



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

Planning & Zoning Commission Application Procedure & Requirements

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Planning & Zoning Commission Checklist

- Application Form
- Application Fee (amount) \$ _____
- Findings of Fact-Statement of how the requested relief meets the conditions for approval
- Cover Letter describing request
- Plat of Survey with Legal Description
- Legal Description in Word Format
- Draft Public Hearing Notice
- 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.
- Property Owners List-A list must be compiled of all adjoining property owners with the address of where each tax bill is sent. Those on the list must be sent a legal notice of public hearing by **regular mail**, which must be sent not less than 15 days and not more than 30 days before the hearing. It is the applicant's responsibility to complete the mailing. York Township Assessor's Office can provide the list of adjacent properties.
- Reimbursement of Fees Agreement
- Conflicts of Interest Form
- Proposed Site Plan* with Site Statistics Form
- Landscape Plan*
- Photometric/Lighting Plan*
- Drawings of Proposed Signs*
- Horizontal Building Elevations*
- Material Samples to show how the colors, materials and applications will work together.
- Floor Plans
- Engineering Drawings (any new construction, additions or site modifications) *
- Traffic Study (for PUDs, any use with a drive-thru or parking variations)
- Plat of Annexation*
 - 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
- Preliminary Subdivision Plat* meeting all requirements of Title XI (Land Use) Chapter 159 (Subdivision and Development Regulations)
- Final Subdivision Plat*
- Preliminary P.U.D. Development Plan*
- Final Planned Unit Development Plan*
- Approval from:
 - Flagg Creek Water Reclamation District
 - City of Oakbrook Terrace Water Department or Village of Oakbrook Water Department
 - Oakbrook Terrace Public Services/Public Works Department
 - DuPage County Driveway Approval, if applicable
- Kane - DuPage Soil & Water Conservation District Natural Resource Inventory Report Application
- Affidavit of Service must be submitted one week prior to the public hearing date.**

*Please submit 15 full size drawings and eight legible 11" x 17" reduced reproducible copy of full-size drawings. Additional copies may be required depending upon the petition. Consult staff with any questions concerning the submittal requirements.



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Public Hearing Application Deadlines

Application Deadline	PZC Meeting
5/22/2022	6/21/2022
6/5/2022	7/5/2022
6/19/2022	7/19/2022
7/3/2022	8/2/2022
7/17/2022	8/16/2022
8/7/2022	9/6/2022
8/21/2022	9/20/2022
9/4/2022	10/4/2022
9/18/2022	10/18/2022
10/2/2022	11/1/2022
10/16/2022	11/15/2022
11/6/2022	12/6/2022
11/20/2022	12/20/2022



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Public Hearing Process

FOR ZONING CHANGES, VARIATIONS AND SPECIAL USE PERMITS

These instructions are presented to assist applicants in preparing petitions for presentations before the City of Oakbrook Terrace Planning & Zoning Commission.

Hearing dates are scheduled through the Community Development Department for the first or third Tuesday of each month. In cases requiring a Public Hearing with a public notice, required information must be received at least thirty (30) days prior to the hearing date.

This time is needed to insure proper public notice in a local newspaper and to permit adequate staff review. Any amendments to the petitioner's original plan must be submitted to the Community Development staff three weeks prior to the public hearing. After filing with the Community Development staff, the City shall display a sign on the property in accordance with the Zoning Ordinance. Applications will not be processed until all requested documentation is submitted.

AT THE HEARING

1. After the reading of the "Notice of Public Hearing" the applicant must submit for the hearing record of his evidence of ownership, written proof that the owner has granted permission for petitioner to apply for zoning relief and all exhibits.
2. Presentation of Petitioner: The applicant may then state his case, and members of the Planning and Zoning Commission may question the applicant and his witnesses.
3. Staff will present any additional information from their report
4. Interested citizens may question the applicant and his witnesses.
5. Anyone in favor of or in opposition to their request may then present their testimony and likewise may be questioned by the Planning & Zoning Commission and applicant or his representatives.
6. The applicant may then answer the objections.
7. Prior to the close of the hearing, the applicant and anyone in opposition will have the right to file any pertinent documents or written statements with the Planning & Zoning Commission. After the hearing is closed, no additional testimony is permitted.
8. Planning & Zoning Commission may have further discussion regarding the petition.
9. The attorney may make comments or ask questions
10. The Commission will make a motion to recommend that the City Council approve, deny or approve with conditions the requested zoning relief. They may also continue the public hearing.



