



VILLAGE OF LAKE IN THE HILLS

Development and Zoning Application Packet

INTRODUCTION

Welcome to the Village of Lake in the Hills. We are pleased that you have chosen the Village of Lake in the Hills to call your home whether it is as a resident, business, or developer. This packet is provided to assist you with your development and zoning application requests. Please contact the Village Hall at 847-960-7400 to schedule a time to meet with staff or ask any questions.

In preparing the application, you should consult with the Village's [Municipal Code, Subdivision and Zoning Ordinances](#) and [Building Code](#) to insure conformity with intent and compliance with all regulatory requirements. Planning and Zoning meetings are held monthly on the Monday following the first set of bimonthly Village board meetings. Meetings are at 7:30 p.m. To ensure your development/zoning request is able to be placed on the agenda, please submit your completed application to the Village Hall the month prior. Every effort will be given to assist you in your displaying the public hearing sign and publishing the public hearing notice within the 15 day time frame before the Planning and Zoning meeting. You will need to complete and submit the applicable appendix (es) pertaining to your application. For any questions regarding these documents or any requirements, please contact the Village Hall at 847-960-7400 or cd@lith.org.

Appendix A	Public Hearing Notice
Appendix B	Escrow
Appendix C	Stormwater Permit Application
Appendix D	Annexation
Appendix E	Sketch Plan
Appendix F	Tentative Plan
Appendix G	Final Plat
Appendix H	Plat Vacation and Resubdivision
Appendix I	Conditional Use
Appendix J	Rezoning
Appendix K	Text Amendment
Appendix L	Variation
Appendix M	Development Plan
Appendix N	School District



Village of Lake in the Hills

Development and Zoning Application

Date: _____

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: _____

Lake in the Hills Development and Zoning Application
Page 2

1	2	3	4	5	6
Request	Select Request with X	Required Fee ac = Acre	For Requirements See Appendix	Public Hearing Required See Appendix A2	Total Fee (enter Amount per Column 3)
Annexation		\$1,000/ac payable upon annexation	D	Yes	
Sketch Plan		\$0	E	No	
Tentative Plan		\$500 + \$10/ac	F	No	
Final Plat		\$500 + \$10/ac	G	No	
Plat of Vacation and/or Resubdivision Plat		\$500 + \$10/ac	H	No	
Conditional Use		\$500 + \$10/ac over 2 ac	I	Yes	
Rezoning		\$500 + \$10/ac over 2 ac	J	Yes	
Text Amendment		\$500	K	Yes	
Variance – Residential		\$100	L	Yes	
Variance – Non-Residential		0-2 ac = \$250 Over 2 ac = \$500	L	Yes	
Development Plan Review		\$500 + \$10/ac	M	No	
Total Fees					
Additional Fees					
Stormwater Permit Application Fee to be paid at time of permit issuance Minor = \$250 Intermediate or Major = \$1,000					
Reimbursement of Fees Required (Attach Appendix B) = \$2,000 + \$100/acre for every acre over 5 acres					

 Property Owner Signature

 Date

If Owner/Applicant is a School District please, complete and submit Appendix N

 Applicant Signature

 Date

All required appendices and documentation shall be submitted with this application. Incomplete applications will not be processed.

Appendix A

Village of Lake in the Hills 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 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 Hall.

When the Village Hall 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.

Staff 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.** Proof of publication and affidavit of the public hearing notice mailing is required. 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.

All applicants shall be required to post a notification sign in the front yard of the subject property. The sign needs to be returned at the public hearing, or within five business days afterwards. The sign must be posted on the property in question, 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.

Also, copy of the legal notice must be mailed to all property owners within 250 feet of the subject property. This notice, 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 (sample affidavit attached). The applicant is responsible for the cost of this mailing. List of owners may 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.

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 spoken, 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.

Local Newspapers

Daily Herald

155 E. Algonquin Road

Arlington Heights, IL 60005

Phone: (847) 427-4671

Fax: (847) 427-1146

Email: legals@dailyherald.com

Website: www.dailyherald.com

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

Website: www.nwherald.com

Chicago Tribune

435 N. Michigan Avenue

Chicago, IL 60611

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

Website: www.chicagotribune.com

NOTICE OF PUBLICATION MUST BE PROVIDED



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

(Attach a separate sheet if necessary)

Dated this _____ day of _____, 20____

Signature

Sworn and subscribed before me this _____ day of _____, 20____

Notary Public



Village of Lake in the Hills 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 Signature _____ Date _____

Address _____ PIN# _____

Planning & 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. The public is welcome to view file information on a proposed petition in advance at the Lake in the Hills 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.

