



**PETITION FOR
CONDITIONAL USE PERMIT**

Please return completed application to:

Department of Building, Zoning and Planning
Village of Beach Park
11270 West Wadsworth Road
Beach Park, IL 60099
(847) 746-1770



VILLAGE OF BEACH PARK

*Building, Planning and Zoning
11270 W. Wadsworth Road
Beach Park, IL 60099
(847) 746-1770*

PROCEDURES FOR CONDITIONAL USE PERMIT

The regular meetings of the Plan Commission and Zoning Board of Appeals are held on the first Thursday of the month. Public hearings are scheduled for the same date or as needed.

Applicant will meet with the Zoning Administrator (and/or Village Planner) to discuss zoning changes, variations, conditional uses, etc.

Completed application to be submitted a minimum of 30 calendar days prior to public hearing.

Notice of public hearing will be processed by the Village Clerk or the designee (15-30 calendar days required before hearing date).

Applicant is required to:

1. *Complete the appropriate application and provide the Village Clerk or their designee with one (1) original Conditional Use Permit Application and twenty-five (25) copies of the Plat of Survey (minimum scale of 1" =20'), minimum size of copy 11" x 17".*
2. *Pay appropriate application fees as outlined in the Zoning Fee Schedule upon submittal of the completed application. Applications will not be processed until fees have been received.*
3. *Provide the name, address and P.I.N. number of all property owners within 250 feet or at the discretion of the Zoning Administrator for purposes of distribution of notification of public hearing by certified mail. Village staff will prepare and distribute certified notices a minimum of 15 days prior to the public hearing. (Note: the postage for up to 30 certified notices is included in the application fee.)*
4. *Provide legal description for public notice to the Zoning Administrator, to be published in the newspaper. Notice will be submitted to the newspaper for publishing by Village staff. Notice must appear in newspaper a minimum of 15 days prior to the public hearing but no more than 30 days prior to the public hearing.*
5. *Village staff will post information signs on the subject property and photograph posting a minimum of 15 days prior to the public hearing.*
6. *Applicants are required to appear before the Plan Commission to present their application or petition on the night of the public hearing.*



**PROCEDURES FOR
CONDITIONAL USE PERMIT
CONTINUED**

After the public hearing, the Village will prepare a Findings of Fact and recommendation for the Village Board. The recommendation will be approved by the Plan Commission chair or Plan Commission as requested by the Plan Commission Members at the time of public hearing.

The Findings of Fact and recommendation will be submitted to the Village Board at their regularly scheduled bi-monthly meeting for consideration. Village Board meetings are held on the second and fourth Thursdays of each month.



Petition for Conditional Use Permit

Date: _____

To be completed by the applicant.

I. GENERAL INFORMATION

A. NAME _____

B. ADDRESS _____

C. TELEPHONE _____

II. STATUS OF APPLICANT

A. OWNER _____

B. CONTRACT PURCHASER _____

C. OPTION _____

D. LESSEE _____

E. OTHER (SPECIFY) _____

III. PAYMENT OF FEES _____

IV. LOCATION OF SUBJECT PROPERTY

A. COMMON DESCRIPTION (Please attach additional sheets if necessary.)

B. LEGAL DESCRIPTION (Please attach additional sheets if necessary.)



V. PROPOSED SPECIAL USE

- A. DESCRIPTION OF PROPOSED OR REQUESTED ACTION (Please attach additional sheets if necessary.)

- B. JUSTIFICATION OF PROPOSED SPECIAL USE OR REQUESTED ACTION

Please include responses to the following items, where applicable. Detailed answers will prove helpful as they are considered by the Plan Commission in its Findings of Facts and recommendation to the Village of Beach Park concerning the proposed Conditional Use.

- 1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
Application Justification (Please attach additional sheets if necessary.)

- 2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
Application Justification (Please attach additional sheets if necessary.)



3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Application Justification (Please attach additional sheets if necessary.)

4. That the utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.

Application Justification (Please attach additional sheets if necessary.)

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Application Justification (Please attach additional sheets if necessary.)

6. That the conditional use shall in all other respects conform to the applicable regulations of this Ordinance and other applicable Village regulations, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

Application Justification (Please attach additional sheets if necessary.)

7. To the extent to which any formal written protest pertaining to the proposed conditional use, in accordance with Section 12.11 of the Village Zoning Ordinance, can be substantiated on a factual basis.



Application Justification (Please attach additional sheets if necessary.)

CONDITIONAL USE PROCEDURE

When a conditional use is proposed the Plan Commission shall conduct a public hearing on said proposed conditional use. Notice of the time and place of a public hearing shall be published at least once, not more than thirty (30) and not less than fifteen (15) days before the hearing, in a newspaper of general circulation in Beach Park.