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AFTER THE HEARING

1. The Planning & Zoning Commission will submit their recommendation to the City Council
2. At the next regularly scheduled City Council meeting, the City Council will bring the Planning & Zoning Commission's recommendation up under the category of "New Business". The Council may decide on the request at this meeting or may table the matter until their next meeting depending on the nature and complexity of the request. If the City Council approves the requests, the attorney will draft an ordinance for the first reading and ultimately a final reading before passage into law.
3. After this decision, the petitioner may retrieve from the Community Development Staff those public hearing exhibits that will not be retained in the petitioners file.
4. City staff will remove the public notice sign from the property within two (2) weeks after the Public Hearing or withdrawal of the petition as required by the Zoning Ordinance.



Application Material Requirements

PRELIMINARY DEVELOPMENT PLANS - SUPPORT MATERIAL REQUIRED

At the time of submittal to staff, the preliminary plan must include the following information. Failure to supply the required information will result in unnecessary delays. ALL submitted material must be folded into an 8.5"x11" folder.

1. PRELIMINARY SITE PLAN + LANDSCAPE PLAN

A site plan (not more than one inch = 50 ft.) showing proposed uses and structures. The following should be included:

- a) Layout of the building to scale.
- b) Show all dimensions of the perimeter of the parcel.
- c) North arrows.
- d) All dimensions (setbacks, widths of pavements, dimensions of buildings, room sizes, etc.).
- e) Distance between buildings on the site and to buildings on the adjacent sites.

2. PRELIMINARY SITE STATISTICS

On the site plan include the following calculations in square feet percentages.

- a) Gross area of each land use sub area. (i.e., single-family, multi-family, commercial, industrial, open space, etc.)
- b) Number of dwelling units, their size and mix prepared; and the maximum number of units allowed
- c) Leasable commercial area.
- d) Total number of parking spaces vs. parking ratio required.
- e) Gross area of building.
- f) Gross area of sidewalks and pavement.
- g) Gross area of open space.
- h) Gross area of tract.
- i) Floor area ratio.

3. PRELIMINARY ENGINEERING PLANS SHOWING:

- a) Ingress and egress to the site.
- b) On-site parking and fire lane locations.
- c) Adjacent rights of way.
- d) Show the names of adjacent north, south, east and west streets and the closest arterial streets.
- e) Traffic impact analysis for site providing over sixty-five parking spaces.



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- f) Existing zoning of adjacent and surrounding properties whether in the City or not.
- g) Preliminary engineering plans showing locations and adequacy of existing and proposed sanitary sewer, storm sewer and water distribution systems and water retention.
- h) Storm water retention. Dry or wet storage areas. Acre feet as well as high water line (existing and proposed topography of the site at 1 ft. intervals)

4. ARCHITECTURAL PLANS SHOWNG:

- a) Building floor plans.
- b) Complete landscaping plans including names and sizes of tree and height of shrubs (minimum), sod or seed areas and site amenities. Where living green fence and other fences are required, show a cross section and specify style of fence.
- c) Architectural rendering or photos of what the building will look like
- d) Two (2) section profiles from front and side through the site and into the adjacent site (approx. 20 ft) how the proposed development will relate to the adjacent properties.

5. 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 zoning relief. Please note, only one hearing per year is permitted per parcel.



Public Hearing 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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**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



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Notary Public

Public Hearing Notification Requirements

1. **Publication:** Notice of the public hearing including the time and place of the public hearing concerning such petition, is published in the Daily Herald not more than 30 days nor less than 15 days before the hearing. Such notice shall include a legal description of the property that is the subject of the petition, the approximate street location or address, the name of the petitioner, the present zoning classification of the property, and the proposed change or approval requested. In the case of an amendment to the regulations contained in this subchapter, such notice shall include the name of the petitioner and a description of the amendment proposed.
2. **Written Notice:** Written notice of the public hearing shall be served not more than 30 days nor less than 15 days before the public hearing, either in person or by U.S. mail, postage prepaid, to all owners of property within 250 feet in each direction, as measured from any lot line of the property which is the subject of the petition. Such owners shall be determined from the tax records of the county. The required notice shall state the location of the property, the time, date and place of the public hearing, and the nature of the petition.
3. **Public Hearing Signs.** The city will erect a public hearing sign on each frontage of the property that is the subject of the petition within five days after a date has been set for the public hearing. Applicants on behalf of commercial properties shall pay the city \$50 to install and remove each public hearing sign.



