

DEVELOPMENT APPLICATION

VILLAGE OF ALGONQUIN PLANNING AND ZONING PROCEDURE

Revised: August 5, 2014
August 7, 2017

VILLAGE OF ALGONQUIN DEVELOPMENT APPLICATION

The attached Application and Information relates to the following development requests:

- ANNEXATIONS
- AMENDMENTS TO THE ZONING ORDINANCE
- APPEALS
- SPECIAL USE PERMITS
- VARIATIONS
- PRELIMINARY OR FINAL PLATS OF SUBDIVISION
- PRELIMINARY OR FINAL PLANNED UNIT DEVELOPMENTS (PUD's)

This packet contains the following:

1. CHECKLIST OF REQUIRED SUBMITTALS
2. DEVELOPMENT REVIEW PROCEDURES
3. SAMPLE LEGAL NOTICE
4. APPLICATION
5. W-9 FORM
6. REIMBURSEMENT OF FEES AGREEMENT
7. LAND USE OPINION APPLICATION

There may also be a supplemental information packet for some of the above actions. Please be sure to check if you need a supplemental packet for your request.

WHEN PREPARING PLANS REFER TO THE FOLLOWING DEVELOPMENT RELATED ORDINANCES FOR REGULATIONS (Available for download at www.algonquin.org under Municipal Code):

Zoning Ordinance	Building Codes	Sign Code
Subdivision Ordinance	Landscape Code	Stormwater Ordinance
Site Plan and Development Review		

MEETING/PUBLIC HEARING DATES ARE DETERMINED BY THE ADMINISTRATIVE STAFF.
A request cannot be scheduled until the application is complete and any necessary revisions have been made.
After the review and revision process fees are paid, the request will be scheduled for the next available Planning and Zoning Commission agenda. The Petitioner will be notified of the meeting date(s).

PETITIONER'S CHECKLIST - Required Application Material

One copy of each of the following is required, unless otherwise specified. However, it is recommended that one set of this material be submitted to the Community Development Department to be reviewed for completeness before submitting the full number of required copies for departmental review.

PLEASE - NO ROLLED PLAN SETS. All large plans over 8 ½" x 11" must be folded.

- Application Form (original signatures required)
- Review Fee - *See Fee Schedule* (Separate checks are required for review fee and escrow fee.)
- Escrow Fee - *See Fee Schedule* A COMPLETED W-9 FORM MUST ACCOMPANY ALL ESCROW FEE CHECKS.
- Reimbursement of Fees Agreement (original signatures required)
- Ownership Information (title insurance, warranty deed, etc. - if the applicant is not the owner of the property, the owner must also sign the application or written acknowledgment of the application by the owner must be submitted)
- List All Adjacent Property Owners (excluding rights-of-way) (List tax number, name, and street address)
- Annexation Plat and Petition (if applicable, see staff for further information)
- Preliminary or Final Plat of Subdivision (if applicable - ___ copies)
- Project Drawings: (full size paper plans and one pdf)
 - A. Preliminary or Final Site Plan, (___ copies), including
 1. Project data, (i.e., building area, land area, Floor Area Rates [FAR], coverage, parking calculations, etc.); and
 2. All site improvements, (i.e. sign location, sidewalks, trash enclosure, loading dock, fire lane, area lighting, parking, drainage easements, mailbox locations, etc).
 - B. Preliminary or Final Engineering (___ copies) include property in question map (showing surrounding area), stormwater calculations.
 - C. Floor Plans (___ copies)
 - D. Building Elevations (___ copies) (include all four elevations, a color rendering, and material samples)
 - E. Landscape Plan (___ copies), (indicating species, plant location, quantity, size, spacing, and easement/utility locations). A colored board will be required for the meetings.
 - F. Sign Elevations (___ copies) (include dimensions, locations, and a color rendering)

The following are required if it relates to the scope of the project (*verify with Staff*):

