



FORM AND INSTRUCTIONS TO THE PETITIONER

Special Use Permit

You may seek a special use permit from the City of Highwood, as amended. These instructions are provided as a courtesy by the City of Highwood. They are not a substitute for your own legal research or legal counsel. Copies of the Zoning Code are available for inspection online and/or purchase at Highwood City Hall.

The City may require that any requests for zoning changes be accompanied by an application to the Lake County Soil and Water Conservation District. If that is the case, that District requires at least a thirty (30) day advance notification. Generally, Lake County Soil and Water Conservation District approval will be required only when it appears that the variation proposed has substantial changes to topography and the like.

Special Use Permits are controlled by Section 9.0 of the Highwood Zoning Code. They are heard by the Planning and Zoning Commission. Your petition must disclose the following items:

- 1) The name of the Petitioner;
- 2) The fee holder (holder of the title of the property); if the two are not one in the same, you must disclose how the Petitioner is legally authorized to present the variation petition, and the fee holder must consent in writing to the petition;
- 3) The full legal description of the property, common address and parcel identification number. You should submit a copy of a Deed, Title Policy or Plat-of-Survey containing the legal description. If you are a tenant, you must submit an executed copy of your lease agreement;
- 4) You must describe in detail the scope of work and the zoning variation or special use sought. If the variation includes an encroachment, state the extent of the encroachment. Specify the provisions of the Zoning Code from which you are seeking a variation and include such site plans, sketches, diagrams, engineering studies or other relevant materials which help to explain the variation and why you qualify for a variation pursuant to Section 9.7 of the Zoning Code;
- 5) An **application fee** in the sum of \$600.00 (3 or less units) or **\$900.00** (4 or more units and Commercial) payable to the City of Highwood must be enclosed.
- 6) Additionally, the City Manager's Office required the application to provide an **escrow in the amount of \$2,500**. The escrow covers the cost of publication, attorney-fees, consultant fees, court reporting services and any other fees incurred as a result of your petition;
- 7) It is your responsibility to explain in detail in your petition (be prepared to present competent evidence to the Planning and Zoning Commission) why you qualify for the zoning variation or special use, see standards on application form.

ALL REQUESTS FOR A ZONING VARIATION MUST BE SUBMITTED TO THE BUILDING/ZONING OFFICIAL AT LEAST TEN (10) DAYS PRIOR TO THE NEXT SCHEDULED CITY COUNCIL MEETING. During that ten (10) day period the application will be reviewed by the Mayor, Building Official and Zoning Administrator for completeness. If the application is determined to be complete, generally speaking, that application will be referred to the Planning and Zoning Commission at the next City Council meeting. The Planning and Zoning Commission will hold and schedule a public hearing as required to review your petition.

Your attendance at the public hearing is required. You will be required to present your petition. It is your responsibility to be familiar with the Zoning Code and request any relief you deem appropriate and to be forthcoming with any facts or circumstances which may be important for a review of your petition. **THEREFORE, IF THERE ARE ANY DATES AT WHICH YOU CANNOT ATTEND THE HEARING, THE SAME SHOULD BE NOTED IN YOUR PETITION.**

After the hearing the Planning and Zoning Commission will make its recommendations and the Chairman will forward a written recommendation to the City Council. The City Council may then approve or deny the recommendation. Generally speaking, this will occur at the next meeting of the City Council following the Planning and Zoning Commission hearing.

If the variation is approved, an ordinance is drafted and voted upon at the next City Council meeting. Assuming the variation is granted, you must make your submission to the Building and Zoning Official for plan review and issuance of the appropriate permits.

PLEASE NOTE THAT THE CITY MAY IMPOSE A REQUIREMENT THAT YOU, AS THE PETITIONER AND/OR THE OWNER, PAY ALL COSTS (STAFF, LEGAL, ENGINEERING, PLANNING, ETC.) THAT ARE INCURRED BY THE CITY AS A RESULT OF YOUR PETITION, OR THE DEVELOPMENT PROCESS.

Depending on various schedules, the length of the hearings, the process may take six (6) to twelve (12) weeks with an additional two (2) to four (4) weeks to obtain a building permit. Please plan accordingly.