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Sample Legal Notice

PETITIONER TO PROVIDE A DIGITAL COPY (IN WORD DOCUMENT FORM) OF THE LEGAL NOTICE

LEGAL NOTICE

A Public Hearing will be held before the Planning and Zoning Commission of the City of Oakbrook Terrace on **HEARING DATE**, at 6:00 pm, at the City Council Chambers located at 17W261 Butterfield Road, Oakbrook Terrace, Illinois, to consider a request by **PETITIONER NAME** (“Petitioner”) to approve **ZONING RELIEF REQUESTED** pursuant to **(FOR VARIATIONS: 156.023 (B); FOR SPECIAL USES: 156.024 (B);)** of the Zoning Ordinance of the City of Oakbrook Terrace (the “Zoning Ordinance”).

Petitioner and owner seek the above relief in order to allow the improvements and use of the subject property according to the application and plans on file with the City of Oakbrook Terrace.

Petitioner & Owner:

NAME
ADDRESS
CITY, ST ZIP

Legal Description:

INSERT LEGAL DESCRIPTION HERE

Address of Property: _____, Oakbrook Terrace, IL

P.I.N.: _____

The property is zoned **INSERT CURRENT ZONING DESIGNATION**

The application and public hearing documents are on file and available for public inspection during normal business hours at the Office of the Community Development Department, Municipal Building 17W275 Butterfield Rd, Oakbrook Terrace, Illinois 60181.

All persons present at the above foregoing Public Hearing will be given an opportunity to be heard. Said Public Hearing may be continued from time to time as may be necessary and desirable without further notice.

Individuals with disabilities who plan to attend the hearing and require certain accommodations in order to allow them to observe and participate, or who have questions regarding accessibility of the meeting or facilities, are requested to contact the Office of the Community Development Department at Oakbrook Terrace, 630-941-8300.

BY ORDER OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF OAKBROOK TERRACE, ILLINOIS.

Planning and Zoning Commission
City of Oakbrook Terrace



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Commercial Site Data Summary

	REQUIRED BY ORDINANCE	PROPOSED
Floor Area		
Lot Area	Min Area	
	Net Area/Business	
Lot Width		
Lot Depth		
Building Height		
Front Yard Setback	Building	
	Paved Area	
Corner Side Yard Setback	Building	
	Paved Area	
Interior Side Yard Setback	Building	
	Paved Area	
Rear Yard Setback	Building	
	Paved Area	
Lot Coverage		
Parking	Standard Spaces	
	Disabled Parking Spaces	
Loading		
Driveway Width at City ROW *Flare shall not exceed 5 feet on either side of the driveway		
For PUDs & Subdivisions:		
Number of Dwelling Units		
Required Public Improvements		

****PLEASE PROVIDE A COMMERCIAL SIGNAGE DATA SUMMARY****



Landscaping Data Summary

LANDSCAPING DATA			
Lot Area		Sq. Ft.	%
Impervious Area		Sq. Ft.	%
Building Area		Sq. Ft.	%
Site Impervious (Hard Surface)		Sq. Ft.	%
Parking Lot Area (Hard Surface)		Sq. Ft.	%
Landscape Area		Sq. Ft.	%
FULL LANDSCAPE SCREEN/BUFFER CALCULATIONS			
North Property Line	<u>Tree Type</u>	<u>Number</u>	<u>Points</u>
Length in Feet = _____	Shade Trees	_____	_____
Points Needed= _____	Ornamental Trees	_____	_____
Points Proposed= _____	Evergreen Trees	_____	_____
	Tall Shrubs	_____	_____
	Short Shrubs	_____	_____
South Property Line	<u>Tree Type</u>	<u>Number</u>	<u>Points</u>
Length in Feet = _____	Shade Trees	_____	_____
Points Needed= _____	Ornamental Trees	_____	_____
Points Proposed= _____	Evergreen Trees	_____	_____
	Tall Shrubs	_____	_____
	Short Shrubs	_____	_____
East Property Line	<u>Tree Type</u>	<u>Number</u>	<u>Points</u>
Length in Feet = _____	Shade Trees	_____	_____
Points Needed= _____	Ornamental Trees	_____	_____
Points Proposed= _____	Evergreen Trees	_____	_____
	Tall Shrubs	_____	_____
	Short Shrubs	_____	_____
West Property Line	<u>Tree Type</u>	<u>Number</u>	<u>Points</u>
Length in Feet = _____	Shade Trees	_____	_____
Points Needed= _____	Ornamental Trees	_____	_____
Points Proposed= _____	Evergreen Trees	_____	_____
	Tall Shrubs	_____	_____
	Short Shrubs	_____	_____
Total Points Required: _____			
Total Points Proposed: _____			