For each application for a conditional use permit, the Plan Commission shall report to the Village Board in its findings and recommendations, including the stipulations of additional conditions, and guarantees that such conditions will be complied with when they are necessary for the protection of the public interest within sixty (60) days. The decision reached by the Village Board shall take into account the submitted findings of fact and recommendations. If a conditional use is granted by the Village, said conditional use shall be included in an ordinance passed by said Village Board. If the conditional use is granted in said ordinance, the Zoning Administrator shall issue a conditional use permit to the applicant subject to all applicable rules, regulations and conditions.

Prior to the granting of any conditional use, the Plan Commission may recommend and the Village Board shall stipulate, such conditions and restrictions upon the establishments locations, construction, maintenance and operation of the conditional use deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein. In all cases in which conditional use permits are granted, the Village Board shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connections therewith are being and will be complied with.

Signature of Applicant

Date



PROFESSIONAL FEE AGREEMENT

The undersigned, in making an application or request of the Village of Beach Park, hereby agrees that:

1. In processing an application or request, or in considering any matter, should the Village of Beach Park incur any professional fees or other costs, including but not limited to engineering fees, planning fees, attorney's fees, and other fees, the applicant in any matter shall be responsible for said fees.
 - a) Any person or other legal entity seeking Village's approval or consideration of any matter shall be responsible for any professional fees or other costs incurred by the Village in reviewing the requested action or matter and in acting upon the requested approval or consideration, including, but not limited to, engineering fees, planning fees, attorney's fees and other fees incurred by the Village.
 - b) Whenever any person or other entity is required by Village ordinance or rule, state or federal law, to submit plans, specifications or other documents to the Village Engineer, Attorney, consultant or other employee of the Village, for his review, comments and approval or disapproval, such person or entity shall be responsible for the fees charged to the Village in connection therewith.
 - c) Whenever any person or other entity shall, of his or its own volition, submit plans, specifications or other documents to the Village Engineer, Attorney, consultant or other employee of the Village for his review, approval, disapproval or comments upon said plans, specifications or other documents, the person or entity submitting the same shall be responsible for the fees charged by such employee in connection therewith.
 - d) The term "review" shall include, but not be limited to: conducting hearings and meetings; processing, review, and preparation of documents; evaluation of drawings for code compliance; legal, technical and professional review and consultation; field inspections and preparations; and similar consideration and review of proposed actions which involve the earthmoving of land, construction or alteration of buildings, provision of utilities or other public services, and uses and appearances of property. Said fees do not include building permits fees, which are governed by Chapter 15.08 of the Beach Park Municipal Code.
 - e) Any and all professional fees or other costs incurred are non-refundable once the review process has been started or completed.
 - f) In the even the professional fees or other costs are paid by check, and the check is returned to the Village by the financial institution due to insufficient funds, the Village shall suspend the review process. A cashier's check that includes the required fees, a \$30.00 return check

service charge, and any other costs that the Village may incur thereby, shall be deposited with the Village before the Village resumes the review process.

- g) Development proceedings initiated by the Village (i.e., text amendments to the Zoning Ordinance) are exempt from such fees.
- h) In the event the Village Board denies approval of any and all portions of the petition, a petitioner shall remain liable for all fees and costs which the Village has incurred relative to the petition.
- i) 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 this Chapter. The Village, in its sole discretion, may determine whether a professional opinion is necessary.
- j) Upon the failure of the owner or petitioner to reimburse the Village in accordance with this Section, the Village shall send notice to the owner or petitioner, by certified mail, return receipt requested, that the professional fees are in arrears. No action on any request made by the owner or petitioner will be acted upon by the Village Board or any other official, or deliberative individual or body thereunder; and such request shall remain in abeyance until all outstanding fees are paid in full. Furthermore, if all outstanding fees are not paid in full pursuant to this Chapter, within seven business days after the notice was mailed, the application shall be considered withdrawn by the owner or petitioner. Upon failure to reimburse the Village in accordance with this Section, the Village may, in its discretions, elect to place a lien on any real property associated with petitioner's request. Interest in the amount of 1 ½ percent per month shall accrue on all sums outstanding for 30 days or more. Such lien shall be in an amount equal to the outstanding amount owed to the Village.
- k) Should the Village Board, Village staff, or the owner or petitioner desire professional services, the Village Board and the designated Village staff members are authorized to assign requests for professional services to the Village staff or to consultants as the Village Board deems appropriate.
- l) When any professional services contemplated by this Ordinance are rendered by the Village staff, then in such case the party making the request shall reimburse the Village for its costs incurred in providing said professional services. Said reimbursement shall be at the rate of \$30.00 per hour.
- m) The remedies available to the Village as set forth in this Chapter 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 competent jurisdiction.
- n) At the time the petitioner requests action from the Village he will be required to enter into an agreement with the Village that contains the parameters of this Section.