Village of Lake in the Hills Reimbursement of Fees

44.3 REIMBURSEMENT OF FEES

A. ESCROW DEPOSIT: In the event that it is necessary for the Village 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 Village to consider or otherwise take action upon any annexation, zoning change, subdivision development, planned development or other improvement or development upon real property, then the petitioner and owner of the property shall be jointly and severally liable for the payment of such professional fees and any direct expenses plus five percent (5%) to cover the Village's administrative expenses. At the time a petition is filed or at such time as a proposal is made requiring the Village to obtain professional services the petitioner shall be required to deposit a sum equal to the following "initial escrow" formula with the Village as an initial deposit to be credited against fees and costs incurred for the above described services.

Initial Escrow Formula:

1. For land not exceeding five acres, the sum of \$2,000.00.
2. For land exceeding five acres, the sum of \$2,000.00 plus \$100.00 for each acre or part thereof in excess of five acres.
3. The Village Administrator shall have the authority to increase or decrease the initial escrow amount based upon the estimated fees which will be incurred for the project.

B. INVOICES: The Village shall send the petitioner regular invoices to replenish the escrow account. Petitioner shall reimburse the Village within 30 days of said invoice. At all times the petitioner shall maintain a surplus balance in the escrow account in an amount as determined by the Village Administrator.

C. There shall be no staff review or meetings by any Village officials until the escrow deposit has been made.

D. WITHDRAWAL OF PETITION: A petitioner who withdraws a petition may apply in writing to the Village for a refund of his or her initial deposit. The Village Administrator may, in his or her discretion, approve the refund application after all fees and

expenses which have been incurred have been paid.

E. PROFESSIONAL FEES: Any professional or Village staff review fees incurred as a direct or indirect result of the petitioner, owner or their agent requesting a professional opinion or otherwise requesting relief or assistance from the Village, whether or not related to real property, shall be reimbursed in accordance with this Chapter 44.03 if, in the discretion of the Village, a professional review or opinion is desired.

F. DEFAULT: Upon the failure of the owner or petitioner to reimburse or to establish or replenish an escrow account no action on any request made by the owner or petitioner will be undertaken by the Board of Trustees, or by any other official, quasi-official or deliberative individual or body thereunder; and such request shall remain in abeyance until all outstanding fees are paid in full. Upon any failure to reimburse or to establish or replenish an escrow account with the Village in accordance with this Chapter 44 the Village may, in its discretion, elect to place a lien against any real property associated with the petitioner's request. Such lien shall be in an amount equal to the outstanding amount owed to the Village.

G. ASSIGNING AUTHORITY: The Village President and Board of Trustees and the designated Village staff members are hereby authorized to assign requests for professional services to the Village staff or to consultants as deemed appropriate by the Village President or designated Village staff.

H. REIMBURSEMENT OF DIRECT EXPENSES: The petitioner or owner shall reimburse the Village for any direct expenses incurred by professional service providers as a result of reviewing the petitioner or owner's request. Direct expenses shall include but are not limited to reproduction costs, telephone calls, mileage or other similar expenses.

I. REMEDIES: The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be construed to limit or waive the Village's right to proceed against any or all parties in a court of law of competent jurisdiction.

J. AGREEMENT: At the time the petitioner requests action from the Village he or she will be required to execute a reimbursement of fees agreement, in substantial conformity with Exhibit A of this Chapter 44, with the Village.

K. REFUND: Any surplus funds in the escrow account of the petitioner or owner shall be returned upon written request by the petitioner and/or owner.

L. PENALTY: Any person, firm or corporation violating any

provision of Section 44.03 herein shall be subject to one or more of the following penalties, said penalties being cumulative and in addition to any other penalties or liens which may be imposed:

1. A fine of not less than \$25.00 nor more than \$500.00 for each offense and a separate offense shall be deemed committed on each day during or on which a separate violation occurs or continues.
2. "Stop Work Orders" may be issued by the Village until the petitioner complies with the requirements of the ordinance. No work shall be done while the stop work order is in effect.
3. The Village may withhold the issuance of Certificates of Occupancy until the petitioner or owner complies with the requirements of Section 44.03 Herein.

Recodified June 28, 2001
Amended November 13, 2003
Amended January 22, 2008
Amended February 23, 2017

EXHIBIT A

**VILLAGE OF LAKE IN THE HILLS
REIMBURSEMENT OF FEES AGREEMENT**

Project Name: _____

Owner Name: _____

Address: _____

Telephone number: _____

Petitioner Name: _____

Address: _____

Telephone Number: _____

Address and General Parcel Location:

Parcel Identification Number:

Total Acreage:

Invoices should be mailed to: _____

By signing this Agreement the petitioner and/or owner acknowledge that each of them has read Chapter 44 of the Lake in the Hills Municipal Code and each of them fully understands and agrees to comply with the terms set forth therein. Further, by signing below, each signatory warrants that he or she possesses full authority to so sign. The owner and/or petitioner agree that owner and petitioner shall be jointly and severally liable for payment of fees referred to in applicable sections of Chapter 44 of the Lake in the Hills Municipal Code, and as referred to hereinabove.

