



VILLAGE OF GLEN ELLYN

Minor Subdivision Application Packet

Planning & Development Department

535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370

MINOR SUBDIVISION APPLICATION

Definition: A Minor Subdivision as defined by the Subdivision Regulations Code is, “any subdivision resulting in the creation of three or four lots, or subdivision resulting in the creation of two lots in which one or both of the proposed lots or associated public improvements will not conform to standards established by the Village’s Zoning Ordinance and/or Subdivision Regulations.”

Process:

1. Meeting with Planning and Development staff (recommended);
2. Pre-application meeting with Plan Commission (encouraged);
3. Preparation of Final Plat of Subdivision, application and supporting materials;
4. Submission of formal application, Final Plat supporting materials, fees and escrow;
5. Review of application packet by Village staff;
6. Revisions to and submission of revised application packet (as needed);
7. Review of revised application packet by Village Staff (as needed);
8. Public hearing notice published in the newspaper, notice sent to surrounding property owners, and sign(s) placed on site;
9. Review by Plan Commission at public hearing;
10. Preparation of minutes/transcripts from Plan Commission meeting;
11. Review by Village Board at workshop or pre-board meeting;
12. Action by Village Board at meeting (adoption of Ordinance).

**MINOR SUBDIVISION
APPLICATION PROCESS**

1. **Meeting with Staff (optional):** It is recommended that the petitioner meet with the Director of Planning and Development, or his or her designee, to informally discuss the proposed Subdivision prior to filling out a formal application. At this meeting, the petitioner should provide general information that describes or outlines the existing conditions of the site and the proposed Subdivision. Planning and Development staff will provide any comments or recommendations about the request to the petitioner and review the application process, including the types and number of required submittals and estimated review time.
2. **Pre-application meeting with Plan Commission (encouraged):** Before formal application is made, the petitioner is encouraged to appear before the Plan Commission at a pre-application conference. A pre-application conference requires an application fee of two hundred and fifty dollars (\$250.00). The purpose of the pre-application conference is to allow the petitioner to informally present the proposed subdivision to the Plan Commission and to solicit the Commission's input prior to preparing Subdivision documents. To accommodate a pre-application meeting 20 copies of a concept plan, a narrative description of the project and the required application fee, must be submitted as well as any additional exhibits requested by the Planning and Development staff.

At the Pre-application Conference, the petitioner may request a waiver of specific required submittals.

3. **Required Submittals:** The petitioner shall submit the following items with four (4) complete and collated copies of a Minor Subdivision application along with the required application fee and items that may be reasonably requested by the Village staff or the Plan Commission as indicated on the attached submittals checklist;
 - a. **Application:** Completed application for Minor Subdivision approval (form attached);
 - b. **Proof of Ownership:** A copy of a deed, title policy or other proof of ownership as approved by the Planning and Development staff;
 - c. **Disclosure of Interest:** If the subject property is held in a trust, a complete disclosure of interest of the ownership, including the names of trustees and beneficial owners, shall be provided. If the subject property is owned by a corporation, a disclosure of the shareholders with interest in 5% or more of the property including the names of the officers and directors should be provided (forms attached);
 - d. **Plat of Survey:** A current Plat of Survey of the property, prepared by a land surveyor registered with the State of Illinois, including a statement that the property is or is not in the floodplain;
 - e. **Plans:** A preliminary Plat of Subdivision is not required. However, depending on the scope of the project, the Planning and Development Director, at his or her discretion, may require the submission of plans and documentation typically required on a Preliminary Plat including but not

limited to, grading plans, utility plans, public improvement specifications and tree survey and analysis;

- f. Affidavit of Authorization: If the petitioner is someone other than the property owner, a document signed by the owner of the subject property which authorizes the petitioner to represent them for the subdivision request shall be provided (form attached);
- g. Land Use Opinion: A Land Use Opinion from the Kane DuPage Soil and Water Conservation District Board;
- h. Final Plat of Subdivision: A Final plat of Subdivision that conforms to the requirements set forth in Section 11-3-5 B(2) and (3) of the Subdivision Regulations Code;
- i. Additional Materials: The Planning and Development Director may, at his or her discretion, require the submission of such other additional materials or data related to the possible impact of the proposed uses of the subdivision on public facilities and services.