- o) If it is determined that there are outstanding professional fees or costs not paid at the time an occupancy permit is granted, the Village may apply the funds deposited for a construction bond to any outstanding fees.

- 2. The applicant shall pay said fee to the Village promptly after request. The Village Treasurer shall be responsible for collecting said fee and disbursing same, on the approval of and at the direction of the Village Board, on account of the fees and costs.
- 3. This agreement is made pursuant to Beach Park Ordinance 2005-O-42, adopted by the Village Board of Beach Park on October 12, 2007.

Applicant (Please print)

Date

Address

Phone

City & State

Applicant Signature

Received and Accepted by
The Village of Beach Park by:

Village Official

Date

Adopted by the Village Board
Of Trustees 0 June 11, 2002



VILLAGE OF BEACH PARK

*Building, Planning and Zoning
11270 W. Wadsworth Road
Beach Park, IL 60099
(847) 746-1770*

Zoning Fee Schedule

TEXT AMENDMENT		650.00
VARIATION		
	First variation on lot or parcel	650.00
	Each additional variation on lot or parcel	300.00
MAP AMENDMENT TO ANY RESIDENTIAL DISTRICT		
	Less than 2 acres	1,000.00
	2 acres but less than 5 acres	1,600.00
	5 acres but less than 10 acres	1,750.00
	10 acres to 20 acres	2,000.00
	Each additional full acre over 20 acres	15.00
MAP AMENDMENT TO ANY COMMERCIAL AND INDUSTRIAL DISTRICT		
	Less than 2 acres	2,100.00
	2 acres but less than 5 acres	2,700.00
	5 acres but less than 10 acres	3,800.00
	10 acres to 100 acres	5,000.00
	Each additional full acre over 100 acres	100.00
CONDITIONAL USE		
All conditional uses except as listed below		
	20 acres or less	1,900.00
	Each additional full acre over 20 acres	30.00
Cemetery Addition		2,000.00
Recreational Uses	20 acres or less	1,800.00
	Each additional full acre	30.00
Recreational Accessory Uses		1,600.00
Shopping Centers	20 acres or less	3,500.00
	Each additional acre	35.00

Mobile Home Parks	10 acres or less	3,000.00
	Each additional full acre	35.00
Travel Trailer Parks		
	20 acres or less	3,000.00
	Each additional full acre	30.00
Replacement of floodplain nonconforming structures		625.00
SUBDIVISION APPLICATION		1,500.00
PLANNED UNIT DEVELOPMENT		
Application Fee		3,000.00
Preliminary Development Plan fee per dwelling unit		350.00
Final Development Plan fee per dwelling unit		350.00
ADMINISTRATIVE APPEAL		450.00
TEMPORARY USE PERMITS		
Home and Garage Sales	Not more than four (4) days and not more than two (2) permits in one calendar year for any one zoning lot.	No Fee
Other Temporary Use Permits		450.00
REINSPECTION FEE		
First Inspection		Part of original application fee
First Reinspection		Fifty percent (50%) of original fee or \$25 whichever is greater

Second Reinspection		Seventy-five percent (75%) of original fee or \$50 whichever is greater
Third and Each Subsequent Reinspection		One hundred percent (100%) of the original fee or \$100 whichever is greater

NOTES TO FEE SCHEDULE:

1. The filing fee for Planned Unit Development Preliminary and Final Development fees shall have a \$500.00 minimum charge and \$5,000.00 maximum charge.
2. Upon return of the Application to the Village of Beach Park, the Applicant will be responsible for submitting all Application fees.

MAP FEES:	Zoning Map		Actual Cost

12.9 CONDITIONAL USES

12.9.1 PURPOSE

This Ordinance is based upon the division of the Village into districts, within which districts the use of land, and the uses and bulk of buildings and structures, are substantially uniform. It is recognized, however, that there are special uses which, because of their unique characteristics, can only be properly classified in any particular district or districts upon consideration in each case of the impact of those uses upon neighboring land and of the public need for the particular use at the particular locations. Such special uses fall into two categories:

1. Uses publicly operated or traditionally affected with a public interest, and
2. Uses entirely private in character but of an unusual nature where their operation may give rise to unique problems or benefits with respect to their impact upon neighboring property, public facilities, or the Village as a whole.

12.9.2 INITIATION OF CONDITIONAL USES

Any person owning or having an interest in the subject property may file an application to use such land for one or more of the conditional uses provided for in the Ordinance in the zoning district in which the land is situated.

12.9.3 APPLICATION FOR CONDITIONAL USES

An application for a conditional use shall be filed with the Zoning Administrator upon a form prescribed by the Village Attorney. The application shall be accompanied by such plans and/or data required and shall include a statement in writing by the applicant and adequate evidence showing that the proposed conditional use will conform to the standards set forth herein.