- | | |
|--|--|
| <input type="checkbox"/> Traffic Study (___ copies) | <input type="checkbox"/> Ecological Compliance (EcoCAT) |
| <input type="checkbox"/> Fiscal Impact & School Demographic Study (___ copies) | <input type="checkbox"/> Erosion Control Plans |
| <input type="checkbox"/> Photometric Plan (___ copies) | <input type="checkbox"/> Environmental Assessment |
| <input type="checkbox"/> Soils Report | <input type="checkbox"/> Protective Covenants |
| <input type="checkbox"/> Land Use Opinion Application (Kane County Only) | <input type="checkbox"/> Tree Preservation Plan (___ copies) |
| <input type="checkbox"/> Business Plan | |

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

NOTIFICATION REQUIREMENT

A public hearing is not required for Final Planned Unit Developments or Preliminary/Final Plats of Subdivision. Therefore, the following notification requirements do not apply to these requests. All other requests require a public hearing, and the following notification requirements must be followed, in accordance with State law.

LEGAL NOTICE

The petitioner is required to have a legal notice published in the Northwest Herald, not more than thirty (30) nor less than fifteen (15) days prior to the Planning and Zoning Commission public hearing date (do not count the date of the hearing). The notice should be submitted to the Community Development Department for approval prior to submitting the notice to the newspaper. The notice must be delivered to the newspaper classified department several business days prior to the date on which the legal notice is to be published. Due to differing deadlines, the applicant should check with the preferred newspaper to determine deadlines. The Legal Notice shall be in the form of the attached sample.

CERTIFIED LETTER NOTIFICATION

The petitioner is required to distribute a copy of the above Legal Notice by Certified Mail (with return receipt) to all owners of property contiguous to the property in question (exclusive of rights-of-way). Names and addresses of surrounding property owners can be obtained from the County Assessor's Office in McHenry or Kane County (whichever is applicable). These letters must be mailed no more than thirty (30) nor less than fifteen (15) days prior to the scheduled Planning and Zoning Commission public hearing (do not count the date of the hearing). The return receipts must be submitted to the Community Development Department no later than the date of the public hearing.

SIGN POSTING

The petitioner is required to post a public hearing notice sign on the property in question, as required by the Algonquin Zoning Ordinance. Large properties with more than one frontage may be required to post more than one sign. The notification and posting of the public notice sign(s) must be done no more than thirty (30) nor less than fifteen (15) days prior to the scheduled Planning and Zoning Commission public hearing (do not count the date of the hearing). The signs are provided by the Community Development Department.

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SAMPLE LEGAL NOTICE

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Items in parentheses are to be added by the petitioner.
The completed legal notice should be reviewed by the Village staff
before submitting it to the Northwest Herald for publication.

**BEFORE THE PLANNING AND ZONING COMMISSION OF
THE VILLAGE OF ALGONQUIN**

IN THE MATTER OF THE APPLICATION OF)

(Name of Applicant, Trust, etc.))

LEGAL NOTICE

Notice is hereby given in compliance with the Zoning Ordinance of the Village of Algonquin, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the Village of Algonquin upon the application of (name of applicant, trust, etc.) relating to the following described real estate:

(Legal description of property, or attach as Exhibit "A")
(Please indent.)

commonly known as (address of property)

Property Index Number (PIN)

Acreage of Site (insert acreage)

This application is filed for the purpose of (action requested), pursuant to the requirements of Section (include section numbers) of the Algonquin Zoning Ordinance.

A public hearing before the Planning and Zoning Commission on the said application will be held at 7:30 p.m. on (date of Planning and Zoning Commission public hearing, as determined by staff), at the William J. Ganek Municipal Center, 2200 Harnish Drive, Algonquin, Illinois, at which time and place any person determining to be heard may be present.

/s/ Planning and Zoning Commission
 Village of Algonquin

TO BE PUBLISHED IN THE NORTHWEST HERALD ON (date of publication). (The staff of the newspaper chosen will add the appropriate language here based on their publication schedule.)

DEVELOPMENT REVIEW PROCEDURE

PRE-APPLICATION REVIEW

- Pre-Application Meeting(s) with Community Development Department staff
- Submittal of one set of Application and materials for staff review. After staff has reviewed and accepted the plans, additional copies of all of the application materials as identified on the checklist, shall be submitted for distribution to the various review bodies.