NOTE: The petitioner should have the surveyor sign a Letter of Authorization (form attached) which designates a representative from the Village of Glen Ellyn as the agent to record the Final Plat of Subdivision or such authorization may be granted on the Plat.

- 4. **Escrow Deposit**: The Subdivider shall deposit cash for an escrow account in an amount to be determined by the Director of Planning and Development to cover Village out of pocket expenses including all costs directly attributable to recording testimony of all witnesses at public hearings, reproduction costs, public notice mailing costs, newspaper publication charges and all expenses for professional consultants including, but not limited to, attorneys, engineers, traffic engineers, planners, wetland consultants or other professionals outside the employee staff. Additionally, the petitioner must fill out and sign the attached Reimbursement of Fees Agreement.
- 5. **Staff Review**: Once the application is received it will be forwarded to the appropriate Village staff and consultants for review. Staff will attempt to review the request within 30 days of receipt. After staff has reviewed the application and determined that it is complete (which may require the submittal of additional information or revision of plans per comments by Village staff and consultants) the request will be scheduled for consideration at the first available public hearing before the Plan Commission. An additional thirty (30) complete and collated application packets must be submitted a minimum of two (2) weeks before the scheduled public hearing before the Plan Commission.
- 6. **Public Hearing Notice**: Not more than 30 days, nor less than 15 days before the Plan Commission public hearing the Planning and Development staff will place a legal notice in a paper of general circulation in the Village which describes the request, location of the subject property, and gives the time, date, and location of the public hearing. For those properties located within the Village boundaries the staff will also mail a notice of the subdivision request to all property owners within 250 feet of the subject property and cause to be placed on the subject property, not less than 15 days prior to the public hearing, one or more signs which announce that a public hearing regarding the subject property will be held.

7. **Plan Commission Public Hearing:** The Planning and Development staff will submit the application, supporting materials, staff reports and any other documents to the Plan Commission to conduct the public hearing thereon. The Plan Commission meets on the second and fourth Thursday of each month at 7:00 p.m. in the Glen Ellyn Civic Center, 535 Duane Street.

The petitioner or his/her representative must attend the public hearing. It is the responsibility of the petitioner to present any arguments supporting the request for approval of a Minor Subdivision in a complete and logical manner and to have available all evidence necessary to support the request.

After the public hearing is closed, the Plan Commission will take a vote on the request. The Plan Commission may recommend approval, approval with conditions, or denial of the request to the Village Board. In making its recommendation, the Plan Commission shall consider how the request complies with the criteria in Section 11-3-10 of the Subdivision Regulations Code for granting approval of a Subdivision and may recommend conditions that are deemed necessary and in the interests and needs of the community to keep with the provisions in the Subdivision Regulations Code.

8. **Village Board Action:** The recommendation from the Plan Commission will be placed on a Village Board agenda for consideration and action. The Village Board will review the request at a workshop or pre-board meeting prior to the actual Village Board meeting. The Village Board may decide to approve, approve with conditions, or deny the request. Action on the application will be by an Ordinance, which is adopted by the Village Board.

If the decision is to approve the Final Plat, the Village Clerk will cause the approved Plat to be recorded with the DuPage County Recorder. Following approval of the subdivision by the Village, the petitioner may seek building permits. Building permits must be applied for within 18 months from the date of the ordinance, unless the petitioner has requested and been granted an extension from the Village Board in the approving Ordinance, or the subdivision will become null and void. The Planning and Development Department will compare plans submitted for permits against the plans approved by the Village Board and any conditions set forth in the approving Ordinance.

Questions may be directed to the Planning and Development Department at 630-547-5250.



Village of Glen Ellyn

535 Duane Street ▪ Glen Ellyn, Illinois 60137 ▪ Phone: (630) 547-5250 ▪ Fax: (630) 547-5370

APPLICATION FOR MINOR SUBDIVISION APPROVAL

You may attach separate sheets as needed to answer any of the following questions.

