

DEPARTMENT OF BUILDING AND
ZONING
OF COOK COUNTY, ILLINOIS

Timothy P. Bleuher
COMMISSIONER OF BUILDING AND ZONING
OF COOK COUNTY



County Administration Building
69 W. Washington, Suite 2830
Chicago, IL 60602-3169
TEL (312) 603-0500
FAX (312) 603-9940
TDD (800) 526-0857

<http://www.cookcountyil.gov/building-and-zoning>

RULES FOR FILING SPECIAL USE APPLICATIONS

Definition

A "special use" of land or buildings, or both, described in the Cook County Zoning Ordinance is a use subject to special provisions because of unique characteristics that do not allow the use to be properly classified as a permitted use.

Requirements

1. Only the title owner of the property, their attorney, or an authorized agent may file the application and only in the owner's name. Persons other than the land owner or their attorney must present a letter of authorization from the owner.
2. Filing fees must be submitted at the time of filing by check or Money Order, payable to the Cook County Collector. Fees are established by the County Board and are based upon the type of application involved. Filing fees are not refundable. NOTE: Cash will not be accepted; See attached Fee Schedule.
3. The applicant shall file one (1) paper and one (1) digital of the application and all supporting documents so specified in Article 13.8.3. The applicant shall include a written statement and evidence establishing that the proposed special use will conform to the standards set forth in Article 13.8. The applicant shall attest, and the Department of Building and Zoning shall independently verify, that no judicial proceedings for a violation of any Cook County Ordinance pending pertaining to the subject property.
4. The applicant shall furnish a list of names and last known addresses of the persons served with notice (Article 13.8.3). The applicant shall furnish a written statement certifying compliance with the notice requirement of the Ordinance.
5. Special Uses require one (1) original Plat of Survey with each application. Plats of Survey will state the acreage of the tract, include a Legal Description, and bear the raised seal of an Illinois Registered Land Surveyor. The Plats of Survey must be dated within the last five (5) years. If possible, the Plats of Survey should also show the nearest dedicated east/west and north/south streets, the right of way width and distance of each street from the property in question.
6. One (1) Proof of Ownership must accompany each application. Proof of ownership may be Photostats of Cook County Recorder of Deed's Certificate, Title Policy, Letter of Opinion or other adequate document. (Please note: A Real Estate Tax Bill is not Proof of Ownership). NOTE: Deed in Trust, must provide original letterhead from Trust, identifying Trustees.
7. One (1) Site Plan of proposed construction must also accompany each application. Proposed, additional and existing structures should be plotted on the Site Plans, indicating distances to the property lines.
8. On applications for Special Uses, please type answers to all questions.

When ready to file, please telephone and
MAKE AN APPOINTMENT
With Zoning Administrator's Office
(312) 603-0503

13.8 SPECIAL USE APPLICATION

| Documents | Required | Submitted | Accepted |
|---|-------------------------|-----------|----------|
| Application | 1 Original 1 Digital | | |
| Plat of Survey | 1 | | |
| Ownership | 1 | | |
| Agent's Authorization* | 1 | | |
| Notification <ul style="list-style-type: none"> • Letter • Certified Mail Receipts • Attestation | 1 1 1 | | |
| Documents Schedule | 1 | | |
| Site Plan | 1 | | |
| Statement of Evidence of Standards | 1 | | |
| Objective of Special Use | 1 | | |
| Environmental-Concerns and Issues | 1 | | |
| Utilities-Existing and/or Proposed | 1 | | |
| Traffic-Study/Issues | 1 | | |
| Financial Impact* | 1 | | |
| Market Study* | 1 | | |
| Application Fee | 1 | | |

***If applicable**

Reviewed By: _____ Accepted By: _____ Date: _____

SPECIAL USE NOTIFICATION INSTRUCTIONS

13.8 Special Uses

13.8.3 Notice of application: Applicants shall, not less than 15 days nor more than 30 days before filing an application, serve written notice, return receipt requested, to the property owners within 250 feet of the lot lines of the subject property. The property owners receiving notice shall be those persons or entities whose names appear on the Cook County tax records. The number of feet occupied by public roads, streets, alleys, other public ways shall be excluded in computing the 250 feet requirement. Notice need not be sent to owners more than 400 feet from the subject property when public streets, alleys and other public ways are included in the computation. In addition, the applicant shall serve notice to the clerk of each municipality within 1½ miles of the subject property, the superintendent of each local school district, the fire chief of each local fire protection district, the township clerk and township highway commissioner. Notice shall contain the address of the subject property, a brief statement of the nature of the application, the name and address of the applicant and a statement of the approximate date when the applicant intends to apply. If the property owner on which notice is served cannot be found, or the mailed notice is returned, the notice requirements of this provision shall be deemed satisfied provided the applicant made a bonafide effort to determine the owner's address.

