

**CITY OF ST. CHARLES**  
 TWO EAST MAIN STREET  
 ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

**ZONING MAP AMENDMENT APPLICATION**

*Received Date*

<b>CITYVIEW</b>	
Project Name:	_____
Project Number:	_____ -PR- _____
Application Number:	_____ -AP- _____

*Instructions:*

*To request a zoning map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Planning Division.*

*City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a Plan Commission public hearing or meeting date.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*

<b>1. Property Information:</b>	Parcel Number (s):	
	Street Address (or common location if no address is assigned):	
<b>2. Applicant Information:</b>	Name	Phone
	Address	Fax
		Email
<b>3. Record Owner Information:</b>	Name	Phone
	Address	Fax
		Email
<b>4. Billing:</b> <i>To whom should costs for this application be billed?</i>	Name	Phone
	Address	Fax
		Email

**Zoning and Use Information:**

Comprehensive Plan Land Use Designation of the property: \_\_\_\_\_

Current zoning of the property: \_\_\_\_\_

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

Current use of the property: \_\_\_\_\_

Proposed zoning of the property: \_\_\_\_\_

Proposed use of the property: \_\_\_\_\_

If the proposed Map Amendment is approved, what improvements or construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements)

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***Attachment Checklist***

- APPLICATION:** Completed application form signed by the applicant.
- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- 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.
- PROOF OF OWNERSHIP and DISCLOSURE:**
  - a) A current title policy report; or
  - b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

- LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper

**PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

**SITE PLAN:**

Simple site plan drawn to scale to demonstrate that the property can meet the requirements of the proposed zoning district (parking requirements, setbacks, landscaping, etc.)

**SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

□ **ENDANGERED SPECIES REPORT:**

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnrecocat.state.il.us/ecopublic/>

**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.**

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Record Owner Date

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Applicant or Authorized Agent Date

# FINDINGS OF FACT SHEET – 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

\_\_\_\_\_   
Date

### From the 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)*

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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.)*

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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?)*

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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.)*

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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.)*

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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.)*

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7. The consistency of the proposed amendment with the City's Comprehensive Plan.

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8. Whether the proposed amendment corrects an error or omission in the Zoning Map.

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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.)*

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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.)*

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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.





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DEPARTMENT: COMMUNITY DEVELOPMENT/PLANNING      PHONE: (630) 377-4443      FAX: (630) 377-4062

**SCHEDULE OF APPLICATION FEES**

**DEVELOPMENTS WITHIN CORPORATE LIMITS**

Type of Application	Application Fee
Appeals	\$150
Design Review	\$200
Variations	\$300
General (Text) Amendment	\$500
Zoning Map Amendments	\$500
Special Use and Amendment to Special Use	\$750
Annexation of Property	\$500
Annexation Agreement	\$500
PUD Concept Plan	none
Special Use as a Planned Unit Development (PUD)	\$1000
PUD Preliminary Plan (with or without Sketch Plan)	\$500
PUD Final Plans	\$500
Minor Change to PUD	\$200
Preliminary Plan of subdivision/resubdivision (Not a PUD)	\$500
Preliminary Plan of subdivision/resubdivision (of a parcel less than 3 acres) (Not a PUD)	\$300
Subdivision Final Engineering Plan	\$300
Final Plat (Subdivision or PUD)	\$300

**DEVELOPMENTS OUTSIDE CORPORATE LIMITS (WITHIN 1 ½ MILE JURISDICTION)**

Concept plan	No fee
preliminary plan of subdivision, 5 or more lots, with new public road construction	\$300
preliminary plan of subdivision, 1 to 4 lots, with new public road construction	\$200
preliminary plan of subdivision or resubdivision, 1 to 4 lots, no new public road construction	No fee
final plat	\$300

**PLEASE MAKE CHECKS PAYABLE TO THE CITY OF ST. CHARLES**

**CITY OF ST. CHARLES**  
**REIMBURSEMENT OF FEES AGREEMENT**

City of St. Charles Acct. # \_\_\_\_\_

**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	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

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: \_\_\_\_\_