



CITY OF OAKBROOK TERRACE
17W275 BUTTERFIELD ROAD
OAKBROOK TERRACE, IL 60181
630-941-8300 Email: Mheadley@oakbrookterrace.net

Petition for Annexation Application Procedure & Requirements

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Annexation Petition Checklist

- Application Form
- Application Fee (amount) \$_____
- Petition for Annexation
- Plat of Survey with Legal Description – 12 copies
- Legal Description in Word Format
- Proof of Ownership (i.e., tax bill, deed, etc.): If the applicant is not the owner, written Consent from Property Owner is required. If the property is in a trust, a trust disclosure form is required.
- Reimbursement of Fees Agreement
- Conflicts of Interest Form
- Plat of Annexation – one original mylar, two 24"x36" copies, ten 11"x17" copies
 - Include with annexation request, a list of all the terms to be included in the agreement and required application materials:
 - Rezoning
 - Special Uses
 - Variations
 - PUD
 - Water & Sewer Service Connections



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Application Material Requirements

SURVEY & CERTIFICATE:

The applicant must submit a survey of the property in question and proof of ownership. In the event the title appears in the name of a land trust, the trustee or beneficiary of such land trust shall identify each person associated with the trust by name and address and define their interest therein. In addition, the request for zoning or special permit shall be verified by the applicant in his capacity as trustee or by beneficiary as a beneficial owner in such land trust. Petitioner must provide proof that the owner has granted permission to apply for annexation.



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Annexation Application

Property Information
Address(es): _____
Zoning District(s) of Subject Site: _____
Existing Use(s): _____
Zoning of Surrounding Properties: _____
Uses of Surrounding Properties: _____
Property Area (Sq. ft. and/or Acreage): _____
Parcel Index Number(s) [PIN(s)]: _____

Application Type	
<input type="checkbox"/> Special Use for Planned Unit Development (P.U.D.): _____ Preliminary Approval _____ Final Approval <input type="checkbox"/> Planned Unit Development (P.U.D.) – Amendment: <input type="checkbox"/> Plat of Subdivision – _____ Preliminary Approval _____ Final Approval <input type="checkbox"/> Comprehensive Plan Amendment: For: _____	<input type="checkbox"/> Map Amendment (Rezone): From: _____ To: _____ <input type="checkbox"/> Zoning Text Amendment: Sections: _____ <input type="checkbox"/> Variation(s): To: _____ <input type="checkbox"/> Special Use: For: _____ <input type="checkbox"/> Annexation _____

Office Use Only (To be completed by City Staff)	
Application Submission Date: _____ Date of Public Hearing: _____ Date of City Council Meeting: _____	Total Fees Paid: _____ Commercial Fee Estimate: Zoning Relief Fee: _____ Public Hearing Sign Fee: _____ Daily Herald Notice: _____ Legal Fees: _____ Engineering Review Fees: _____ Residential Fee Estimate: Zoning Relief Fee: _____ Engineering Review Fees: _____



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Applicant / Contact Person Information

Please identify contact information for the applicant or contact person. Note that city staff will correspond with the applicant throughout the development application process.

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____

Email: _____

Relationship to Owner (attorney, contract purchaser, etc.):

I certify, I am responsible for application fees, publishing costs, and all out-of-pocket expenses costs for this project per Sec. 154.05 Consultants Fees. *(Or Property Owner below)*

Signature: _____ Date: _____

Property Owner Information

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____

Email: _____

If property is in a trust, the trust disclosure form must be submitted.

Same information as Applicant / Contact Person.

I certify, I am responsible for application fees, publishing costs, and all out-of-pocket expenses costs for this project per Sec. 154.05 Consultants Fees. *(Or Applicant above)*

Signature: _____ Date: _____

Summary of Proposal (use separate sheet if necessary)



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PETITION

In addition to the requirements stated in 1-6 below, please obtain a listing from the Community Development Department identifying documents that are required to be submitted with this specific application for zoning relief.

