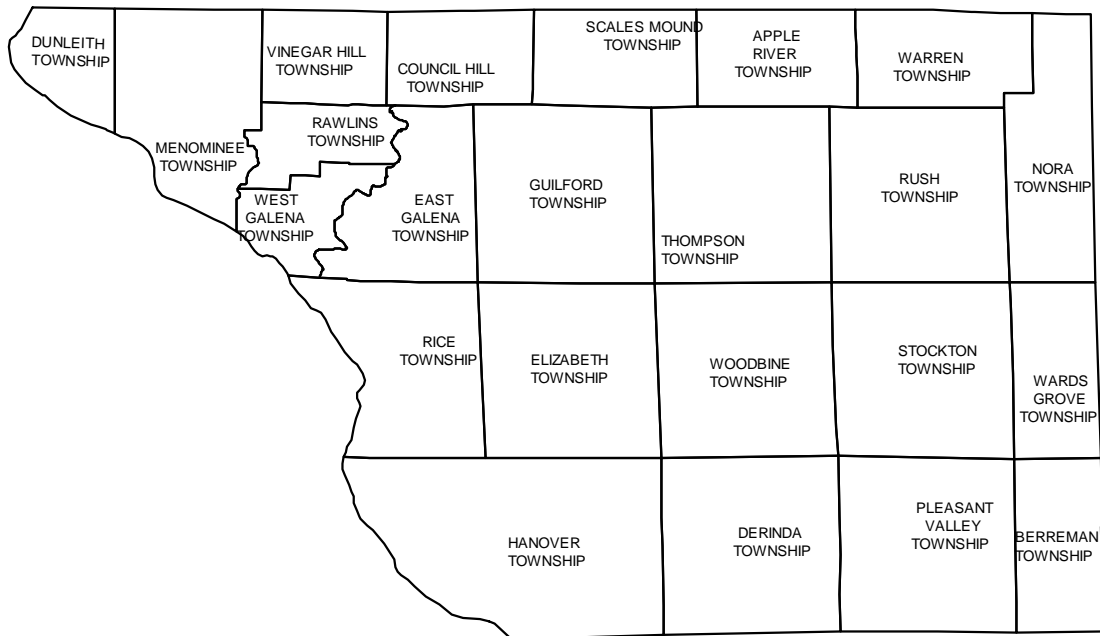


# Wind Energy Conversion Systems Special Use Permit Application



Revised 06/08/2022

*Jo Daviess County Planning & Development Department  
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Kristina Tranel, Planning & Development Administrator*

## Instructions for Special Use Applications

### Before You Apply:

- Talk with the Planning & Development Staff regarding the feasibility of the proposed use. Is your plan compatible with existing County plans and ordinances? Will your application meet the standards for approval as required under the Zoning Ordinance? What type of requirements and/or restrictions would apply? Are there other local, state or federal agencies that may have jurisdiction?
- Determine the amount of land you will need to accommodate your plan(s). Don't underestimate the amount of land needed. For commercial or industrial uses, you need to consider land necessary for screening/landscaping/pervious surface, off-street parking, storm water management facilities, building setback and yard areas, sewage disposal area(s), etc. For a dwelling, consider setback and yard area requirements, septic system area(s) and well location (100' separation between well and septic system absorption field), the size of house being contemplated, and future plans (deck, sunroom, porch, swimming pool, detached garage/storage building, etc.)
- Investigate the area. Find out if there are existing land uses in the area that may not be compatible with your plans, such as a race track (which may not be in operation when you visit the site, but can create considerable noise and traffic on race days), an animal feeding operation, etc. Even if adjoining land or land in the area is currently vacant, find out what the potential uses are. Don't open yourself up to a surprise down the road.
- Check with the appropriate highway authority (IDOT, County Engineer or Township Road Commissioner) to determine if safe access to a public highway or road is possible. Also, ask the appropriate highway authority about any future roadway improvement plans. A major road/highway project could create an inconvenience for a period of time, limit access to your site, or require a portion of your site to be sold for road/highway purposes, even if you do not wish to sell.
- Check the *Jo Daviess County Soil Survey* to determine the general condition of soils on the site and if the soils are compatible with the intended use(s) of the site. You may seek assistance in interpreting the *Soil Survey* from the Jo Daviess County Soil & Water Conservation District.
- Check the Jo Daviess County, IL Flood Insurance Rate Maps (published by the Federal Emergency Management Agency [FEMA] and maintained at the Zoning Department) to determine if the site is located in a FEMA-designated "Special Flood Hazard Area". Flood insurance may be required as a condition of obtaining a mortgage if even a portion of the site is located in a "Special Flood Hazard Area".

- If the site is within 1.5 miles of the boundary of an incorporated city or village and the city/village has an adopted Plan (“master plan” or “comprehensive plan”), it may exercise its extra-territorial jurisdiction. Therefore, you should check with the city/village to determine if your plan(s) are compatible with the city/village plan(s), and if any additional requirements may apply. If subdivision approval is necessary, the city/village may also enforce its subdivision regulations within its 1.5-mile extra-territorial planning area.
- Make sure that adequate public services (including, but not necessarily limited to fire, ambulance and police protection, schools, water supply and sewage disposal) are available or can be reasonably supplied to serve the proposed use(s).
- Contact the neighbors and let them know your plans. Their feedback can be very helpful. They may even know important details about the site that you would not otherwise have known.