DATE FILED: _____ **APPLICATION NUMBER:** _____

I. APPLICANT INFORMATION:

Name: _____

Address: _____

Phone Number: (Home) _____ (Business) _____

Mobile Number: _____ Fax: _____

Email: _____

Property Interest of Applicant: _____
(Owner, Contract Purchaser, Owner Representative)

II. OWNER INFORMATION:

Name: _____

Address: _____

Phone Number: (Home) _____ (Business) _____

Mobile Number: _____ Fax: _____

Email: _____

III. PROPERTY INFORMATION:

Address: _____

Legal Description of Property:

Permanent Index No.: _____ Zoning: _____

Lot Dimensions: _____ Lot Area: _____

Present Use:

Description of Subdivision:

Estimated Date to Begin Construction: _____

Name(s), Address(es) and Phone Numbers of consultants (Architects, Engineers, Attorneys, etc.):

IV. APPROVAL STANDARDS:

Narrative Statement: Please provide a narrative statement. The narrative statement should include, but not be limited to, information concerning the proposed use of the lots, the type and number of dwelling units and/or type of business or industry and the manner in which subdivision is to be served by public utilities. A separate sheet may be used if necessary.

Section 11-3-10 of the Subdivision Code requires that the following six (6) criteria be met before a Subdivision can be approved. Please describe how the proposed Subdivision meets these requirements. The information provided will be used by the Plan Commission in considering the request.

Please describe how the proposed subdivision meets the following criteria.

1. The proposed subdivision conforms to the provisions set forth in this Subdivision Ordinance, including the rules and regulations referenced in Section 11-4-1 of the Subdivision Code.

2. Definite provision has been made for a water supply system that is sufficient in terms of quantity, dependability, and quality to provide an appropriate supply of water for the type of subdivision proposed.

3. A public sewage system is proposed and adequate provision has been made for such system or, if other methods of sewage disposal are proposed that such systems will comply with federal, state, and local laws and regulations.

4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precaution have been identified by the Subdivider and that the proposed uses of these areas are compatible with such conditions.

5. The proposed subdivision will not be detrimental to the public health, safety and welfare.

6. No development shall be approved if such development, at full occupancy, will result in or increase traffic on an arterial or collector street to such an extent that the street does not function at a level of service deemed acceptable by the Village. The applicant may propose and construct the approved traffic mitigation measures to provide adequate roadway capacity for the proposed development.

I (We) certify that all of the statements and documents submitted as part of this application are true to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Glen Ellyn for the purpose of inspection.

I (We) consent to pay the Village of Glen Ellyn all costs incurred for transcribing the public hearing on this application.

I (We) understand that no final action shall be taken by the Village Board subsequent to the public hearing and until payment of all escrow fees.

_____	_____	_____
Date	Print Name	Signature of Applicant
_____	_____	_____
Date	Print Name	Signature of Applicant
_____	_____	_____
Date	Print Name	Signature of Applicant

OWNERSHIP BY LAND TRUST

Date: _____

Address: _____

Legal Description:

TRUSTEE: _____ TRUST: _____

Address: _____

LIST ALL BENEFICIARIES:

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

OWNERSHIP BY A CORPORATION

Date: _____

Address: _____

Legal Description:

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

Name: _____ Address: _____ %: _____

AFFIDAVIT OF AUTHORIZATION

I, _____ owner of the property described as

verify that _____
is duly authorized to apply and represent my interests before the Glen Ellyn Plan Commission, Zoning Board of Appeals, and/or Village Board of Trustees. Owner acknowledges that any notice given applicant is actual notice to owner.

OWNER SIGNATURE

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

Notary Public

LETTER OF AUTHORIZATION

I, _____, Registered Land Surveyor with the State of Illinois, hereby authorize a representative from the Village of Glen Ellyn to record the plat(s) and/or plan(s) prepared by me for

Signature

Date

IDNR ENDANGERED SPECIES CONSULTATION

An Endangered Species Consultation may be required for your project. If an Endangered Species Consultation is required as part of your application, the Online Ecological Compliance Assessment Tool (EcoCAT) must be completed and a copy of the final report from the Illinois Department of Natural Resources (IDNR) should be included in your Minor Subdivision application packet. The online EcoCAT information and application can be found at <https://dnr.illinois.gov/ecopublic/>.

