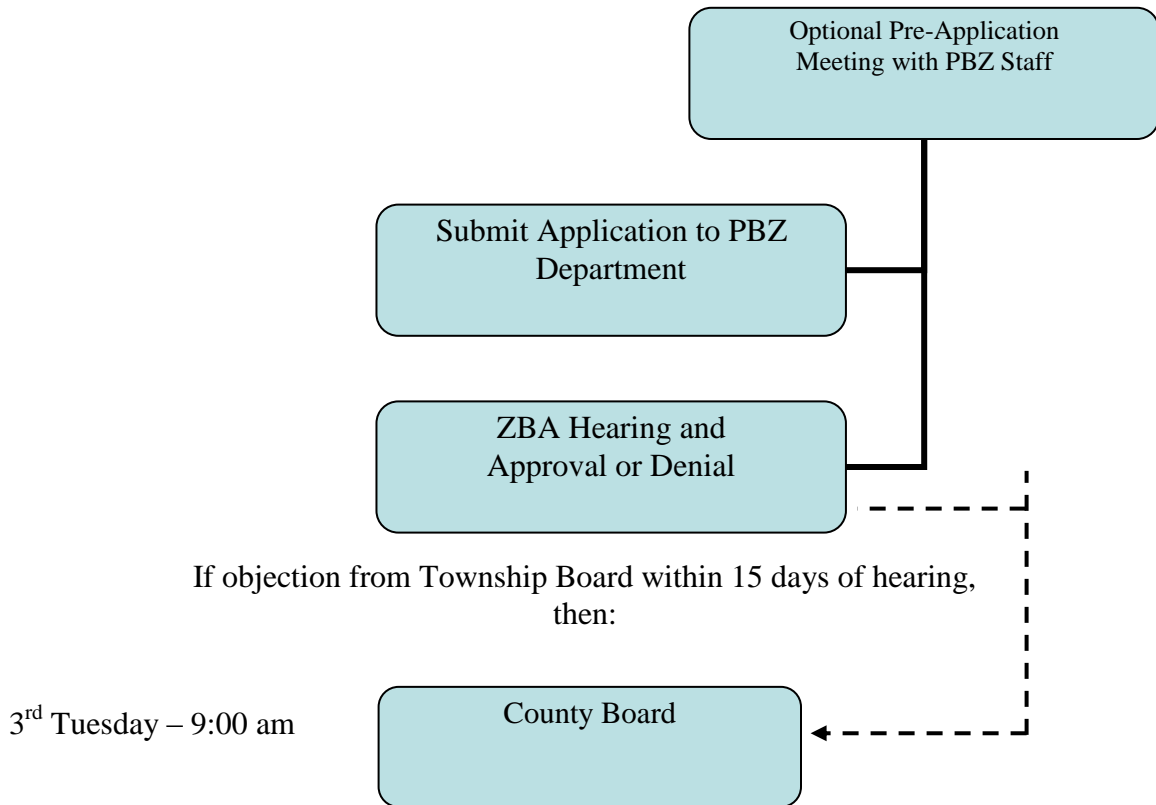


Kendall County Variance Process (Variances exceeding 10%)



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The ZBA or County Board may continue or table and item if it is determined that additional time is need for review. Such actions will extend the review process.

KENDALL COUNTY VARIANCE TIMETABLE 2023

Application Deadline	**ZBA PUBLICATIONS		***Deadline for proof of publication	ZBA	CB (if objection by Twp.)
	BEGIN	END			
By 4:30pm				(7:00 P.M.)	
11/18/22	11/19/22	12/04/22	12/12/22	12/19/22	01/03/23
12/30/22	12/31/22	01/15/23	01/23/23	01/30/23	02/21/23
01/27/23	01/28/23	02/12/23	02/20/23	02/27/23	03/21/23
02/24/23	02/25/23	03/12/23	03/20/23	03/27/23	04/18/23
03/31/23	04/01/23	04/16/23	04/24/23	05/01/23	05/16/23
04/28/23	04/30/23	05/15/23	05/23/23	05/30/23	06/20/23
06/05/23	06/06/23	06/21/23	06/29/23	07/06/23	08/01/23
06/30/23	07/01/23	07/16/23	07/24/23	07/31/23	08/15/23
07/28/23	07/29/23	08/13/23	08/21/23	08/28/23	09/19/23
09/01/23	09/02/23	09/17/23	09/25/23	10/02/23	10/17/23
09/29/23	09/30/23	10/15/23	10/23/23	10/30/23	11/21/23
11/17/23	11/18/23	12/03/23	12/11/23	12/18/23	01/16/24