13.8.7. Notice of public hearing.

- A. Time and place of a public hearing shall be published in a newspaper of general circulation in Cook County not less than 15 days before the hearing. In addition, at least 15 days before the hearing, notice of the hearing shall be posted on the property for which a special use application has been filed in such a way as to be plainly visible from the roadway or right-of-way passing the frontage of the property. Notice posted on the property shall be maintained until the date of hearing on a weatherproof sign that is at least three feet by four feet in size. The sign shall have a white background and contain the word "NOTICE" in red capital letters at least six inches high. The remaining lettering shall be in black capital letters a minimum of three inches in height. Notice shall contain at least the following language: "This property is the subject of a special use hearing before the Cook County Zoning Board of Appeals on (date) at (time) at (location)."
- B. Written notice shall be served by regular mail and also by certified mail, return receipt requested, at least 15 days before the hearing to the Clerk of each municipality within 1½ miles of the property for which the special use application has been filed. Notice shall also be sent, in the same manner, to the clerk of the township in which the property is located and to the superintendent of each school district and the fire chief of the local fire protection district in which the property is located. An applicant shall serve written notice, by certified mail, return receipt requested, to property owners within 250 feet of the lot line of the subject property, as to the date, time and location of the public hearing. The notices shall contain the same information as the posted notice and shall also contain the legal description of the property, the common address of the property, the name of the applicant, the applicant's representative and a brief description of the requested special use. In addition, notice of all hearings shall be sent to each civic or property owners' organization requesting notice of hearings on special uses. Failure to notify a civic or property owners' organization, however, shall not invalidate the hearing. Supplemental or additional notices shall be published or distributed as prescribed by Zoning Board of Appeals' rules. All required notices shall be provided at the expense of the applicant.
- C. Applicants shall be responsible for the preparation of both posted and mailed notices and shall be solely responsible for adequacy and accuracy of the information. The applicant shall also be responsible for placing and maintaining posted notice and for mailing and maintaining records of written notices. The Secretary of the Zoning Board of Appeals shall be responsible for assuring that notice by newspaper publication, at the expense of the applicant, is given.
- D. Copies of an application shall be served in person or by certified mail on the owners of record within ten days after the application is filed when the applicant is the President or a member of the Cook County Board of Commissioners. Where the application is filed by a person having an interest in the subject property, a notice and copy of the application shall be served in like manner upon all other persons or entities having an interest in the property. Notice and service requirements shall be in addition to posting and publishing requirements of this article.

13.8.9. Standards for Special Use:

1. Establishment, maintenance or operation of the special use will not be detrimental to or endanger public health, safety or general welfare.
2. Establishment, maintenance or operation of the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted, nor diminishes and impairs property values within the neighborhood.
3. Establishment, maintenance or operation of the special use will not impede the normal and orderly development and improvement of surrounding property for permitted uses.
4. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
5. Adequate measures have been, or will be, taken to provide ingress and egress designed to minimize traffic congestion in public streets.
6. Establishment, maintenance or operation of the special use shall in all other respects conform to all Cook County ordinances, unless otherwise authorized by the Cook County Board of Commissioners pursuant to the recommendation of the Zoning Board of Appeals.

8.9.8 Standards for Unique Use:

1. Proof of conformance with each special use standard as specified in Article 13
2. Proof of a special and extraordinary need for the unique use including proof of unique characteristics of the subject property, proposed use and surrounding neighborhood.
3. Proof that the unique use will be an affirmative benefit to the surrounding properties and neighborhood from a land use and economic standpoint.

Special Use # _____

APPLICATION FOR SPECIAL USE FOR UNINCORPORATED COOK COUNTY

APPLICANT INFORMATION

| | | | |
|---------|-------|-----|-------|
| Name | | | |
| Address | | | |
| City | State | Zip | Phone |

OWNER INFORMATION

| | | | |
|--|-------|-----|-------|
| Name | | | |
| Address | | | |
| City | State | Zip | Phone |
| Applicant Is: <input type="checkbox"/> Owner <input type="checkbox"/> Attorney <input type="checkbox"/> Other (specify) | | | |
| Date that present owner acquired legal title on subject property | | | |

PROPERTY INFORMATION

| | | |
|---|----------|-------------------------------|
| Property Address | | |
| City | Township | Present Zoning Classification |
| PIN# - | | Acreage of Property |
| Legal Description of Property (See Attached) | | |
| Location <hr/> <hr/> <hr/> <hr/> | | |