STAFF REVIEW (____ copies and pdf)

- Submittal of the Formal Application and full sets of plans for review by Village Departments (at least 30 days before the PZC meeting). Review takes about 3-4 weeks.
- Revisions/Responses by petitioner. Copies of staff comments will be sent to the Petitioner. If revisions are necessary, the Petitioner shall make the revisions and the application materials shall be resubmitted. ALL REVISIONS SHALL BE CLEARLY MARKED.

PUBLIC REVIEW (pdf of all plans)

After the formal submittal has been made, Village staff will inform Petitioner of the following:

- Scheduling of Public Review/Public Hearing by Community Development Department
- Legal Notices: Mailed Notices, Publish in Newspaper and Sign Posting. Petitioner is responsible for completing notices; staff will review prior to publishing. Notices must be completed between 15-30 days prior to the hearing, not including date of hearing.
- Planning and Zoning Commission (PZC).....Second Monday of each month
- Committee of the Whole (COTW).....Fourth Tuesday of each month
- Village Board (VB)..... First Tuesday of each month



**VILLAGE OF ALGONQUIN
DEVELOPMENT APPLICATION**

OFFICE USE ONLY

Please type or print legibly

CASE # _____

COMPLETION OF THIS APPLICATION SATISFIES THE REQUIREMENT OF FILING A PETITION IN MATTERS BEFORE THE PLANNING AND ZONING COMMISSION

PROJECT TITLE: _____

ACTION REQUESTED:

- | | |
|--|---|
| <input type="checkbox"/> Annexation (annexation petition required) | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Amendment to the Zoning Ordinance | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Final Plat of Subdivision |
| <input type="checkbox"/> Re-Zoning | <input type="checkbox"/> Preliminary Planned Unit Development |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Final Planned Unit Development |

Other: _____

PETITIONER:

OWNER (IF DIFFERENT):

NAME: _____

NAME: _____

ADDRESS: _____

ADDRESS: _____

PHONE: _____

PHONE: _____

FAX: _____

FAX: _____

PROPERTY INFORMATION:

General Description of Project (attach all required plans and specifications): _____

General Location (attach legal description): _____

Property ID Number (PIN): _____

Comprehensive Plan Designation: _____

Zoning: Current _____ Proposed: _____

Use: Current _____ Proposed: _____

Site Area: Gross _____ Net: _____

No. of Lots Proposed _____ No. Dwelling Units Proposed _____

DEVELOPMENT TEAM: (Include Company, Contact Person, Phone Number and Fax Number)

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

SIGNATURES: As owner of the property, I hereby authorize the seeking of the above requested action. The Owner agrees to and does hereby grant to the Village permission to go upon or over any part of the Property for the purpose of taking video and pictures of the site and construction activities. This grant of permission includes authority for the Village to use a small unmanned aerial vehicle to capture images of the Property.

Signature of Owner

(Date)

Print Name of Owner

Signature of Petitioner (if different from owner)

(Date)

Print Name of Petitioner

NOTE: If the subject property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter, which names all beneficiaries of the trust.

FEE SCHEDULE

All Petitioners will pay Review Fees and Escrow Fees as follows:

REVIEW FEES

Annexation, Amendment to the Zoning Ordinance, Appeal, Variation, Zoning, Special Use			\$600.00
Plat of Subdivision	Up to 2.0 acres (flat fee)		\$500.00
	Each additional acre or part thereof above 2.0 acres		\$25.00 per acre
PUD and PUD Amendments	Up to 2.0 acres (flat fee)	residential	\$1,000.00
		non-residential	\$900.00
	Each additional acre or part thereof above 2.0 acres up to 50.0 acres	residential	\$25.00* per acre
		non-residential	\$20.00* per acre
	Each additional acre or part thereof above 50.0 acres	residential	\$10.00* per acre
		non-residential	\$10.00* per acre

In cases of mixed-use developments, the fee for the entire development will be calculated using whichever category represents more than 50% of the development. In cases of multiple requested actions, the PUD or Plat fee shall be used.

