



**APPLICATION FOR
DEVELOPMENT
AND ZONING APPROVALS**

September 2016

APPLICATION FOR ZONING AND DEVELOPMENT APPROVALS

This Application is used to request development approval from the Village when consideration by the Lindenhurst Plan Commission, Zoning Board of Appeals, or Village Board is required. This application packet is available on the Village's website at <http://www.lindenhurstil.org/>. Questions may be directed to Village Hall at (847) 356-8252.

DEVELOPMENT REVIEW PROCESS

1. Prior to submittal of an Application for Development Approval, please contact Village Hall at (847) 356-8252 to determine whether or not a concept meeting or pre-application submittal meeting is required. Please also review Lindenhurst's Zoning Code, available at <http://www.lindenhurstil.org/>, to understand the Village's various development regulations.
2. Submit a completed Application including all materials and applicable fees required by this Application and the Code of Ordinances of the Village of Lindenhurst, and submittal of the required escrow and agreement to reimburse the Village for its costs pursuant to Section 10.22 of the Village Code. ***Submittals will not be accepted and/or processed until all of the submittal requirements are met.***
3. Once a complete Application is submitted, the Village will forward it to the applicable Village departments and consultants for review and comment. The Village will send its review comments to the Primary Contact Person identified in the Application for Development Approval (See Application Section III). Comments may necessitate revisions to plans prior to scheduling the project for a hearing or meeting with the Plan Commission, Zoning Board of Appeals, or Village Board.
4. Depending on the type of approval sought, the applicant may have to notify the public before meeting with the Plan Commission, Zoning Board of Appeals, or Village Board. Village staff will inform the applicant of notice requirements after reviewing the completed Application.
5. Following a public hearing and recommendation by the Plan Commission and/or the Zoning Board of Appeals, or as otherwise necessary, the project will be scheduled for Village Board consideration. Projects will not be included on a Village Board agenda until Village staff has determined that all plans are in technical compliance with all Village codes, rules, and policies.

VILLAGE OF LINDENHURST APPLICATION FOR DEVELOPMENT APPROVAL

DEVELOPMENT NAME: _____

ADDRESS OF SUBJECT PROPERTY: _____

PARCEL IDENTIFICATION NUMBER (P.I.N.) _____

I. APPLICANT: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHONE: _____ EMAIL ADDRESS: _____

II. PROPERTY OWNER(S): _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHONE: _____ EMAIL ADDRESS: _____

III. PRIMARY CONTACT: _____

RELATIONSHIP TO APPLICANT: _____

PHONE: _____ EMAIL ADDRESS: _____

IV. OTHER STAFF

NAME: _____

RELATIONSHIP TO APPLICANT: _____

PHONE: _____ EMAIL ADDRESS: _____

NAME: _____

RELATIONSHIP TO APPLICANT: _____

PHONE: _____ EMAIL ADDRESS: _____

V. PROPOSED DEVELOPMENT

(check all that apply and provide written responses to corresponding exhibits on a separate sheet)

_____ **Special Use** (New or Amendment)
(Complete Exhibit 1)

_____ **Zoning Interpretation**
(Complete Exhibit 5)

_____ **Site Plan Review**
(Complete Exhibit 2)

_____ **Planned Unit Development**
(Complete Exhibit 6)

_____ **Zoning Appeal**
(Complete Exhibit 3)

_____ **Temporary Use**
(Complete Exhibit 7)

_____ **Zoning Variance**
(Complete Exhibit 4)

_____ **Rezoning or Text Amendment**
(Complete Exhibit 8)

_____ **Subdivision**

_____ **Other** (Please specify: _____)

ACREAGE OF PROPERTY: _____

DESCRIPTION OF PROPOSAL/USE (use a separate sheet if necessary):

VI. APPLICANT’S SIGNATURE

I, _____ [Applicant’s Printed Name and Title], being duly sworn, declare that: i) I am duly authorized to make this Application for Development Approval on behalf of the Applicant; ii) I have read and understand this Application for Development Approval and the Code of Ordinances of the Village of Lindenhurst, available at [www.http://www.lindenhurstil.org/](http://www.lindenhurstil.org/); iii) I have read, understand, and will comply by the provisions of the Village Code regarding reimbursement of the Village’s costs; and iv) the above information, to the best of my knowledge, is true and accurate.

