



Special Use Application Guidelines and Procedures

The following information is provided to assist interested parties in understanding the special use permit process in the Village of Kildeer. Please note that this is for reference only and the requirements of the Village code control in all cases. Petitioners looking to apply for a Planned Development (e.g. constructing a new retail building along Rand Road or a new residential subdivision) should consult the separate Planned Development Outline and Checklist.

1. *What is a Special Use?* A special use is a zoning definition for those uses in the Village that require additional or special standards and therefore requires Village Board approval before a building permit or occupancy can be granted. Special uses in the Business District include but are not limited to restaurants, fitness centers, coffee shops, gas stations, hardware stores, grocery stores, any drive throughs, etc.
2. *Special Use Approval Process:* A special use requires the petitioner to submit certain materials, includes a review by the Village Planner, a public hearing and recommendation from the Plan Commission and a vote by the Village Board. Most special uses can be approved in about six weeks depending on the timing. The Plan Commission of the Village of Kildeer is appointed by the President and Board of Trustees and serves as an independent, recommending body. The Plan Commission meets the second Tuesday of the month at 7:30 p.m. at the Village Office, unless otherwise scheduled/located. The Village Board meets on the third Tuesday of each month and an application approved at the Plan Commission that month will typically be on the Village Board agenda the same month. Petitioners seeking a special use from the Village of Kildeer shall call the Village Office to request information on the requirements and timing
3. *What is the cost of a Special Use?* Petitioners are responsible for the payment of the professional fees of the Village Attorney, Engineer, Planner, and other consultants involved with review of any submittals. The petitioner shall deposit a prescribed cash escrow of \$5,000 with the Village Collector to insure payment of said fees. Simultaneously, the Petitioner shall also pay any subdivision, hearing, or other fees as required by Ordinance:

Variance	\$150.00
Zoning or rezoning	\$250.00
Subdivision:	\$250.00
For the first 5 lots	
For each additional lot	\$10.00
Special use permit	\$250.00

All fees must be received prior to the review process being initiated by the Plan Commission or professional consultants; if the escrow drops to a negative balance, the review process will stop until additional funds are deposited. The “*Professional Escrow Agreement*” must be submitted with the \$5,000 professional escrow deposit and the “*Plan Commission/Board of Appeals Application*” must be submitted with the application fee.

4. *What are the notice requirements for the Public Hearing?* Petitioners must complete the [Notice Requirements and Application for Plan Commission](#). It is the responsibility of the petitioner to ensure that notice is provided within the Code requirements. Petitioners may wish to contact the

Ela Township Assessor's Office to acquire a listing of record owners. The notice can be published in the *Daily Herald* as a newspaper of general circulation in the Village. The petitioner must submit the completed notice to the Village for posting on the Village's website. The petitioner must submit proof of notice to the Village no later than the public hearing.

5. *What materials must be submitted?* The petitioner must submit fifteen (15) copies of a detailed description of the requested action including site plan, elevations, floor plan, description of the requested use, and/or other documentation as applicable. Materials should also be submitted electronically to the Village. The materials must be submitted no later than the date the notice is published/sent out above HOWEVER petitioners should submit materials to the Village staff earlier to ensure a smooth application process. The Village reserves the right to postpone review if materials are not submitted on a timely basis.
6. *Do I need to submit architectural or other plans?* For a special use permit, architectural plans are generally not required. However, these plans and other materials will be required for any building permits. The petitioner is responsible for submission of plans and documents to the Village Engineer, Village Planner, Village Attorney, Lake County Health Department, Lake County Highway Department, Army Corps of Engineers, Lake County Department of Public Works, and any other consultants or agencies deemed necessary. Each should be contacted regarding their particular submission schedule requirements. Petitioners may submit plans for permit prior to special use approval but do so at their own risk and cost and no permits will be issued prior to special use approval.
7. *What will happen at the public hearing/plan commission Meeting?* At the meeting, the Applicant will be provide time to make a short presentation to the Plan Commission outlining the proposed use. Member of the public will be given the opportunity to make any comments about the proposed special use. The plan commissioners or the public may ask the petitioner questions. The Village Planner will present a memorandum describing the use and outlining any staff comments. The plan commissioners will then vote on a recommendation and findings of fact and refer the matter to the Village Board.
8. *Should I attend the Village Board meeting?* The applicant is not required to but may attend the Village Board meeting. In most cases, the Village board adopts the recommendation of the plan commission.
9. *What happens if I want to postpone my application?* Should circumstances require a petitioner to remove himself from the Plan Commission agenda after notice has been published the petitioner shall contact the Village and requested a postponement to a future date. Without a specific postponement notice may have to be re-sent. Failure to appear at a scheduled Commission meeting without proper notification may result in postponement, action without the petitioners present or removal from the agenda without action.
10. *Can I start work early?* Site work, including movement of equipment, trailers, etc. onto subject property, building, construction or any other work may not be initiated without approval of the appropriate permits by the Village.

The preceding guidelines are provided to enable the petitioner and Plan Commission to work together in a professional manner. In addition, the petitioner will find it helpful to consult such materials as the subdivision checklist, subdivision ordinance and zoning ordinance, all available through the Village Office and the Village of Kildeer website ([Kildeer Zoning Ordinance](#)).

If you have any questions, or we may be of assistance, please contact the Village Office.

Michael S. Talbett
Building Commissioner