ESCROW FEES

Annexation, Amendment to the Zoning Ordinance, Appeal, Variation, Zoning, Special Use		\$2,000.00
Planned Unit Development (PUD) and Plat of Subdivision		
	Less than one acre (PUD Only)	\$4,000.00
	1.01-5.00 acres	\$6,000.00
	5.01-10.00 acres	\$8,000.00
	10.01 acres or more	\$10,000.00
Subdivision or Consolidation	Less than one acre	\$2,000.00

Request for Taxpayer Identification Number and Certification

Give form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ ----- <input type="checkbox"/> Exempt payee <input type="checkbox"/> Other (see instructions) ▶	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
	List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
OR
Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person.

For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships.

Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). Check the "Limited liability company" box only and enter the appropriate code for the tax classification ("D" for disregarded entity, "C" for corporation, "P" for partnership) in the space provided.

For a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

For an LLC classified as a partnership or a corporation, enter the LLC's name on the "Name" line and any business, trade, or DBA name on the "Business name" line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note. You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the business name, sign and date the form.



Village of Algonquin

REIMBURSEMENT OF FEES AGREEMENT

Date: _____ Village of Algonquin Account No. _____
Village of Algonquin Case No. _____

OWNER:

Name of Property Owner _____

Owner's Address _____

Telephone Number: _____ Fax: _____

E-mail: _____

PETITIONER:

Name of Petitioner _____

Petitioner's Address _____

Telephone Number: _____ Fax: _____

E-mail: _____

LOCATION OF PROPERTY:

General Location:

Total Acreage: _____ PIN(S): _____

Legal Description (attach as Exhibit A)

1. **Deposit:** In the event that it is necessary for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, traffic or drainage experts, or other consultants, in connection with any Petitioner's request for the Village to consider or otherwise take action upon any annexation, zoning change, subdivision development, PUD or other improvement or development upon real property, then the Petitioner and Owner of the property shall be jointly and severally liable for the payment of such professional fees. At the time the Petitioner requests action from the Village he will be required to deposit an amount of from \$500.00 to \$10,000.00, depending upon the size of the project as determined by the Village Manager or set forth in Chapter 25 of the Algonquin Municipal Code, with the Village as an initial deposit to be credited against fees and costs incurred for the above described services.

2. **Invoices, Payment of Fees:** Upon submission of bills by all professional staff and retained consultants deemed necessary by the Village, the Village shall pay said fees out of the specified escrow account. At such time as the balance of the specified account reaches one-quarter of the original amount deposited, the Village may demand an additional sum of money that, in addition to the balance in the specified account, shall equal the amount originally demanded and required by the Village, or such lesser fraction thereof that the Village might in such case determine. The petitioner shall reimburse the Village within 30 days of said demand. At all times the petitioner shall maintain a balance equal to its deposit with the Village.

3. **Withdrawal of Petition:** A petitioner who withdraws a petition may apply in writing to the Village Clerk for a refund of his initial deposit. The Manager may, in his discretion, approve the refund application less any actual fees and costs which the Village has already incurred, relative to the petition.

4. Professional Fees: Any professional fees incurred as a direct or indirect result of the petitioner, owner or their agent requesting a professional opinion or otherwise requesting relief or assistance from the Village, whether or not related to real property, shall be reimbursed in accordance with Chapter 25 of the Algonquin Municipal Code.
5. Default: Upon the failure of the owner or petitioner to reimburse the Village in accordance with Chapter 25 of the Algonquin Municipal Code, no action on any request made by the owner or petitioner will be undertaken by the Board of Trustees, or by any other official, quasi-official or deliberative individual or body thereunder, including Staff; and such request shall remain in abeyance until all outstanding fees are paid in full. The Owner and Petitioner herein agree to extensions of any statutory timelines that may be necessary until such time as the escrow account has been replenished in accordance with said Chapter 25, upon which the Village agrees to proceed promptly and with due diligence thereafter. The Owner and Petitioner agree that the Village may withhold any other action, legislative or ministerial, which may include the issuance of permits, licenses, approval, execution or recording of plats, approval of zoning actions, or any other Village action for, on or upon the subject property, until the Default is cured. Upon any failure to reimburse the Village in accordance with said Chapter 25 or the Algonquin Subdivision Ordinance, interest in the amount of 1-1/2 percent per month shall accrue on all sums outstanding for 30 days or more, plus any legal expenses and five percent of the outstanding amount due in order to cover administrative expenses. The Village may, in its discretion, elect to place a lien against any real property associated with the petitioner's request, for any amount of expenses, including administrative costs and reasonable attorney fees that have been outstanding for 30 days or more.
6. Assigning Authority: The Village Manager is authorized to assign requests for professional services to the Village staff or to consultants as he deems appropriate.
7. Remedies: The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be construed to limit or waive the Village's right to proceed against any or all parties in a court of law of competent jurisdiction.
8. Agreement: At the time the petitioner requests action from the Village, the petitioner will be required to enter into this agreement with the Village.
9. Refund: Any surplus funds in the account of the petitioner or owner shall be returned not greater than ninety days after receipt of a final statement by all professional staff and retained consultants, upon written request by the petitioner and/or owner.
10. Severability: If any provision of this Agreement or its application to any person, entity or property is held to be invalid, such provision shall be deemed to be excised here from and the invalidity thereof shall not affect the application or validity of any other terms, conditions and provisions of this Agreement and, to that end, any terms, conditions and provisions of this Agreement are declared to be severable.