(Signature of Applicant or authorized agent)

(Date)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20__

(Notary Public and Seal)

VII. OWNER'S AUTHORIZATION LETTER

I/we hereby certify that I/we am/are the owner(s) of the above described Subject Property. I/we am/are respectfully requesting processing and approval of the request(s) referenced in this Application. I/we hereby authorize the Applicant listed on this Application to act on my/our behalf during the processing and presentation of this request(s).

(Signature of 1st Owner or authorized agent)

(Date)

(Signature of 2nd Owner or authorized agent)

(Date)

1st Owner's Printed Name and Title

2nd Owner Printed Name and Title

****Please include additional pages if the Subject Property has more than two owners****

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20____

(Notary Public and Seal)

SUBMITTAL CHECKLIST • NEW CONSTRUCTION

SITE PLAN APPROVAL (159-7.0100)

- ✓ Site Plan per 159-7.0103
 - This part contains information about number of required copies and what should be included
- ✓ Landscape Plan per 159-7.0300
 - This part contains information about number of required copies and what should be included
- ✓ Lighting Plan per 159-6.0400
- ✓ Architectural Plan, Elevations and Perspective Drawings and Sketches per 159-7.0400 including color renderings.
 - This part contains information about number of required copies and what should be included
- ✓ Natural Resource Protection Plan per 159-2.0100 and 159-5.0100
 - 159-5 contains information about number of required copies and what should be included
- ✓ Initial escrow – *Per 10.22 of the Village Code (to be replenished as needed)*
- ✓ Site Grading Plan per 159-7.0101 (E)
 - Found under Site Plan

REQUIRED EXHIBITS

On separate sheets of paper, please provide written responses to the exhibits corresponding to your proposed development (see Section V, Proposed Development for required exhibit submittals).

EXHIBIT 1: Special Use Standards

- (1) *Ordinance And Comprehensive Plan Purposes And Intent.* The proposed use and development will be in harmony with the general and specific purposes for which this chapter was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the village of Lindenhurst comprehensive plan or element thereof.
- (2) *No Undue Adverse Impact.* The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.
- (3) *No Interference With Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.
- (4) *Adequate Public Facilities.* The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.
- (5) *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (6) *No Destruction Of Significant Features.* The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
- (7) *Compliance With Standards.* The special use shall, in all other respects, 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 village board pursuant to the recommendations of the plan commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this § 159-4.0700 and this chapter authorizing such use.
- (8) *Special Standards For Specified Special Uses:* When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards as set forth in either § 159-4.0702 "Detailed Standards for Special Uses in Residential Districts" and § 159-4.0703 "Detailed Standards for Special Uses in Nonresidential Districts" of this § 159-4.0700, a special use permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