APPLICATION FOR SPECIAL USE FOR UNINCORPORATED COOK COUNTY

REQUEST

The applicant requests approval of the location of the described property for the following use:

Describe briefly the type of use and improvement proposal:

REQUIREMENTS

One (1) set of the following documents must accompany this application:

| | |
|--|--|
| <input type="checkbox"/> A. Registered surveyor's plat of survey | <input type="checkbox"/> F. Environmental concerns and issues |
| <input type="checkbox"/> B. Concept plan for proposed use | <input type="checkbox"/> G. Utilities-existing and / or proposed |
| <input type="checkbox"/> C. Site Plan | <input type="checkbox"/> H. Traffic Study / Issues |
| <input type="checkbox"/> D. Planning Objective | <input type="checkbox"/> I. Financial Impact |
| <input type="checkbox"/> E. Development Schedule | <input type="checkbox"/> J. Market Study |

COUNTY OF COOK)
)
 STATE OF ILLINOIS) s.s.

_____, being first duly sworn, on oath deposes and says that all of the above statements and the statements contained in the documents submitted herewith are true.

 Signature of applicant

 Signature of applicant

Subscribed and sworn to before me this
 _____ Day of _____, 20_____

 Notary Public

Special Use # _____

STATEMENT OF EXISTING CONDITIONS ON PROPERTY

| | | |
|---|-------------------------|----------------------|
| PIN# _____ - _____ - _____ - _____ - _____ | | |
| Address | | |
| Township | | |
| Are there existing structures or buildings on the site? <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| If yes, describe _____ _____ | | |
| Height (number of stories) | Area (cover the ground) | Type of Construction |
| Will this building(s) be used if Map Amendment is granted <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| If yes, what will be the intended use? _____ _____ | | |
| Will the intended use of the building(s) conform to the occupancy requirements of the Cook County Building Ordinance? <input type="checkbox"/> Yes <input type="checkbox"/> No | | |

COUNTY OF COOK)
)
STATE OF ILLINOIS) s.s.

_____, being first duly sworn, on oath deposes and says that all of the above statements and the statements contained in the documents submitted herewith are true.

Signature of applicant

Subscribed and sworn to before me this
_____ Day of _____, 20_____

| <u>Office Use Only</u> | |
|----------------------------------|--|
| Is the Property in a floodplain? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, is a TOPO available | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Notary Public

AFFIDAVIT

I, _____, in regards to the request for a Special Use for a _____ on the property described in the attached application and survey do hereby state that to the best of my knowledge, information and belief:

- a. Establishment, maintenance or operation of the special use will not be detrimental to or endanger public health, safety or general welfare.
- b. Establishment, maintenance or operation of the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted, nor diminishes and impairs property values within the neighborhood.
- c. Establishment, maintenance or operation of the special use will not impede the normal and orderly development and improvement of surrounding property for permitted uses.
- d. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- e. Adequate measures have been, or will be, taken to provide ingress and egress designed to minimize traffic congestion in public streets.
- f. Establishment, maintenance or operation of the special use shall in all other respects conform to all Cook County ordinances, unless otherwise authorized by the Cook County Board of Commissioners pursuant to the recommendation of the Zoning Board of Appeals.

(Signature of Applicant)

(Signature of Owner)

COUNTY OF COOK)
) S.S.
STATE OF ILLINOIS)

Subscribed and sworn to before me this
____ Day of _____, 20____

Notary Public

Special Use # _____

| | | |
|------------------|-------|-----|
| Property Address | | |
| City | State | Zip |

I, _____ and, I, _____
Property Owner (print) *Applicant (print)*

do hereby certify and attest that we are aware of Cook County Zoning Ordinance Article 13, which mandate that no Map Amendment and/or Special Use application shall be accepted or processed for approval while there exist pending judicial proceedings for violations of any Cook County Building and Zoning Ordinances. We hereby certify and attest that there are no pending judicial proceedings for violation of Cook County Building and Zoning Ordinance against the property described above.

We further acknowledge, by signature below, that we understand that if we resume illegal zoning activities after any violations have been adjudicated and remedied and while a Map Amendment and/or Special Use application is in process, the original Map Amendment and/or Special Use application will be declared null and void and the application process, including all notification requirements, must commence again and all application documents, including all filing fees, must be resubmitted and refilled with Cook County Zoning Administrator.