Property Owner Signature & Date: _____

Petitioner Signature & Date: _____

FOR OFFICE USE ONLY:

Initial Escrow Amount Received \$ _____ On ___/___/___

Copies of Agreement forwarded to:

- _____ Village Administrator
- _____ Village Engineer
- _____ Village Attorney
- _____ Planning Consultant
- _____ Director of Community Services
- _____ Director of Public Works
- _____ Village Collector
- _____ Other _____

Village of Lake in the Hills Account Number: _____

FLOOD HAZARD CHECK:

- Out of SFHA & Wetlands
- Entire Property in SFHA or Wetlands
- Portion of Property in SFHA or Wetlands
- Portion of Development in Regulated Floodway
- Firm Panel #: _____
- USGS/HA Map #: _____
- Wetland Map (NWI/ADID): _____

ADDITIONAL PERMITS:

- DNR/OWR Permit Required
- INDR – Endangered Species Required
- McHenry Co. Dept. of Health (Septic System) Required
- USACOE Permit Required
- IHPA Required
- McHenry Co. Soil & Water (NRI Report) Required
- Other _____

UNDER PENALTY OF INTENTIONAL MISREPRESENTATION AND/OR PERJURY, I declare I have examined and/or made this application and it is true and correct to the best of my knowledge and belief. I agree to construct said development in compliance with the permitted documents. I realize that the information that I have affirmed hereon forms a basis for the issuance of the Watershed Development Permit(s) herein applied for and approval of plans in connection therewith shall not be construed to permit any construction upon said premises or use thereof in violation of any applicable ordinance or to excuse the owner or his successors in title from complying therewith.

Signature of Property Owner or Applicant

Date

I CERTIFY that the plan/documents submittal for the above-referenced development have been prepared under the supervision of a professional engineer or certified wetland specialist as appropriate and in accordance with the **LAKE IN THE HILLS COMPREHENSIVE STORMWATER MANAGEMENT ORDINANCE, Dated 8/13/15 and the MCHENRY COUNTY STORMWATER ORDINANCE, dated 04/05/16.**

Signature of Professional Engineer P.E. # Date

Signature of Certified Wetland Specialist CWS# Date

Print Name of Engineer

Print Name of Certified Wetland Specialist

THIS PERMIT is subject to the following conditions:

- (a) This permit does not convey title to the permittee or recognize title of the permittee to any submerged or other lands, and furthermore, does not convey, lease, or provide any right of occupancy or use of the public or private property on which the project or any part thereof will be located, or otherwise grant to the permittee any right or interest in or to the property, whether the property is owned or possessed by the Village of Lake in the Hills, the County of McHenry, or by any private or public party or parties.
- (b) This permit does not release the permittee from liability for damage to persons or property resulting from the work covered by this permit, and does not authorize any injury to private or invasion of private rights.
- (c) This permit does not relieve the permittee of the responsibility to obtain other federal, state, or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain approval from any federal or state agency to do the work, this permit is not effective until those approvals are obtained.
- (d) The permittee shall, at their own expense, remove all temporary piling, cofferdams, false work, and material incidental to the construction of the project, from the flood prone area, river, stream, or lake in which the work is done.
- (e) The execution and details of the work authorized shall be subject to the approval of the Village of Lake in the Hills and/or McHenry County (MC) and their assigned consultant(s), which shall have right to access to accomplish this purpose.
- (f) Application for permit will be considered full acceptance by the permittee of the terms and conditions of the permit.
- (g) The Village of Lake in the Hills and/or MC and their assigned consultant(s), in issuing this permit has relied upon the statements and representations made by the permittee; if any statement or representation made by the permittee is found to be false, the permit may be revoked at the option of the Village of Lake in the Hills and/or MC and their assigned consultant(s); and when a permit is revoked all rights of the permittee under the permit are void.
- (h) In issuing this permit, the Village of Lake in the Hills, MC, or their assigned consultant(s) does not approve the adequacy of the design or structural strength or the structure or improvement.
- (i) Noncompliance with the conditions of this permit will be considered grounds for revocation.
- (j) If the work permitted is not completed within three years of the permit issuance date, this permit shall be void.

OFFICE USE ONLY

Application Received by Village Engineer (Baxter & Woodman Consulting Engineers): _____

Comments Provided by Village Engineer (Baxter & Woodman Consulting Engineers): _____

Application Approved by Village Engineer (Baxter & Woodman Consulting Engineers): _____ By: _____

Based Upon Plans Dated: _____ Prepared by: _____

And Upon Stormwater Report Dated: _____ Prepared by: _____

Accepted by the Village of Lake in the Hills: Date: _____ By: _____