



## PLANNING & ZONING APPLICATION

### Property Information

Common street address: \_\_\_\_\_

PIN (Property Index Number): \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Current Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Is the request consistent with the Comprehensive Plan? \_\_\_\_\_

Number of Acres: \_\_\_\_\_ **If greater than 4 acres, 2 acres for government property or 5 acres for manufacturing zoned land, application shall be processed as a Planned Development as a Conditional Use. See definition of Planned Development and PD Section of Zoning Ordinance.**

Legal description of the property (print or attach exhibit): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### Property Owner Information

Name(s): \_\_\_\_\_

Business/Firm Name (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

### Applicant Information

Name(s): \_\_\_\_\_

Business/Firm Name (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_





## APPENDIX A Public Hearing Process

A public hearing must be held by the Planning and Zoning Commission on any zoning request. The Commission is a group of Lake in the Hills citizens who make recommendations to the Village Board on zoning-related matters. The Commission meets in the Lake in the Hills Village Hall located at 600 Harvest Gate. All meetings begin promptly at 7:30 p.m. in the boardroom on the dates assigned by the Village.

When Community Services receives your application, staff will check the materials for completeness. If complete, the request will be scheduled for the next available Planning and Zoning Commission agenda. You will be notified of this date as soon as it is determined.

1. The Community Development Department will prepare the public hearing notice. Once prepared, the applicant is required to have the legal notice published for one day in a McHenry County newspaper, which has local circulation within the village (see the next page for local newspapers). **The notice must be published no more than thirty days nor less than fifteen days (not including the day of the hearing) prior to the scheduled hearing date. Please note you will need to contact this department (847) 960-7400 with the date of publication of your public hearing notice in order for the accurateness to be assessed.** If you fail to submit the notice to the newspaper by the deadline, the public hearing will be canceled. The legal advertising department of the newspaper you choose will send you a certificate of publication, which you should then submit to the Chairman of the Planning and Zoning Commission at the public hearing. You will be responsible for all costs associated with the preparation and publishing of the legal notice.
2. All applicants shall be required to post a notification sign in the front yard of the subject property. The sign must be posted on the property, in full public view, no more than thirty days, or less than fifteen days prior to, and up until the scheduled public hearing has been held.
3. Finally, a copy of the legal notice must be mailed by you to all property owners within 250 feet of the subject property. These notices must be sent first class mail to each property owner no more than thirty days nor less than fifteen days prior to the scheduled hearing. The Property Index Number (PIN) that corresponds to the recipient's property should be included next to the name of the recipient property owner on the addressed envelope. An affidavit shall be submitted to the Chairman of the Planning and Zoning Commission at the public hearing listing the Parcel Identification Number and Property Owner name and Address. The applicant is responsible for the cost of this mailing. List of owners may provided to you by the Village or be obtained from the Township Assessors Office. The number for Algonquin Township is (847) 639-2700 with offices at 3702 U.S. Highway 14, Crystal Lake. Grafton Township's phone number is (847) 669-3383 and its office is at 10109 North Vine Street, Huntley.
4. You must be present at the public hearing. You may, at your discretion, be represented by your attorney, contractor, or any other person you wish to speak in favor of your request.

It will be your responsibility to prove and provide the appropriate information which substantiates the reasons, hardship, or findings of fact which necessitates the requested zoning action. The criteria for zoning request types are found in the Lake in the Hills Zoning Ordinance.

At the public hearing, the Chairman of the Planning and Zoning Commission will ask you to describe your request. Any other individuals that desire to speak will also be allowed to testify. After your presentation, the chairman will allow others to speak. After all interested parties have spoke, the chairman will close the public hearing and will call for a motion and vote on the matter. The recommendation and the findings of fact will then be forwarded to the Village Board of Trustees for consideration. If the Village Board approves the requested action, an ordinance is enacted and approved, including any conditions.



## Planning and Zoning Commission

### Public Hearing Requirements & Procedures

#### ◆ Purpose of a Public Hearing

The purpose of a public hearing is to give everyone the opportunity to express their views and to provide evidence in support of those views regarding a petition before the Planning and Zoning Commission. These opinions and evidence create the record, which the Planning and Zoning Commission relies on for its findings, conclusions and recommendation. The Commission's recommendation and record are then considered by the Board of Trustees before they make the final determination.

An agenda will be established and available for viewing prior to the public hearing at Village Hall, 600 Harvest Gate, and on the Village's website at [www.lith.org](http://www.lith.org). Furthermore, the public is welcome to view file information on a proposed petition in advance at the Community Development Department located at Village Hall.

#### ◆ Notification Requirements of a Public Hearing

The Village's Zoning Ordinance requires notification for public hearings before the Planning and Zoning Commission. This includes mailing all property owners (as determined by the appropriate Township Assessor's Office) within 250 feet of the subject property written notice of the public hearing, posting a public hearing sign on the property, and publication of the public hearing notice in one of the local newspapers no sooner than 30 days and no less than 15 days prior to the hearing date.

#### ◆ Public Hearing Procedures

Before the meeting, anyone wishing to speak at the hearing must complete a Public Hearing Comment Form. The Planning and Zoning Chairman will call the meeting to order and introduce each new item of business. The Chairman has the authority to take any necessary measures to control the hearing including closing the meeting, clearing the hearing room and calling the public in one at a time to testify. The Chairman will read the petitioner's request and open the hearing.

##### **Staff Report**

Staff will present its report.

