	2520	127	2920	147	3320	167	3720	187	4120
8	540	28	940	48	1340	68	1740	88	2140	108	2540	128	2940	148	3340	168	3740	188	4140
9	560	29	960	49	1360	69	1760	89	2160	109	2560	129	2960	149	3360	169	3760	189	4160
10	580	30	980	50	1380	70	1780	90	2180	110	2580	130	2980	150	3380	170	3780	190	4180
11	600	31	1000	51	1400	71	1800	91	2200	111	2600	131	3000	151	3400	171	3800	191	4200
12	620	32	1020	52	1420	72	1820	92	2220	112	2620	132	3020	152	3420	172	3820	192	4220
13	640	33	1040	53	1440	73	1840	93	2240	113	2640	133	3040	153	3440	173	3840	193	4240
14	660	34	1060	54	1460	74	1860	94	2260	114	2660	134	3060	154	3460	174	3860	194	4260
15	680	35	1080	55	1480	75	1880	95	2280	115	2680	135	3080	155	3480	175	3880	195	4280
16	700	36	1100	56	1500	76	1900	96	2300	116	2700	136	3100	156	3500	176	3900	196	4300
17	720	37	1120	57	1520	77	1920	97	2320	117	2720	137	3120	157	3520	177	3920	197	4320
18	740	38	1140	58	1540	78	1940	98	2340	118	2740	138	3140	158	3540	178	3940	198	4340
19	760	39	1160	59	1560	79	1960	99	2360	119	2760	139	3160	159	3560	179	3960	199	4360
20	780	40	1180	60	1580	80	1980	100	2380	120	2780	140	3180	160	3580	180	3980	200	4380

For the convenience of those who must comply with the provisions of the Illinois Soil and Water Conservation District Act, Section 22.02a (Illinois Complied Statutes, Chapter 70, Paragraph 405, Section 22.02a), enacted December 3, 1971, effective July 1, 1972, we quote this section:

"The Soil and Water Conservation District shall make all-natural resource information available to the appropriate county agency or municipality in the promulgation of zoning ordinances or variances. Any person who petitions any municipality or county agency in the district for variation, amendment, or other relief from that municipality's or county's zoning ordinance or who proposes to subdivide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the Soil and Water Conservation District. The Soil and Water Conservation District shall be given not more than 30 days from the time of receipt of the petition or proposal to issue its written opinion concerning the petition or proposal and submit the same to the appropriate county agency or municipality for further action."

**\*Fees may be adjusted based on size of disturbance and adjacent natural resources which may be impacted.**