When a Court Reporter is Required

Pursuant to Resolution R10-22, a court reporter shall be required in the following instances:

Residential Districts:

1. **Special Uses:** All special uses in residential districts are non-residential in character, therefore any petition for a special use will require a court reporter
2. **Variations:**
 - a. Any petition for a variation to bulk regulations greater than twenty percent (20%) of what is permitted or required in the zoning district will require a court reporter regardless of the nature of construction.
 - b. Any petition for a variation to sign requirements will not require a court reporter
 - c. Any petition for a variation to parking regulations for non-residential uses shall be subject to the guidelines for requiring a court reporter as noted below
3. **Planned Unit Developments:** All Planned Unit Developments require a court reporter.
4. **Map or Text Amendments:** All Map or Text Amendments require a court reporter.

Commercial Districts:

1. **Special Uses & Planned Unit Developments:** Any petition for a special use or planned unit development for a zoning lot over one (1) acre will require a court reporter.
2. **Variations:**
 - a. Any petition for a variation to bulk regulations greater than twenty percent (20%) of what is permitted or required in the zoning district will require a court reporter regardless of the size of zoning lot.
 - b. Any petition for a variation to sign requirements will not require a court reporter.
 - c. Any petition for a variation to parking regulations for non-residential uses shall be subject to the guidelines for requiring a court reporter as noted below.
3. **Planned Unit Developments:** All Planned Unit Developments require a court reporter.



4. **Map or Text Amendments:** All Map or Text Amendments require a court reporter.

Parking Variations:

1. **Variation of 50 or more spaces:** Any petition for a variation of 50 or more spaces will require a court reporter.
2. **Other Variations:** Any petition for a variation in excess of the variations identified below will require a court reporter:
 - a. Any petition for a variation of five (5) or less parking spaces on a site where 100 parking spaces or less are required will not require a court reporter.
 - b. Any petition for a variation of six (6) to nine (9) parking spaces on a site where 101-199 parking spaces are required will not require a court reporter.
 - c. Any petition for a variation of ten (10) to nineteen (19) parking spaces on a site where 200-299 parking spaces are required will not require a court reporter.
 - d. Any petition for a variation of twenty (20) to twenty-nine (29) parking spaces on a site where 300-399 parking spaces are required will not require a court reporter.
 - e. Any petition for a variation of thirty (30) to thirty-nine (39) parking spaces on a site where 400-499 parking spaces are required will not require a court reporter.
 - f. Any petition for a variation of forty (40) to forty-nine (49) parking spaces on a site where 500 or more parking spaces are required will not require a court reporter.



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.



Standards for Variation

The Planning and Zoning Commission shall not recommend a variation, and the City Council shall not vary the provisions of the ordinance as authorized in this section, unless findings have been made based upon evidence presented that clearly demonstrates the following:

- (1) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
- (2) That the plight of the owner is due to unique circumstances not of its own creation.
- (3) That the variation, if granted, will not alter the essential character of the locality.

Standards for Special Use

Conditions. No special use or change to a special use shall be recommended by the Planning and Zoning Commission nor approved by the City Council unless the special use:

- (1) Is deemed necessary for the public convenience at the location.
- (2) Will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- (3) Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish or impair property values within the neighborhood.
- (4) Will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (5) Will provide adequate utilities, access roads, drainage and other important and necessary community facilities.
- (6) Will conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council.



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AFFIDAVIT OF SERVICE

_____ (Date) Public Hearing
Before The
Planning Commission and Zoning Commission
City of Oakbrook Terrace, Illinois

Name of Development

AFFIDAVIT OF SERVICE NOTICE

With respect to the Public Hearing that has been scheduled before the Planning and Zoning Commission of the City of Oakbrook Terrace to request approval of _____, the undersigned, states the following:

That, to the best of his knowledge, he has complied with the requirements established by the City of Oakbrook Terrace Zoning Code by sending the notice attached hereto as Exhibit A on _____ (Date) (the "Notice") by regular mail, to the property owners listed on Exhibit B attached hereto.

_____ signed
Petitioner/Attorney for Petitioner

Subscribed and sworn to before me this
_____ day of _____ 20 .

Notary Public