Signature of Owner

(Signature of Applicant)

Subscribed and sworn to before me this
____ Day of _____, 20____

Subscribed and sworn to before me this
____ Day of _____, 20____

Notary Public

Notary Public

Department of Building and Zoning Applicant's Statement

1. I have in my possession a copy of the "Rules of Practice and Procedure" issued by the Zoning Board of Appeals.
2. I am aware that filing fees may not be refunded.
3. To the best of my knowledge, violation of the Cook County Zoning Ordinance now ___ DOES ___ DOES NOT exist on the subject property. If it does Violation # _____
4. To the best of my knowledge, no deed restrictions or private covenants prevent the use, change of zone, special use, or variation sought in this application.
5. As an applicant, I am a lawyer or have been advised of the recommendation of the Zoning Board of Appeals that I obtain legal counsel of my choice to assist me in the preparation and presentation of my case.
6. I have been informed that Public Hearing dates are set by the Zoning Board of Appeals and that I will receive Notice of that date by certified mail at least fifteen (15) days before the Public Hearing.
7. I am aware that I may arrange, or request the assistance of the Secretary of the Zoning Board in arranging for the attendance of a court reporter at the hearing at my expense. I understand that if a court reporter is not present or is unable to make a complex transcript of the entire hearing, regardless of length; my case might be adversely affected by the lack of a complete record of the hearing.
8. I acknowledge that it is my responsibility to prepare all exhibits, arrange for the appearance of qualified witnesses and to have at the Hearing all documents relevant to this case.
9. With respect to soil, water and fire matters:
 - a. For the proposed P.U.D. (planned unit development), I am aware of the applicable ordinance, rules and regulations pertaining to water retention and run-off and understand that failure to prove compliance herewith, will result in denial of my P.U.D. application.
 - b. Except in variation cases, at the hearing I will present evidence of having informed the jurisdictional fire protection district of my plans.
10. Planned Unit Development Applications: Applicant must submit a copy of the preliminary site plan, showing ingress, egress, drainage and parking to the Chief Engineer of the Transportation and Planning Bureau of the Cook County Highway Department for preliminary approval. A public hearing date will be set only upon the submission and approval of said plat.
11. I have been informed of the Zoning Board's presumption of the general desirability of planned developments, where appropriate, and will either seek a planned development, where appropriate, or will offer reasons at the hearing for its inappropriateness in my case.

Applicant Signature _____ Date _____

Department of Building and Zoning Fee Schedule

| | | |
|----|--|--|
| | Petition for a Text Amendment: | \$525.00 |
| B) | Petition for Map Amendment: | |
| 1. | Less than one acre | \$420.00 |
| 2. | One acre to five acres | \$945.00 |
| 3. | Five acres to ten acres | \$1,890.00 |
| 4. | Ten acres to twenty acres | \$2,520.00 |
| C) | Petitions for the following Special Uses: | |
| 1. | Excavations for Artificial Lake on which sub-division is proposed | \$2,100.00 |
| 2. | If sand, gravel, rock or fill to be sold from above item, additional | \$4,200.00 |
| 3. | Extraction of rock, sand, gravel, peat or any type of Borrow Pit | \$4,200.00 |
| 4. | Extraction of Top Soil | \$1,050.00 |
| 5. | Sanitary Land Fill | \$6,300.00 |
| 6. | Dry Land Fill | |
| a. | Under five acres | \$525.00 |
| b. | Over five acres | \$4,200.00 |
| 7. | All hospitals, sanitariums, convalescent homes, nursing and rest homes for profit | \$2,100.00 |
| 8. | Planned Developments | |
| a. | Five acres and under | \$420.00 |
| b. | Over five acres to ten acres | \$945.00 |
| c. | Over ten acres to fifteen acres | \$1,470.00 |
| d. | over fifteen acres | \$2,520.00 |
| 9. | All other listed Special Uses as provided for in the Zoning Ordinance | \$525.00 |
| D) | Petitions for Variations: | |
| 1. | All variations in all residential districts, regardless of number of different variations sought | \$157.50* or \$31.50 per lot whichever is greater |
| 2. | All variations in all commercial and industrial districts, regardless of number of variations sought | \$315.00* |
| | * plus cost of court reporter transcript | |
| E) | Any combination of petitions, such as an Amendment, Special Use and Variation, if requested by the applicant, will be treated as individual petitions as far as fees are concerned, but will be consolidated and heard at the designated time for the Public Hearing, before the Zoning Board of Appeals of Cook County. | |
| F) | Fees for any other uses not included in this list or new uses not yet conceived, shall be determined by the Commissioner of Building and Zoning until such time as a resolution can be presented to the Board of Commissioners of Cook County. | |