Text Amendment: Identify the section of the Zoning Code to be amended, and attach proposed amended language _____

Special Use: Identify the proposed special use and the section of the Zoning Code in which it is an allowed special use in the zoning district, and attach a statement of how the proposed special use meets the conditions for granting a special use as set forth in Section 156.024(C)

Variation: Identify the required variations and the sections of the Zoning Code to be varied, stating the Zoning Code requirement and what is proposed, and attach a statement of how the petition meets the conditions for granting a variation as set forth in Section 156.023(B)

Planned Unit Development: State whether approval is requested for preliminary or final approval; state the uses proposed and the uses not otherwise permitted in the zoning district; and identify the required exceptions and sections of the Zoning Code to be excepted, stating the Zoning Code requirement and what is proposed. Also, attach a statement of how the proposed PUD meets the conditions for granting a special use as set forth in Section 156.024(C) and attach a statement of how the requested exceptions meet the conditions for granting a variation as set forth in Section 156.023(B)

Amendment to a Planned Unit Development: Identify the ordinance granting final approval of the PUD; state the amendment proposed and identify any additional exceptions or other zoning relief required. Also, attach a statement of how the requested exceptions meet the conditions for granting a variation as set forth in Section 156.023(B)

Annexation: Attach a listing of terms requested to be included in the agreement, including but not limited to: (a) map amendment; (b) text amendment; (c) special use; (d) variation(s); (e) subdivision; (f) PUD; (g) licenses

Subdivision: State any variations requested:

OWNER

Signature: _____
 Title: _____
 Printed Name: _____
 Subscribed and sworn to before me,
 This: _____ day of _____, _____

Notary Public

AUTHORIZED REPRESENTATIVE

Signature: _____
 Title: _____
 Printed Name: _____



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PETITION FOR ANNEXATION

**TO: THE MAYOR AND CITY COUNCIL
OF THE CITY OF OAKBROOK TERRACE,
DUPAGE COUNTY, ILLINOIS**

The Petitioner(s), _____, respectfully states as follows:

1. Petitioner(s) is/are the sole owner(s) of record of the property legally described as, _____
_____ and the legal description of the property is attached as Exhibit "A".
2. Property Identification Number (PIN#): _____
3. No part of the above property is within the corporate limits of any other municipality but is contiguous to the City of Oakbrook Terrace.
4. There is/are _____ elector(s) residing at the subject property, at least fifty-one percent (51%) of whom have executed this Petition for Annexation.
5. The foregoing statements of fact are true to the best of the Petitioner(s) knowledge and information.

Petitioner(s) respectfully requests:

That the above described property together with the right-of-way of any adjacent roadway is annexed into the City of Oakbrook Terrace, DuPage County, Illinois, by ordinance of the Mayor and City Council of said City, pursuant to Section 7-1-8 of the Illinois Municipal Code of the State of Illinois, as amended 65 ILCS 5/7-1-8.

DATED _____

PETITIONER(S)

SUBSCRIBED AND SWORN to before me

this _____ day of _____, _____

By: _____

Notary Public



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**DISCLOSURE STATEMENT BY APPLICANTS FOR
LICENSES, PERMITS, REZONINGS OR ANNEXATIONS**

All applicants for a license, permit, rezoning or annexation in the City of Oakbrook Terrace, shall swear to the statement below before a notary public or other appropriate officer authorized to administer oaths in the State of Illinois.

The undersigned hereby represents and warrants to the City of Oakbrook Terrace that no individual who is a public officer or employee has any ownership interest in the entity making this application, or in the real estate, which is the subject of this application, nor are any such individuals an officer, director or employee of the entity making the application. If the foregoing representation is inaccurate, the undersigned hereby states the nature of any interest and the name of the individual who is an officer, director or employee of the applicant, or who has any ownership interest in the applicant entity, or in the real estate which is the subject of this application.

The undersigned further represents and warrants to the City of Oakbrook Terrace that neither the applicant nor any agent, officer, employee with any gift, gratuity pecuniary benefit, real or personal property, services, or any other thing or item of value, whether in the form of money, services, loans, travel, entertainment, discounts, hospitality, offers of employment, or forgiveness of debt or obligation. If the foregoing representation is untrue, the undersigned hereby states the name of any public officer or employee who was provided such a gift, and the nature and date of the gift made to such public officer or employee.

In addition to the penalties provided by law for perjury, it shall also be grounds for denial of the application if any person executes an application, and knows, or should have known upon reasonable inquiry that the statements set forth therein or any parts thereof are false, and such person shall also be in violation of the City of Oakbrook Terrace Code of Ethics and subject to the penalties set forth therein.