TIMELINE IS SUBJECT TO CHANGE-REVIEW BY TOWNSHIPS, MUNICIPALITIES AND ADVISORY BOARDS COULD DELAY THE ADOPTION PROCESS

**** Petitioners must adhere to ZBA publication timeframe as listed. All notifications must be given to property owners and published in the newspaper no earlier than the "begin" date listed and no later than the "end" date listed for the appropriate ZBA hearing. Notices submitted to the paper for publication must also include the legal description of the property that is the subject of the hearing. The "Kendall County Record" and "Beacon News" are the preferred papers for publication of notices. The "Beacon News" is published daily. The Kendall County Record is a weekly publication issued each Thursday. Please check with each publication regarding publication deadlines. For further information regarding the cost and deadlines related to each paper, contact the "Kendall County Record" at (630) 553-7034 (publicnotice@kendallcountynow.com) or the "Beacon News" (suburban.legal@tribpub.com)**

***** Proof of notification must be submitted to the Planning, Building & Zoning Department prior to the ZBA hearing. The deadline for each hearing is specified above.**

PUBLIC HEARINGS BEFORE THE KENDALL COUNTY ZONING BOARD OF APPEALS

The purpose of a public hearing is to hear and record testimony supporting and/or opposing a petition. In the case of variance requests, the ZBA is the final decision maker and a total of four (4) of the seven (7) members must vote in favor of a variance petition in order for it to be approved. Public hearings are at times emotional, therefore certain rules are followed to ensure everyone is treated fairly. Your cooperation is appreciated.

Zoning Board of Appeals members are appointed by the County Board Chair. The ZBA strives to make recommendations that will benefit the entire county, based on facts presented at the hearing. The ZBA, in its recommendations, attempts to implement the procedures set forth in the Kendall County Zoning Ordinance and policies of the Kendall County Land Resource Management Plan.

Hearing Procedure:

1. The Chair opens the hearing.
2. Planning, Building and Zoning Department staff gives a brief presentation of the petition for the record.
3. The petitioner (or a designated representative) and anyone else who intends to testify are sworn in. The petitioner then gives a brief presentation followed by questions from ZBA members.
4. Sworn testimony is taken from those supporting and/or opposing the petition.
5. Petitioner may offer a rebuttal and summarize their position.
6. The public hearing is then closed for the petition.
7. ZBA members review and discuss the petition.
8. Findings of Fact are taken and the ZBA votes to approve or deny (or to continue the hearing to a future date and time) the variance.

If you wish to speak:

1. You will stand and be sworn in by the Chair.
2. Before you begin your testimony, please sign the provided attendance sheet and also state your name and address for the record.
3. Speak loudly and clearly because testimony is being recorded. Address your comments and questions to the Zoning Board of Appeals Chair.
4. Be brief and concise. Avoid repeating yourself and what others have said before you, although you may voice your support on what has already been said.
5. The Chair has the right to impose a time limit on testimony (approximately five minutes).
6. You may submit written testimony to the Kendall County Planning, Building and Zoning Department one week prior to the hearing date. It will then be read into the record at the public hearing. All documents submitted at the hearing become County property and are included in the public record as exhibits.
7. Testimony should include facts and specific reasons, not just opinions. Examples of acceptable testimony include the following:
 - Compliance with County's Land Resource Management Plan
 - Zoning in comparison to nearby properties
 - Effect on taxable value of nearby property
 - Effect on quality of life in neighborhood
 - County need for proposed development
 - Impact on community tax base and economy
 - Impact on City/School District/Park District services
 - Environmental impact
 - Property cannot be economically used without zoning change
 - Public safety, health, and welfare
 - Adequate open space

Provide specific, well-documented information to substantiate testimony. (For example, regarding "effect on taxable value of nearby property" provide examples of similar development and actual property value changes caused by rezoning, or expect testimony from appraiser as to property value changes in similar circumstances.)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)		
CURRENT LANDOWNER/NAME(S)		
SITE INFORMATION ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input checked="" type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹ PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
² ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.		
SIGNATURE OF APPLICANT		DATE