Below is information directly from the EcoCAT Frequently asked Questions, regarding which actions require consultation and which are exempt from consultation.

What actions require consultation?

Any action that will change existing environmental conditions, i.e. anything that disturbs the land, water, or air. Examples include:

- construction
- discharge of pollutants or application of chemicals into the air, water, or land
- dredging any naturally occurring materials
- re-zoning from a non-urban classification to an urban classification (e.g. from agricultural to residential) or a change from one urban classification to another on land not used in its entirety for the original classification
- subdivision and other development plats
- infrastructure alterations (utilities, roads, sewers)
- land management
- alteration, removal, excavation or plowing of non-farmed, non-cultivated areas
- altering existing topography
- annexations
- parks, stream, or lake modifications

What actions are exempt from consultation?

Unless it is evident that they could directly or indirectly affect an endangered or threatened species or a Natural Area, the following actions are exempt from consultation:

- mowing within maintained highway rights-of-way
- routine resurfacing and application of oil and gravel to existing roads
- maintenance or repair of existing structures
- actions under a Department-approved management plan undertaken to maintain or improve natural ecosystem conditions or to re-establish pre-settlement vegetation conditions (such as prescribed burns, spot application of herbicides or brush clearing)
- maintenance of existing lawns, yards, and ornamental plantings
- routine cultivation of agricultural lands
- change of zoning requests for land currently zoned, developed, and used in its entirety for commercial, industrial, or residential purposes.

**KANE DUPAGE SOIL AND WATER CONSERVATION DISTRICT
LAND USE OPINION**

A Land Use Opinion from the Kane DuPage Soil and Water Conservation District may be required to be submitted with an application for approval of a Minor Subdivision.

If a Land Use Opinion is required for your project, the required fee and application should be submitted directly to the Kane DuPage Soil and Water Conservation District. A link to this typing enabled form can be found at:

<http://www.kanedupageswcd.org/pdfs/LUO/LandUseOpinionApp13.pdf> .

REIMBURSEMENT OF FEES AGREEMENT

Village of Glen Ellyn Acct: # _____
Initial Deposit Amount: _____

I. DESCRIPTION OF PROJECT: _____

II. OWNER:

A. Owner of Property: _____

B. Owner's Address: _____

C. Owner's Home Phone Number: _____ Fax: _____

D. Owner's Work Phone Number: _____

E. Owner's E-mail: _____

F. If Owner is a Land Trust or Corporation, the attached disclosures of interest should be filled out.

III. PERSON MAKING REQUEST (Petitioner):

A. Name of Petitioner: _____

B. Petitioner's Address: _____

C. Petitioner's Home Phone Number: _____

D. Petitioner's Work Number: _____

E. Petitioner's E-mail: _____

IV. LOCATION OF PROPERTY:

A. General Location of Property: _____

B. Acreage of Parcel: _____

C. Permanent Index Number(s): _____

D. Legal Description (Please attach)

V. REIMBURSEMENT OF FEES:

The Ordinances of the Village require the owners of property, or individuals seeking to utilize property, to receive approval by ordinance or the issuance of a permit to undertake various uses or improvements of property in the Village. These uses can include requests for textual or map changes in the Zoning Ordinance, applications for building permits, requests for zoning relief and other similar requests. The Village has established a fee schedule for the anticipated use of staff time in processing such petitions or applications. In many cases, however the Village cannot reasonably evaluate the validity or compliance of the petition or application with the Ordinances of the Village without the use of reports from various consultants. In some cases, the application or petition requires among other things, public hearings and associated public notice costs, preparation of minutes or transcripts from the public hearing or meeting, recording costs of Ordinances and the preparation of reports by consultants whose services require the payment of out-of-pocket expenses by the Village.