(Name of Applicant Entity)

By:

(Print Name)

Subscribed and sworn to before me this

_____ day of _____ 20 .

Notary Public



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REIMBURSEMENT OF FEES AGREEMENT

I. OWNER:

Owner's Name: _____

Owner's Address: _____

Owner's Telephone and Facsimile Numbers, and E-mail Address, if any: _____

II. PERSON MAKING REQUEST (PETITIONER/APPLICANT):

Petitioner's Name: _____

Petitioner's Address: _____

Petitioner's Telephone and Facsimile Numbers, and E-mail Address, if any: _____

III. LOCATION OF PROPERTY:

Pin: _____

Street Address of Property: _____

IV. REIMBURSEMENT OF FEES:

The Owner and Petitioner identified in this Agreement do hereby agree as follows:

- A. In the event that it is necessary for the City of Oakbrook Terrace (the "City") 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 City to consider or otherwise take action upon any zoning change, special use, easement, subdivision, public improvement or other improvement or development upon real property, then the professional fees for such services, and reimbursement shall be made to the professional involved or to the City within thirty (30) days of the receipt of an invoice from the professional involved or the City for such fees. The Owner and Petitioner shall further be jointly and severally liable for any professional fees incurred as a direct or indirect result of any party requesting a professional opinion, as determined by the City, or otherwise requesting relief or assistance from the City, whether or not related to real property.
- B. Upon the failure of the Owner or Petitioner to reimburse the City or the professional in accordance with this Agreement, no action on any request made by the Petitioner will be undertaken by the City Council, or by any other official, board or commission until all outstanding fees are paid in full, and such request shall remain in abeyance until payment of such fees is made. The City may deny approval of any application or petition if such fees have not been paid in full. Upon any failure of the Owner or Petitioner to reimburse the City in accordance herewith, the City may, in its discretion, elect to place a lien against any real



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property associated with the Petitioner's request. Interest in the amount of one and one-half percent (1-1/2%) per month shall accrue on all sums outstanding for thirty (30) days or more. Such lien shall be in an amount equal to the outstanding fees owed to the City.

- C. When any professional services contemplated by this section are rendered by the City staff, including the City Administrator, then in such case, the Petitioner shall reimburse the City for one hundred percent (100%) of its costs incurred in providing such professional services, as such costs are determined by the City. The City Administrator, or his/her designee may assign requests for professional services to the City staff or to consultants for services other than legal services, as he/she deems appropriate. The City Attorney may also assign requests for professional services to consultants, as he/she deems appropriate.

V. REMEDIES:

The remedies available to the City, as set forth in Section IV of this Agreement, are non-exclusive, and nothing herein shall be construed to limit or waive the City's right to proceed against any or all parties in a court of law of competent jurisdiction.

BY SIGNING THIS AGREEMENT, THE OWNER AND PETITIONER ACKNOWLEDGE THAT EACH OF THEM HAS READ THE FOREGOING PARAGRAPHS, THAT EACH OF THEM FULLY UNDERSTANDS THE PROVISIONS CONTAINED HEREIN, THAT EACH OF THEM AGREES TO COMPLY WITH THE PROVISIONS HEREOF CONCERNING REIMBURSEMENT OF FEES, THAT EACH OF THEM AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN, AND THAT EACH OF THEM AGREES TO BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF THE FEES PROVIDED FOR HEREIN, FURTHER, BY SIGNING THIS AGREEMENT, THE OWNER AND PETITIONER WARRANT THAT EACH OF THEM POSSESS FULL AUTHORITY TO DO SO.

OWNER: _____

By: _____

Its _____

Date: _____

PETITIONER: _____

By: _____

Its _____

Date: _____

NAME OF PARTY TO BE BILLED: _____

ADDRESS OF PARTY TO BE BILLED: _____

CITY OF OAKBROOK TERRACE

By: _____
Community Development Director

Date: _____



Application Fees

At the time of application for any zoning relief, the following nonrefundable fees will be charged:

(A) Annexation fees:

- (1) \$100 for a voluntary petition for annexation, without an annexation agreement, however, excluding property on which a detached single-family residential home is located or proposed to be constructed for which there shall be no annexation fee.
- (2) \$1,000 per case for an annexation requiring an annexation agreement.
- (3) \$1,000 per case for an amendment to an existing annexation agreement.
- (4) In addition to the annexation fee established above in this division (A), and in conjunction with annexation to the city, the applicant shall be required to pay any applicable fees for requested zoning relief as established in divisions (B) through (G) hereinafter.