EXHIBIT 2: Site Plan Review Standards

- (1) **Conformity Of Use To Zoning District:** The proposed use(s) conform(s) to the uses permitted as either a "permitted use" or "special use" (whichever is applicable) in the zoning district.
- (2) **Dimensional Requirements:** The dimensional arrangement of buildings and structures conform to the required area, yard, setback, and height restrictions of this chapter.
- (3) **Site Intensity And Site Capacity Calculations To Be Reviewed:** The requirements of § 159-4.0500, "Site Intensity And Capacity Calculations", of this chapter shall be met. In this respect, the necessary worksheets for determining the maximum site intensity, or development capacity, of the site shall be submitted to the plan commission for review.
- (4) **Use And Design Provisions:** The proposed use conforms to all use and design provisions and requirements (if any) as found in this chapter for the specified uses.
- (5) **Relation To Existing And Proposed Streets And Highways:** There is a proper relationship between the existing and proposed streets and highways within the vicinity of the project in order to assure the safety and convenience of pedestrian and vehicular traffic. In the case of arterial streets and highways not under the jurisdiction of the village of Lindenhurst, that the applicable highway authority (county, state, or federal) has been contacted and the needed permits have been obtained and submitted to the village for review.
- (6) **Impacts On Surrounding Uses:** The proposed on site buildings, structures, and entryways are situated and designed to minimize adverse effects upon owners and occupants of adjacent and surrounding properties by providing for adequate design of ingress/egress and interior/exterior traffic flow, storm water drainage, erosion, grading, lighting, and parking, as specified by this chapter or any other codes or laws.
- (7) **Natural Resource Features Protection:** Natural features of the landscape are retained to enhance the development on the site, or where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes, or where they assist in preserving the general safety, health, welfare, and appearance of the neighborhood. The requirements set forth in § 159-2.0100, "Definitions", and § 159-5.0100, "Natural Resources", of this chapter and § 159-7.0200, "Natural Resource Protection Plan", of this part are to be met. Where required, a "natural resource protection plan" meeting the requirements set forth in § 159-7.0200, "Natural Resource Protection Plan", of this part has also been submitted for plan commission review.
- (8) **Required Landscaping And Landscape Buffer Yards:** Adverse effects of the proposed development and activities upon adjoining residents or owners are minimized by design and installation of landscape buffer yards to provide for appropriate screening, fencing, or landscaping as required in § 159-6.0300, "Required Landscaping", of this chapter. Where required, a "landscape plan" meeting the requirements set forth in § 159-7.0300, "Landscape Plan", of this part has also been submitted for plan commission review.
- (9) **Provision Of Emergency Vehicle Accessibility:** Land, buildings, and structures are readily accessible to emergency vehicles and the handicapped.
- (10) **Building Location:** No building shall be permitted to be sited in a manner which would unnecessarily destroy or substantially damage the beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area; or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

- (11) Location And Design Of Loading Facilities: No loading facility shall be permitted to be designed or sited in a manner which would unnecessarily destroy or substantially damage the beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area; or which would unnecessarily have an adverse effect on the beauty and general enjoyment of the existing structures on adjoining properties.
- (12) Consistency With The Intent Of The Village Of Lindenhurst Zoning Ordinance: The site plan is consistent with the intent and purposes of the village of Lindenhurst zoning ordinance which is to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to avoid the overcrowding of population, to lessen congestion on the public roads and streets, to reduce hazards of life and property, to facilitate the implementation of the village of Lindenhurst comprehensive plan or component thereof, and those other purposes and intents of this chapter set forth in § 159-1.0100, "Introduction", of this chapter.
- (13) Consistency With The Intent Of The Village Of Lindenhurst Comprehensive Plan: The site plan is consistent with the public goals, objectives, principles, standards, policies, and urban design criteria set forth in the village adopted comprehensive plan or component thereof.

EXHIBIT 3: Zoning Appeal Standards

- (1) Indication of the section(s) of the ordinance being appealed.
- (2) Statement regarding the appeal requested, giving distances and dimensions where appropriate; or, in the case of an appeal of a decision of the zoning administrator or building inspector, the circumstances and appeal being requested.
- (3) Statement of the reason(s) for the request.
- (4) Statement of the exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and which cause the hardship.
- (5) Date of any previous application for an appeal and the disposition of the previous application (if any).
- (6) Additional information as required by the village administrator, village engineer, village attorney, village planner, zoning board of appeals, zoning administrator, building inspector, or the zoning appeal application form.

EXHIBIT 4: Zoning Variance Standards

- (1) Indication of the section(s) of the ordinance from which a variance is requested.
- (2) Statement regarding the variance requested, giving distances and dimensions where appropriate.
- (3) Statement of the reason(s) for the request.
- (4) Statement of the exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and which cause the hardship.
- (5) Date of any previous application for a variance and the disposition of the previous application (if any).
- (6) Additional information as required by the village administrator, village engineer, village attorney, village planner, zoning board of appeals, zoning administrator, building inspector, or the zoning variance application form.