##### **Petitioner's Testimony**

The petitioner will be given a suitable amount of time to provide an overview of the request and to provide factual information (by the applicant or by witnesses called by the applicant) in support of the petition. The Planning and Zoning Commission may ask questions to clarify the applicant's request.

##### **Public Testimony**

Following the completion of the petitioner's testimony, the public shall be entitled to present evidence. The Chairman will call on the public from the Public Hearing Comment Form. All testimony before the Planning and Zoning Commission must be given from the podium so that a transcribable record may be made. Spontaneous comments from the floor are not permitted and will not be considered for the record. Persons testifying are required to state their name for the record. Testimony will be limited to the relevant facts of the case and standards for approval. All testimony will be included as part of the public record. As such, it is not necessary to repeat previously stated testimony. If members of the public have questions regarding any testimony provided during the hearing they should be directed to the Chairman who will request a response from the appropriate person.

##### **Discussion and Deliberation**

The Planning and Zoning Commission will then deliberate and close the public hearing and finally make a recommendation. The recommendation and findings of fact from the Planning and Zoning Commission along with comments offered by the public will be presented to the Village President and Board of Trustees for review and action.

##### **Contact Information**

These rules and procedures are designed to ensure a fair and orderly decision-making process and to promote public participation in the land use decisions rendered by the Village of Lake in the Hills. If you have questions, you can contact the Village Hall at (847) 960-7400.



## *Local Newspapers*

### **Northwest Herald**

Main Office

7717 South Route 31

Crystal Lake, IL 60014

Phone: (815) 455-4800 or (800) 589-8237

Fax: (815) 477-4960

Email: [publicnotice@nwherald.com](mailto:publicnotice@nwherald.com)

Website: [www.nwherald.com](http://www.nwherald.com)

### **Daily Herald**

155 E. Algonquin Road

Arlington Heights, IL 60005

Phone: (847) 427-4671

Fax: (847) 427-1146

Email: [legals@dailyherald.com](mailto:legals@dailyherald.com)

Website: [www.dailyherald.com](http://www.dailyherald.com)

### **Chicago Tribune**

435 N. Michigan Ave.

Chicago, IL 60611

Phone: (800) TRIBUNE (1-800-874-2863)

Website: [www.chicagotribune.com](http://www.chicagotribune.com)



## Affidavit of Notification

I, \_\_\_\_\_, certify compliance with Section 21.6-3 of the Lake in the Hills  
(print)

Zoning Code by sending notice by First Class Mail to the list of property owners below regarding a zoning application request made by me of which a public hearing has been scheduled for the

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at 7:30 p.m. at the Lake in the Hills Village

Hall located at 600 Harvest Gate, Lake in the Hills, IL 60156.

Parcel Identification Number (PIN)	Owner Name	Owner Address

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public



## Planning and Zoning Commission

### Hearing Acknowledgement Form for Single Family Residential Variations per Section 21.6-4 of the Zoning Ordinance

The undersigned acknowledges receipt of the public notice for a residential variation filed by

\_\_\_\_\_ (Applicant)

regarding the property at \_\_\_\_\_.

I understand a hearing will be held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, at 7:30pm at the Lake in the Hills Village Hall, 600 Harvest Gate, Lake in the Hills, IL 60156.

Property Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

PIN# \_\_\_\_\_

## **APPENDIX L Variation**

This appendix shall be filled out, signed, and submitted with the following information along with the Development and Zoning Application and in accordance with Village Ordinances <http://www.lith.org/administration/page/municipal-code-zoning> and all other applicable requirements:

1. Compliance with Appendix A regarding public notice and hearing requirements
2. Plat of Survey
3. Current Deed to verify property ownership
4. Development Plans (if applicable) that comply with the Zoning Ordinance and all other Village ordinances to include:
  - a. Existing Conditions Plan
  - b. Site Plan
  - c. Utility Plan
  - d. Grading Plan
  - e. Landscape Plan
  - f. Lighting Plan
  - g. Color Building Elevations
  - h. Sign Plan
  - i. Detail Page
5. Stormwater Application and associated reports, if applicable (Appendix C)
6. All documents and information necessary to comply with Village Ordinances.
7. Reimbursement of Fees Agreement, if applicable (Appendix B, Exhibit A)

**Submit 1 hard copy of each report and a PDF of each report.**

**Submit 1 Full Size (minimum 24" x 36") hard copy and a full size PDF of each required plan.**





**Standards and Findings of Facts for a Variance per Section 23.7 of the Zoning Ordinance**

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

1. 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. **Explain how this standard is met.**

---

---

---

---

2. The plight of the owner is due to unique circumstances. **Explain how this standard is met.**

---

---

---

---

3. The variation, if granted, will not alter the essential character of the locality. **Explain how this standard is met.**

---

---

---

---

**PROPERTY ADDRESS/PIN \_\_\_\_\_**

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

- 4. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out. **Explain how this standard is met.**

---

---

---

---

- 5. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification. **Explain how this standard is met.**

---

---

---

---

- 6. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property. **Explain how this standard is met.**

---

---

---

---

- 7. That the alleged difficulty or hardship has not been created by any person presently having interest in the property. **Explain how this standard is met.**

---

---

---

8. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located. **Explain how this standard is met.**

---

---

---

---

9. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood. **Explain how this standard is met.**

---

---

---

---

---

Applicant's Signature                      Date

---

Property Owner's Signature              Date