These expenses would not have been incurred but for the petition or application. The Village does not intend to seek to make a profit on its utilization of such consultants, but requires that the applicant, or the person receiving benefit, shall be obligated to reimburse the out-of-pocket expenses incurred by the Village. The Village shall seek to employ consultants who shall charge rates consistent with those paid by private parties who seek similar consulting services. The Village intends, through this Agreement, to cause the payment of out-of-pocket expenses and to require the creation of an escrow fund to guarantee that the petition or application will not result in the citizens of the Village being required to pay for costs incurred at the request of the owner or applicant.

This document shall constitute a contract when an application is made for a license, permit, request for zoning relief or other approval involving the use of real property. Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordations, in connection with any application or petition filed by the petitioner then the petitioner and owner shall be jointly and severally liable for the payment of such professional fees and costs, as shall actually be incurred by the Village. The Planning and Development Director is hereby authorized to assign the above described services to the Village staff or to consultants, as the Director deems appropriate and without prior notification to the petitioner.

Any application or petition to be reviewed by the Planning and Development Department or by the Plan Commission shall require the petitioner to establish an escrow account with the Village in an amount determined by the Planning and Development Director to reimburse the Village for all out of pocket costs associated with the request. These out of pocket costs will cover such things as services provided by the Village's consulting engineer, consulting attorney, consulting planner, traffic consultant, wetland consultant, landscape consultant, architectural consultant, appraiser and transcriber, among others, as well as reproduction costs, public hearing notice costs, recording costs, etc. Along with the application the petitioner shall also submit a signed copy of this agreement thereby acknowledging and agreeing to reimburse the Village for all out of pocket costs associated with the application or petition.

This agreement shall be accompanied by an initial deposit in an amount to be determined by the Director of Planning and Development but shall be no less than \$500. The Village will provide an itemized list of Village expenses incurred related to any charge to the escrow account, and the petitioner shall deposit funds to reimburse the Village for those expenses upon notice from the Village that the deposit has dropped below \$300. If the expenses are not reimbursed, then reviews meetings and permits associated with out of pocket costs will cease, and the request will not be moved forward through the review process. At the completion of the review process, and development of the project, if appropriate, any remaining balance from the deposit will be returned to the petitioner, without interest, after all expenses have been paid.

The Village shall deduct the incurred expenditures and costs from the funds deposited. If the remaining deposit balance falls below \$300.00, the petitioner, upon notice by the Village, shall be required to replenish the deposit to its initial amount. The Village shall mail the petitioner regular invoices for the fees and costs incurred. The petitioner shall replenish the deposit amount within thirty (30) days of issuance of each such invoice directing replenishment of the deposit.

A petitioner who withdraws his or her petition may apply in writing to the Planning and Development Director for a refund of his or her remaining escrow balance. The Planning and

Development Director may, at his or her discretion, approve such refund less any actual fees and costs, which the Village has already paid or incurred relative to the application. Upon the failure of the petitioner or owner to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on the application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, reviews of any plans or applications, the granting of any relief or approvals, issuance of any permits or occupancies, performance of inspections and the execution or recording of any documents, until all such outstanding fees are paid in full and/or the initial deposit is restored to its full amount. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, apply any or all of the initial deposit to the outstanding balance due.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

Any remaining balance of any funds deposited pursuant to this Agreement shall be refunded at such time as the completion of Village deliberation on the petition or application, recordation of all necessary documents associated with the petition or application, issuance of a building permit, approval of a final inspection, or issuance of a final certificate of occupancy upon the real property in question whichever occurs later.

BY SIGNING BELOW, THE PETITIONER AND OWNER ACKNOWLEDGE THAT EACH OF THEM HAS READ THE FOREGOING PARAGRAPHS AND EACH OF THEM FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, EACH SIGNATORY WARRANTS THAT HE/SHE/IT POSSESSES FULL AUTHORITY TO SO SIGN.

THE PETITIONER AND OWNER AGREE THAT PETITIONER AND OWNER SHALL BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF GLEN ELLYN, AND THE OBLIGATIONS FOR PAYMENT RELATING TO THE FILING OF PETITION OR APPLICATION, AS SET FORTH HEREIN.

Petitioner

Owner

Date: _____

Village of Glen Ellyn

By: _____
Planning and Development Director

Date: _____