CITY OF HIGHWOOD PETITION FOR SPECIAL USE PERMIT

GENERAL INSTRUCTIONS

- 1) Please type or print legibly;
- 2) If more room is required for any answer, attach an Exhibit;
- 3) **Include twelve (12) copies of all "required documents." Required documents include: a lease (if you are a tenant), a deed or title policy, a site plan, a current plat-of-survey and plans showing elevation(s) and/or floor plan;**
- 4) Include a check payable to the City of Highwood in the sum of \$600.00 (3 or less units) or \$900.00 (4 or more units and any commercial use) being the application fee;
- 5) If applicable, include a copy of the Lake County Soil and Water Conservation District application. Please indicate the date of filing of said application.
- 6) Please note any dates on which you cannot attend a Planning and Zoning Commission meeting, as your attendance is required to present the petition. Note: these are traditionally scheduled weekday evenings at the Highwood City Hall, 17 Highwood Avenue, Highwood, Illinois, 60040.

CITY OF HIGHWOOD APPLICATION FOR SPECIAL USE PERMIT

1. **COMMON ADDRESS OF SUBJECT PROPERTY:** Common address of the property which is the subject of this application (“the subject property”):

2. **NAME AND ADDRESS OF THE PETITIONER:** Please provide the name of the applicant and state the interest of the applicant in the aforesaid property. Also please state when this interest was acquired.

Company Name:	
d/b/a	
Name:	
Address:	
Phone(s):	
Email (required):	
Interest in Property:	Date Interest Acquired:

CONTACTS			
Attorney:	Civil Engineer:	Septic Engineer:	Landscape/Trees:
Phone:	Phone:	Phone:	Phone:
Email:	Email:	Email:	Email:
Others:			

3. **STATEMENT OF OWNERSHIP:** Please provide the legal name(s) of the owner(s) and state how long they have owned the subject property:

Name(s):		Name(s):	
Address:		Address:	
Phone(s):		Phone(s):	
Fax:		Fax:	
Email:		Email:	
Date Interest Acquired:		Date Interest Acquired:	

4. **LEGAL DESCRIPTION:** State the legal description and P.I.N. number of the subject property, attach if necessary:

5. **EVIDENCE OF OWNERSHIP:** Attach a copy of your deed, title policy, or a copy of your contract to purchase for the subject property.

6. **INTENDED USE:** A special use is requested pursuant to City of Highwood Zoning Ordinance, section(s) _____ to permit the following intended use to be made of the subject property:

7. **CURRENT ZONING DISTRICT AND USE(S):** Describe in detail the current use(s) of the property (for example, single-family, duplex, multi-family, type(s) of business use). As applicable, describe the number of residential units, layout of the property, layout of each unit, size (square footage), and occupancy of the units of same and/or whether the property is used for residential or business purposes, also, provide a parking plan, number of parking spaces and vehicles used by occupants of the property:

8. **PROPOSED DEVELOPMENT AND USE:** State in detail the proposed use(s) and scope of work:

9. **STANDARDS FOR REVIEW OF A SPECIAL USE:** the following provisions shall be carefully considered and satisfied. The Petitioner should state whether or not each of the following standards has been or will be met and describe in detail the evidence which supports each such finding:

A. **Essential Character:** The special use, if granted, will not alter the essential character of the City.

B. **Unique Conditions:** The conditions upon which the request for a special use is based are unique to the property for which the special use is sought and are not applicable generally to other property.

C. **Purpose:** The purpose of the special use is not based exclusively or primarily upon a desire to make more money from the property.

D. **Adjacent Property:** The special use, if granted, will not be a substantial detriment to adjacent property.

E. **Public Health and Safety:** The granting of the special use will not be detrimental to the public health, safety, and general welfare or injurious to other property or improvements in the neighborhood in which the property is located.

9. **SUBMITTALS:** Attach twelve (12) copies of the plat of survey, site, building, façade, or other plans indicating the location of the intended use and/or other existing and proposed structures. Provide any additional materials that would assist the City in reviewing this petition: i.e. letters, photos, etc.

I, the undersigned being duly sworn on oath depose and state that I have read the above and foregoing petition by me subscribed, that the same is true in substance and in fact. Further, I am the owner of the property for which a variation is sought, or I am otherwise authorized to present this petition.

SIGNATURE OF PETITIONER

Signature of Petitioner

Date

SIGNATURE OF PROPERTY OWNER

I, the undersigned being duly sworn on oath depose and state that I have read the above and foregoing petition. Further, I am the owner of the property for which a variation is sought and consent to the hearing of this petition. I acknowledge that the costs of zoning proceedings may be assessed to the petitioner and/or property owner.

Signature of Petitioner

Date