FEE PAID:\$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County
²Engineering Contact will receive all correspondence from the County's Engineering Consultants



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

VARIANCE APPLICATION CHECKLIST

- _____ Completed Application Form
- _____ Application Fee
- _____ Legal Description of Property Involved (submitted either on CD or email to PBZ Dept.)
- _____ Proof of Ownership (Deed or Title Insurance Policy)
- _____ A Beneficiary Disclosure Statement for Property, if held in trust
- _____ Variance Findings of Fact (To be completed by petitioner)
- _____ **12** Copies of a Plat of Survey less than five years old depicting the following items*:
 - _____ Title
 - _____ Scale of Drawing
 - _____ "North Arrow" showing north at top of the drawing
 - _____ Date of drawing
 - _____ Developer/Owner
 - _____ Designer/Surveyor
 - _____ All existing structures on the property and adjacent properties
 - _____ Location and dimensions of all proposed structures including square footage
 - _____ Utilities on the property and adjacent properties
 - _____ Easements, location, width and purpose
 - _____ Streets and other rights-of-way
 - _____ Topography at 1 or 2 foot contours
 - _____ Wooded areas (if present)
 - _____ Natural drainage to, from and on the property
 - _____ Base Flood Elevation (if present on the property)
 - _____ Wetlands (if present on the property)
 - _____ Location Map
 - _____ Present zoning classification and PINs on property and all adjacent properties
- *if submitting copies of 11"x17" or smaller, one additional 24"x36" copy is requested for display purposes.)
- _____ A copy of the plat of survey must be submitted in PDF format either on CD or email to PBZ Dept.
- _____ Supplemental Information as requested by Staff (i.e. building plans, building elevations, sign details, fence details, etc.)

THE FOLLOWING ITEMS MUST BE SUBMITTED PRIOR TO THE ZONING BOARD OF APPEALS HEARING:

- _____ Copy of Letter of Notification
- _____ Proof of publication 15 to 30 days before the public hearing
- _____ Proof of notification to recipients (i.e. green/white receipts)
- _____ List of notice recipients
(Within 500' if property is zoned as A-1 Agricultural, surrounding properties if existing zoning is other than A-1)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

ZONING APPLICATION FEES

MAP AMENDMENTS

Any amount of acreage \$500.00

SPECIAL USE PERMITS, PLANNED UNIT DEVELOPMENTS/ RESIDENTIAL PLANNED DEVELOPMENTS AND MAJOR AMENDMENTS TO SPECIAL USES

The following fees include a processing fee, a fee for recording the special use in the recorder's office for 10 pages and a cost for the Zoning Board of Appeals at a rate of \$350.00 shall be imposed on ALL Special Uses

All acreage zoned as A-1	\$1,155
All Other Zoning Districts	
0.0-5.00 acres	\$1,155
5.01-10.00 acres	\$1,905
10.01-50.00 acres	\$2,255 + \$50/acre or part thereof over 10 acres
50.01-100.00 acres	\$4,755 + \$35/acre or part thereof over 50 acres
100.01-500.00 acres	\$6,505 + \$20/acre or part thereof over 100 acres
500.01+	\$14,505 + \$15/acre or part thereof over 500 acres

MINOR AMENDMENT TO SPECIAL USE *(includes a processing fee and a fee for recording the minor amendment to the special use in the recorder's office)*

Any amount of acreage \$150.00

VARIANCE *(includes a processing fee and a fee for recording the variance in the recorder's office)*

As part of Special Use	\$100
Not part of Special Use	\$475 for first Variance Request of petition and \$50 for each additional request to be included in the same petition

ADMINISTRATIVE VARIANCE *(includes a processing fee and a fee for recording the minor amendment to the special use in the recorder's office)*

Any amount of acreage \$150.00

PRELIMINARY PLAT

Residential	\$1,000.00 + \$50.00/acre or part of an acre
Other	\$1,000.00 + \$100.00/acre or part of an acre

FINAL PLAT

All Final Plats \$50.00/acre or part of an acre (\$500.00 minimum)