(B) Variations (that are not part of PUDs):

- (1) \$1,000 per case for a business or multiple-family variation.

(C) Special uses (that are not part of PUDs):

- (1) \$500 per case for a single-family residential special use.
- (2) \$2,000 per case for a business or multiple-family special use.
- (3) \$500 per case for an amendment to a single-family residential special use permit.
- (4) \$2,000 per case for an amendment to a business or multiple-family special use permit.

(D) Amendments:

- (1) Map amendments (that are not part of PUDs):
 - (a) \$500 per single-family residential case.
 - (b) \$2,000 per business or multiple-family case, plus \$100 per acre or portion of an acre over one acre.
- (2) Text amendments: \$1,000 per case.

(E) Subdivisions (that are not part of PUDs):



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- (1) \$500 plus \$200 per acre or portion of an acre over one acre.
- (2) \$400 plus \$150 per acre or portion of an acre over one acre for an amendment of a subdivision plat.

(F) Planned unit developments:

- (1) (a) That are predominantly a single-family detached or attached residential subdivision: \$2,000 plus \$200 per acre or portion of an acre over two acres.
 - (b) That are predominantly a multiple-family residential use or subdivision: \$2,000 plus \$300 per acre or portion of an acre over two acres.
 - (c) That are predominantly a commercial use: \$2,000 plus \$100 per acre or portion of an acre over two acres.
- (2) For purposes of this division and division (G), PREDOMINANTLY shall mean that the use specified is the main or controlling element of the planned unit development, either in amount of acreage occupied by such use, or in the case of residential uses, in number of units.

(G) For an amendment to a planned unit development, the following fee schedule is established:

- (1) \$500 for an amendment to any planned unit development which is predominantly single-family residential and where all occupancy permits have been previously issued by the city;
- (2) \$1,000 for an amendment to any planned unit development which is predominantly single-family residential, and where a minimum of 50%, but less than 100%, of the anticipated occupancy permits have been previously issued by the city;
- (3) \$1,000, plus \$100 per acre or portion of an acre over two acres, for an amendment to any planned unit development which is predominantly single-family residential, and where less than 50% of the anticipated building permits have been previously issued by the city;
- (4) \$1,000 for an amendment to any planned unit development which is predominantly business or multiple-family, and where all occupancy permits have been previously issued by the city;
- (5) \$2,000 plus \$50 per acre or portion of an acre over two acres, for an amendment to any planned unit development which is predominantly business or multiple-family, and where a minimum of 50%, but less than 100%, of the expected occupancy permits have been previously issued by the city, or where a minimum



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of 50%, but less than 100%, of the construction value as listed on the permit application has actually been built.

- (6) \$2,000, plus \$150 per acre or portion of an acre over two acres, for an amendment to any planned unit development which is predominantly business or multiple-family, and where less than 50% of the expected building permits have been previously issued by the city, or where less than 50% of the expected construction value as listed on the permit application has actually been built.

(H)(1) Appeal from a decision of the Community Development Director:

- (a) \$500 per case for a single-family residential appeal.
- (b) \$1,000 per case for a business or multi-family appeal.

- (2) The fee for an appeal from a decision of the Community Development Director shall be refunded if such decision is reversed by the Planning and Zoning Commission. Fees incurred to reimburse the city for the costs of professional and technical consultant services, including any court reporter fees that exceed \$250, as prescribed by 154.05(A) will not be refunded.

(I)(1) Appeal from a decision of the Stormwater Administrator:

- (a) \$500 per case for a single-family residential appeal.
- (b) \$1,000 per case for a business or multi-family appeal.

- (2) The fee for an appeal from a decision of the Stormwater Administrator shall be refunded if such decision is reversed by the Stormwater Oversight Committee. Fees incurred to reimburse the city for the costs of professional and technical consultant services, including any court reporter fees that exceed \$250, as prescribed by § 154.05(A) will not be refunded.