12.9.4 HEARING ON APPLICATION

Upon receipt, in proper form, of the application and statement referred to in 12.9.3 above, the Plan Commission shall fix reasonable time and place for the public hearing, published at least once, not more than thirty (30) days, and not less than fifteen (15) days before the hearing, in one or more newspapers published in the Village or if no newspaper is published therein, then in one or more newspapers with a general circulation within the Village. In addition, notice of all hearings shall be sent to each civic or property owner's organization requesting notice of hearings or use variations or amendments.

12.9.5 AUTHORIZATION

For each application for a conditional use, the Plan Commission shall report to the Village Board of Trustees its findings and recommendations, including the stipulations of additional conditions, and guarantees that such conditions will be complied with when they are necessary for the protection of the

public interest within sixty (60) days of the public hearing. Upon receipt of the findings of fact and recommendations of the Plan Commission, the Village Board of Trustees shall act upon the proposed application for conditional use within sixty (60) days. The decision reached by the Village Board of Trustees shall take into account the submitted findings of fact and recommendations. If a conditional

ARTICLE 12

use is granted by the Village, said conditional use shall be included in an ordinance passed by said Village Board of Trustees. If the conditional use is granted in said ordinance, the Zoning Administrator shall issue a conditional use permit to the applicant subject to all applicable rules, regulations and conditions.

12.9.6 STANDARDS

No conditional use, including Planned Developments or Clustering of Residences, shall be recommended by the Plan Commission unless said Commission shall find:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the conditional use shall in all other respects conform to the applicable regulations of this Ordinance and other applicable Village regulations, except as such regulations may in each instance be modified by the Village Board of Trustees pursuant to the recommendation of the Plan Commission.
7. The extent to which any formal written protest pertaining to the proposed conditional use, in accordance with Section 12.11, herein, can be substantiated on a factual basis.

12.9.7 CONDITIONS AND GUARANTEES

Prior to the granting of any conditional use, the Plan Commission may recommend and the Village Board of Trustees shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use variation as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein. In all cases in which conditional use variations are granted, the Village Board of Trustees shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being, and will be, complied with.

12.9.8 EFFECT OF DENIAL OF A CONDITIONAL USE

No application for a conditional use which has been denied wholly or in part by the Village Board of Trustees shall be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence or proof of changed conditions found to be valid by the Village Board of Trustees.

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12.9.9 REVOCATION

In any case where a conditional use variation has been granted, and where no conditional use development has taken place within one (1) year of granting thereof, then without further action by either the Plan Commission or the Village Board of Trustees said conditional use variation shall become null and void.

12.9.10 CHANGE OF ZONING

Nothing herein contained shall be construed to give or grant to the Plan Commission the power of authority to alter or change the zoning ordinance or any use district made a part of the Zoning Map; such power and authority being reserved to the Village Board of Trustees; the Plan Commission shall not have any power or authority with respect to any alterations or change of the zoning ordinance except to make recommendations to the Village Board of Trustees in such specific cases as properly come before the Plan Commission.

In addition thereto, the Plan Commission may make conditional recommendations to the Village Board of Trustees and the Village Board of Trustees shall have the authority to adopt conditional variations or conditional zoning particularly where the property owner or his agent represents to the Plan Commission or the Village Board of Trustees that a structure will be erected within a specified time, or that a structure will be constructed pursuant to plans submitted to the Plan Commission or to the Village Board of Trustees and the Plan Commission or the Village Board of Trustees may place a time limit upon which real estate must be put to use, and in the failure of the property owner to do so, the zoning or variation granted would revert back to the prior classification ipso facto. The property owner may apply to the Village Board of Trustees from time to time for extension or modification of any conditional zoning.

12.9.11 VALIDITY OF THE CONDITIONAL USE VARIATION

No order for a conditional use variation permitting the erection or alteration of a building shall be valid for a period longer than six (6) months, unless such use is established within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a permit for said construction or alteration is started and proceeds to completion in accordance with the terms of such permit.

12.9.12 STAY PROCEEDINGS

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Zoning Board after the notice of appeal has been filed with it, that by reason of facts stated in the application, a stay would in its opinion, cause imminent peril to life or property. In such case, the proceedings shall not be stayed unless a restraining order to be issued by

either the Village Board of Trustees acting upon the recommendation of the Zoning Board or by a court of record, and then only if due cause can be conclusively shown.

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12.9.13 FINALITY OF DECISIONS

All decisions, after the procedure herein outlined has been adhered to, shall, in all instances, be final Administrative determinations and shall be subject to judicial review only in accordance with applicable Statutes of the State of Illinois.