OTHER PLAT (Vacation, Dedication, etc.)	
All Other Plat Actions	\$50.00/acre or part of an acre (\$500.00 minimum)
ADMINISTRATIVE APPEAL	\$1,000.00 ¹
TEXT AMENDMENT	\$500.00
SITE PLAN REVIEW	\$375.00
CONDITIONAL USE	\$100.00
TEMPORARY USES	\$100.00

No waiver and no refund shall be made for any fee paid pursuant to this Ordinance without the approval of the Planning Building and Zoning Committee of the County Board

All fees for actions or activities by Kendall County or the Kendall County Forest Preserve District are hereby waived and all fees for non-profit organizations shall be charged half of the normal fees for zoning petitions; provided they show proof of non-profit status and that the permit be used only by the organizations itself*

¹In the event that ruling by the Zoning Board of Appeals favors the appealing party, the submitted fee for an administrative appeal shall be refunded to the applicant.

The deposit fee for renting the 2012 National Rifle Association Range Source Book can be found in Ordinance 2019-15.

ZONING FEES ESTABLISHED BY KENDALL COUNTY ORDINANCE EFFECTIVE 12/17/2019

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant _____
Address _____
City _____ State _____ Zip _____

2. Nature of Benefit Sought _____

3. Nature of Applicant: (Please check one)
- Natural Person (a)
 - Corporation (b)
 - Land Trust/Trustee(c)
 - Trust/Trustee (d)
 - Partnership (e)
 - Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

VERIFICATION

I, _____, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this _____ day of _____, A.D. _____

(seal)

Notary Public

Please fill out the following findings of fact to the best of your capabilities. § 13:04 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.

PUBLIC NOTICE
KENDALL COUNTY
****ZONING BOARD OF APPEALS****

Notice is hereby given that Zoning Board of Appeals will hold a public hearing on _____
at 7:00 p.m. (Day, Date, Year)

The location of the meeting is at the Kendall County Office Building, Rooms 209 & 210 at 111 West Fox Street, Yorkville, IL.

The purpose of this hearing is to consider testimony and make a determination regarding Petition # _____
(Application #)

_____ is/are seeking a variance from Section _____
(Name(s) of Applicant) (Section #)

of the Kendall County Zoning Ordinance to _____

(Description of Request)

The property is located at _____, is identified by Parcel Identification Number
(Address or Physical Location)

_____ and is legally described in Exhibit "A" attached.
(Insert Parcel ID Number)

The petitioner _____ acting for himself or in the capacity of agent, alter ego, or representative of a principal.
(is/is not)

The petitioner _____ a corporation.
(is/is not)

The petitioner _____ a business or entity doing business under an assumed name.
(is/is not)

The petitioner _____ a Partnership, Joint Venture, Syndicate or Unincorporated Voluntary Association.
(is/is not) (Include all that Apply.)

This petition and related documents may be reviewed at the Planning, Building and Zoning Department, Room 203, 111 West Fox Street, Yorkville, IL 60560 or the Kendall County Website: <http://www.co.kendall.il.us/planning-building-zoning/petitions>. Questions can be directed to the same department at phone number (630) 553-4139.

All interested persons may attend and be heard. Written testimony should be directed to the Department but shall only be entered as part of the record at the discretion of the Kendall County Zoning Board of Appeals.

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

Name(s) of Applicant

(ATTACH LEGAL DESCRIPTION ON A SEPARATE PAGE)

(ATTACH NAMES AND ADDRESSES OF ACTUAL AND TRUE PRINCIPALS ON A SEPARATE PAGE)

(ATTACH THE NAMES AND ADDRESS OF OFFICERS, DIRECTORS, AND OF ALL STOCKHOLDERS OR SHAREHOLDERS OWNING ANY INTEREST IN EXCESS OF 20% OF ALL OUTSTANDING STOCK OF SUCH CORPORATION ON A SEPARATE PAGE)

(ATTACH THE NAME AND RESIDENCE OF ALL TRUE AND ACTUAL OWNERS OF THE BUSINESS OR ENTITY ON A SEPARATE PAGE)

(ATTACH THE NAMES AND ADDRESSES OF ALL PARTNERS, JOINT VENTURERS, SYNDICATE MEMBERS OR MEMBERS OF THE UNINCORPORATED VOLUNTARY ASSOCIATION ON A SEPARATE PAGE)