EXHIBIT 5: Zoning Interpretation Standards

- (1) Indication of the section(s) of the ordinance for which an interpretation from the zoning administrator is requested.
- (2) Statement of the reason(s) for the request.
- (3) Date of any previous application and the disposition of the previous application (if any).
- (4) Additional information as required by the zoning administrator or building inspector.

EXHIBIT 6: Planned Unit Development Standards

- (1) Use Standards. No "Concept Plan", "Preliminary Plan", or "Final Plat" for a PUD planned unit development district approval shall be granted unless the plan commission shall find that the PUD planned unit development district is appropriate in the location proposed based upon its consideration of the following criteria:
 - (A) *Public Facilities And Services.* The extent to which the proposed use will be served adequately by, or will provide for, essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools.
 - (B) *Adequacy Of Public Infrastructure.* The adequacy of the public infrastructure to support the proposed use at the proposed location. In considering this use criteria, the plan commission shall consider not only the proposed uses, but other proposed rezonings and the zoning of vacant properties in order to determine both the individual and cumulative impacts.
 - (C) *Community Need.* The extent of the community need for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area, and the need to provide or maintain a proper mix of uses within the village and within the immediate area of the proposed use. The plan commission shall not approve any PUD planned unit development district unless it is able to find that the proposed use in the proposed location will not result in either an overconcentration of a particular use within the village or within the immediate area of the proposed use.
 - (D) *Effects Of The Proposed Use.* The extent to which the proposed use at the proposed location will, or may, have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare.
 - (E) *Preservation And Enhancement Of Neighboring Land Uses.* The extent to which the proposed use and its design and landscaping will enhance and protect the existing character of neighboring land uses, if any, or enhance the community character of the village.
 - (F) *Pedestrian And Public Transportation Linkages.* The extent to which the proposed use will be served by, or will provide, proper pedestrian and public transportation linkages both within the immediate area of the development and with other parts of the village or county.
 - (G) *Adequacy Of Public And Private Open Space.* The extent to which the proposed use will be served by, or will provide, adequate public and private open space both in the immediate vicinity of the proposed use and throughout the village. The plan commission shall, in considering this criteria, consider the adequacy of such open spaces both in terms of site design and buffering and in terms of the open space needs of the permanent or transient population likely to be generated by the proposed use.
- (2) Site Design Standards: No "Concept Plan", "Preliminary Plan", or "Final Plat" PUD planned unit development district approval shall be granted unless the plan commission shall find that the plans of the proposed use address and are consistent with the following standards:
 - (A) *Building Orientation.* The orientation and placement on the lot of buildings and other structures shall take into consideration such matters as:

- (i) Sun and wind direction;
 - (ii) Relation to surrounding uses and development;
 - (iii) Relation to nearby natural and manmade features, amenities and vistas; and
 - (iv) Proper circulation both on site and off site.
- (B) *Architectural Design*. The extent to which the design and architecture of buildings and other structures on the site are compatible with nearby developments considering such elements as:
- (i) Scale, height, and mass;
 - (ii) Proportion and directional expression of facades;
 - (iii) Spacing and relation between buildings; and
 - (iv) Materials, texture, color, and design elements employed.
 - (v) § 159-7.0400 "Architectural Plans" of this chapter provides further guidelines for the review of architectural design.
- (C) *Landscaping, Streetscape, And Bufferyards*. Landscaping shall be integrated into building arrangements, topography, off street parking, and bufferyard requirements. Landscaping shall include trees, bushes, shrubs, ground cover, perennials, annuals, plant sculpture, area, and the use of building and paving materials in an imaginative manner. Bufferyard shall be located around the perimeter of the site to minimize the off site impacts of headlight glare, noise, light from structures and open areas and the movement of people and vehicles. Bufferyard may consist of fencing, evergreens, shrubs, bushes, deciduous trees, or combinations thereof to achieve the intent of the PUD planned unit development district. § 159-6.0300 "Required Landscaping" of this chapter provides further guidelines for the review of landscaping and bufferyards.
- (D) *Signs*. Signs shall be designed so as to be aesthetically pleasing, harmonious with other signs on the site, and located so as to achieve their purpose without constituting hazards to vehicles and pedestrians. All signage in a PUD planned unit development district shall be reviewed by the plan commission and approved by the village board.
- (E) *Building Bulk*. The height, mass, and floor area ratio of buildings proposed shall be assessed in terms of consistency with existing development in the area.
- (F) *Vehicular And Pedestrian Access And Circulation*.
- (i) Pedestrian and vehicular traffic movement within and adjacent to the site shall be safe and efficient with particular emphasis on the provision and layout of sufficient parking areas, off street loading and unloading, and the safe and efficient movement of people, goods, and vehicles from access streets, within the site, and between buildings and vehicles.
 - (ii) Off street parking spaces and areas are to be usable and conveniently arranged.
 - (iii) Access to the site from adjacent roads shall be designed so is to interfere as little as possible with traffic flow on these roads and to permit vehicles, including emergency vehicles, a rapid and safe ingress and egress to the site.

(G) *Lighting.*

- (i) Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes.
- (ii) Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties.
- (iii) Lighting standards shall be a type approved by the plan commission based, in part, upon the lighting standards set forth in § 159-6.0400 "Lighting Standards" of this chapter.

(H) *Environmental Considerations.* Environmental elements relating to soil erosion, preservation of trees, protection of watercourses, lakes, wetlands, and other resources; noise; topography; and animal life shall be reviewed and the design for the PUD planned unit development district shall minimize any adverse impact on these elements. § 159-4.0500 "Site Intensity and Capacity Calculations" of this part and part 5 "Natural Resource Protection" of this chapter provides further guidelines for the protection of natural resources.

(I) *Historic And Environmental Preservation.* The proposed use shall not result in the destruction, loss, or damage of any natural or historic feature of significant importance.

(J) *Adverse Impacts On Surrounding Property(s).* The use shall not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities, facilities, and other matters affecting the public health, safety, and general welfare and shall be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property or properties.

(K) *Amenities And Services.* The proposed use shall provide on site amenities and services which are consistent with the nature and intensity of the proposed use and the availability of amenities and services in the immediate area of the site.

(L) *Other Standards:* The PUD planned unit development district may depart from strict conformance with the required dimension, area, bulk, and use regulations for the individual PUD-1, PUD-2, and PUD-3 districts and other provisions of this chapter to the extent approved by the village board when authorizing the PUD planned unit development district. However, the PUD planned unit development district must not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

EXHIBIT 7: Temporary Use Standards

- (1) *Zoning Ordinance Purposes And Intent.* The proposed use will be in harmony with the general and specific purposes for which this chapter was enacted and for which the regulations of the zoning district in question were established.
- (2) *Adverse Impact.* The proposed use will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.
- (3) *Interference With Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property according to the applicable zoning district regulations.
- (4) *Adequate Facilities.* The proposed use will be served adequately by streets, off street or on street parking, police and fire protection, refuse disposal, and other public facilities or the applicant will provide adequately for such facilities as well as provide for safe vehicular and pedestrian access and egress to the site.
- (5) *Traffic Congestion.* The proposed use will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets or upon residential property. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets.
- (6) *Destruction Of Significant Features.* The proposed temporary use will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
- (7) *Compliance With Standards.* The temporary use shall, in all other respects, conform to the applicable dimensional regulations of the district in which it is located. The proposed use shall comply with all additional standards imposed on it by the particular provision of this chapter.

EXHIBIT 8: Rezoning and Text Amendment Standards

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the village board may, by ordinance, change the district boundaries or amend, change, or supplement the regulations established by this chapter or amendments thereto.

ZONING AND DEVELOPMENT APPLICATION FEES

[INSERT FEE CHART]