By signing this Agreement the petitioner and/or 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 owner and/or petitioner agree that owner and petitioner shall be jointly and severally liable for payment of fees referred to in applicable sections of the ordinances of the Village of Algonquin, and as referred to hereinabove.

Village of Algonquin:

Petitioner

By: _____
Village Manager

Print Name

ATTEST:

Owner

Village Clerk

Print Name

LAND USE OPINION APPLICATION

Kane-DuPage Soil and Water Conservation District
2315 Dean Street, Suite 100, St. Charles, IL 60175-4823
(630) 584-7960 Ext. 3

Send report to:

PETITIONER: _____

ADDRESS: _____

EMAIL: _____

CONTACT PERSON: _____

TELEPHONE: _____

Please allow 30 days for inspection and processing.

FOR OFFICE USE ONLY

LUO# _____ Date Due _____

Date initially rec'd _____

Date all rec'd _____ Date completed _____

Fee Paid _____ Refund Due _____

By _____ Overpayment _____

_____ No Report Nec _____

_____ Gov't Agency _____

Location:

Township _____

Section(s) _____

Township(s) _____ N Range(s) _____ E

TYPE OF PROPOSAL: Change in Zoning from _____ to _____ Project or Subdivision Name _____

Subdivision or Planned Unit Development (PUD)

Variance-Please describe fully on separate sheet

Special Use Permit-Please describe fully on separate sheet

Unit of Government Responsible for Permits _____ Date of Public Hearing _____

Current Use of Site _____ Proposed Use _____

Surrounding Land Use _____ Number of Acres _____

Location address (or nearest intersection) _____

PROPOSED IMPROVEMENTS: (check all applicable items)

Planned Structures:

Dwellings w/o Basements

Dwellings with Basements

Commercial Buildings

Other _____

Open Space:

Park/Playground Areas

Common Open Space Areas

Other _____

Water Supply:

Individual Wells

Community Water

Wastewater Treatment:

Septic System

Sanitary Sewers

Other _____

Stormwater Treatment:

Drainage Ditches or Swales

Storm Sewers

Dry Detention Basin

Wet Retention Basin

No Detention Facilities Proposed

Other _____

EXISTING SITE CHARACTERISTICS: (check all applicable items)

Ponds or Lakes

Floodplain

Woodland

Drainage Tiles

Stream(s)

Wetland(s)

Floodway

Cropland

Disturbed Land

Other _____

REQUIRED: INCLUDE ONE COPY EACH OF THE FOLLOWING-Processing will not begin without the following:

APPLICATION completed and signed

FEE according to schedule below

PLAT OF SURVEY/SITE PLAN showing legal description, legal measurements

SITE /CONCEPT PLAN showing lots, streets, storm water detention areas, open areas, etc.

LOCATION MAP (if not on maps above)-include distances from major roadways or tax parcel number

IF AVAILABLE - NOT REQUIRED:

ZONING or LAND USE PETITION filed with unit of government (if relevant)

TOPOGRAPHY MAP OR WETLANDS DELINEATIONS

FEE AMOUNTS: last updated November 1, 2013

\$423.00 for 1 - 3 acres or fraction thereof

\$459.00 for 4 - 5 acres or fraction thereof

For 5 - 200 acres see chart

> 200 acres: ADD \$14.00 for each additional acre or fraction thereof over the 200 acre amount.

\$65.00 processing fee if no report is required

***If there is more than one parcel in question and they are non-contiguous please contact KDSWCD for fee amount. ***

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

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** _____

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

For the convenience of those who must comply with the provisions of the Illinois Soil and Water Conservation District Act, Section 22.02a (Illinois Compiled Statues, 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.”
 Added by Act approved December 3, 1971.

The amendment is designed to assist the unit of government considering the proposal. The natural resources and the environment are the main concerns in the development of the Land Use Opinion.

To facilitate compliance with the Act by land developers and others, Kane-DuPage Soil and Water Conservation District has formulated a set of guidelines and a standardized set of fees, as provided for in section 22.09 of this Act:

“The District may charge fees to any person who makes a request for services or receives benefits rendered by the District, or who causes or undertakes to cause the District to perform a function prescribed by this Act, including but not limited to any function prescribed by Section 22.02a of this Act, provided that such charges are uniform. The Directors shall maintain a uniform schedule for such fees and may from time to time revise such schedule. The charging of any such fees is uniformly charged and in accordance with a uniform schedule by any District to any person for such service or benefits or performance of any such functions prior to the effective date of this amendatory Act of 1975 is ratified.”

**LAND USE OPINION FEE SCHEDULE
 EFFECTIVE NOVEMBER 1, 2013**

\$423.00 for **1-3 acres** or fraction thereof

\$459.00 for **4-5 acres** or fraction thereof

For **5 - 200 acres** see chart

For over 200 acres: ADD \$14.00 for each additional acre or fraction there of over the 200 acre amount.

\$65.00 processing fee if no report is required

Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee	Acres	Fee
1	423	21	769	41	1160	61	1558	81	1942	101	2333	121	2738	141	3128	161	3519	181	3911
2	423	22	788	42	1187	62	1577	82	1962	102	2360	122	2757	142	3148	162	3539	182	3930
3	423	23	809	43	1206	63	1597	83	1982	103	2379	123	2776	143	3167	163	3558	183	3949
4	459	24	828	44	1225	64	1616	84	2001	104	2398	124	2796	144	3188	164	3579	184	3969
5	459	25	847	45	1244	65	1636	85	2020	105	2418	125	2815	145	3207	165	3598	185	3989
6	483	26	866	46	1264	66	1656	86	2039	106	2438	126	2835	146	3226	166	3617	186	4008
7	495	27	885	47	1284	67	1675	87	2059	107	2458	127	2855	147	3245	167	3637	187	4028
8	513	28	907	48	1304	68	1694	88	2080	108	2477	128	2874	148	3264	168	3655	188	4047
9	537	29	926	49	1323	69	1713	89	2099	109	2496	129	2894	149	3286	169	3676	189	4068
10	555	30	945	50	1342	70	1734	90	2118	110	2515	130	2914	150	3305	170	3695	190	4087
11	573	31	964	51	1363	71	1754	91	2138	111	2536	131	2933	151	3324	171	3715	191	4106
12	592	32	984	52	1382	72	1773	92	2157	112	2555	132	2952	152	3343	172	3735	192	4125
13	614	33	1004	53	1401	73	1792	93	2177	113	2574	133	2971	153	3363	173	3754	193	4144
14	633	34	1023	54	1420	74	1812	94	2196	114	2593	134	2993	154	3383	174	3784	194	4166
15	638	35	1042	55	1440	75	1831	95	2216	115	2620	135	3012	155	3402	175	3793	195	4185
16	671	36	1063	56	1461	76	1851	96	2236	116	2640	136	3031	156	3421	176	3813	196	4204
17	690	37	1082	57	1480	77	1863	97	2255	117	2659	137	3050	157	3442	177	3832	197	4223
18	711	38	1102	58	1499	78	1884	98	2275	118	2678	138	3069	158	3461	178	3851	198	4242
19	730	39	1121	59	1522	79	1903	99	2294	119	2699	139	3090	159	3481	179	3872	199	4263
20	749	40	1140	60	1537	80	1923	100	2313	120	2718	140	3109	160	3500	180	3895	200	4282