The Application Process:

- 1) DO YOUR HOMEWORK, using the above as a guide.
- 2) The land area for which the application is being made, unless it is an entire parcel of record, must be defined in a standard, recognizable manner. This is called a “legal land description”. The description can be a “rectangular land description” or a “metes and bounds land description”. An attorney or surveyor can prepare a legal description of land. It is not necessary to have an actual physical survey at this time; however, it will be necessary if the application is approved by the County Board. It is important that a reasonably accurate legal description be provided and that the legal description describes what you want. A “sketch plat” is also helpful, which is simply a graphic representation of a legal description - not a “plat of survey”. When it comes time for the actual survey, the legal description may change somewhat due to the accuracy of modern surveying equipment, but any difference(s) should be negligible.
- 3) Complete the required forms provided in the “Wind Energy Conversion System Special Use Application” packet. Please either type or print legibly.

Sign the application form and complete the address, city, state, ZIP code and phone number information. The application must be signed by the owner(s) of record of the property. In the case of property under purchase contract, the owner(s) of record must sign and the contract purchaser or petitioner shall also sign the application as such purchaser is usually the person who will eventually establish the use proposed. Owner and contract purchaser or petitioner must include both address and phone number in petition.

Whenever applicable, the following disclosures must be made:

- Pursuant to the Land Trust Beneficial Disclosure Act (765 ILCS 405/et seq), if property involved is listed under a “Trust”, a notarized certification, signed by the Trust Officer, giving names, addresses and percentage of interest of all beneficiaries, is to be filed with all petitions for rezoning and special use. When the applicant is a corporation, the applicant shall include the correct names, addresses and percent interest of all stockholders or shareholders owning interest in excess of 20% of all outstanding stock of such corporation. If the corporation has no shareholders, a statement to that effect shall be submitted.
  - When the applicant is a business entity doing business under an assumed name, the application shall include the names and addresses of all true and actual owners of such business or entity.
  - When the applicant is a partnership, joint venture, syndicate, or an unincorporated voluntary association, the application shall include the names and addresses of all partners, joint ventures, syndicate members, or members of the unincorporated voluntary association.
- 4) Provide a Concept Plan that meets the requirements of the “Concept Plan Checklist”.
- A. Complete the “Concept Plan Checklist” cover sheet.
- B. Following the example Concept Plan provided in the application packet, prepare a Concept Plan” that meets the size and scale parameters, and contains all of the information requested in the checklist. Concept Plans may be prepared by surveyor/engineer or staff assistance is available upon request in preparing a Concept Plan.

TIPS: A plat of survey is the best base map for a Concept Plan. If a plat of survey is not available, consider having a surveyor prepare a “sketch plat” or contact the Geographical Information Services (GIS) office for a map of your parcel. If preparing a Concept Plan on your home computer using a simplified CAD program, make sure that your output is at a standard scale and not “fit-to-page” output. If you prepare your Concept Plan by hand, print neatly. Consider typing your text on a word processor, printing your text on a separate page, cutting the text out with a technical knife or scissors, and gluing, pasting or taping the text on the Concept Plan (the “cut-and-paste” technique).

Use different line types or widths for property lines, road right-of-way lines or center lines, section lines, etc.

Have the Planning & Development Administrator review and comment on the Concept Plan before making the required number of copies in case any changes/additions are required. Remember who you are preparing the Concept

Plan for and tailor it to their needs (which is what the checklist and example Concept Plan are intended to do, if followed). The Concept Plans are sent by the Building & Zoning Department to: the members of the Zoning Board of Appeals, County Board liaison, the County Health Department, County Highway Department, Geographical Information Services Office, States Attorney's Office; and, the township planning commission (if any), Community (if within 1 ½ miles), road commissioner or Illinois Department of Transportation.

- 5) If the application is to rezone land currently zoned AG-1 to another zoning district, complete the application form titled "Application for Natural Resource Inventory Report" on the Jo Daviess County Soil & Water Conservation District (SWCD) letter head. Take this application directly to the SWCD office (227 N. Main St., Elizabeth IL) along with a copy of the submittal requirements. This report must be procured from the SWCD and submitted with the Map Amendment application to the Building & Zoning Department.

#### The Zoning Process:

The zoning process involves, typically, two meetings which occur in the following order:

- 1) Zoning Board of Appeals (ZBA).

The ZBA conducts public hearings at which any citizen is afforded the opportunity to speak in favor of, in opposition to, or simply comment on an application. For more information on the ZBA, please read "Product/Service information, special use". The ZBA makes findings of facts and a recommendation to the County Board. Its decision is advisory only and does not constitute a final, binding decision.

- 2) County Board (final decision).

The County Board's decision is final. Typically, no opportunity for public comment is given prior to a decision. However, it is up to the Chairman's discretion.

Upon receipt of an application, the Planning & Development Department begins processing of said application and preparing the file. Letters of notification are prepared and sent to all adjoining property owners (certified mail), township officials, county agencies (health, highway and sheriff), county board members, school district(s), fire district(s), and any city or village within 1.5 miles. A public notice is prepared and published in a local newspaper at least fifteen (15) days prior to the public hearing with the Zoning Board of Appeals. A Staff Report is completed prior to the meeting of the ZBA. From the time of filing to a decision of the County Board usually takes about two months. However, in some cases the ZBA may continue the hearing to another date, or the County Board may refer the case back to the ZBA for further hearing, which would prolong a decision.

**Note: It is solely the responsibility of the applicants to make sure that all information submitted, including the legal and general description of the property, is accurate as the information will be used for publication of the legal notice required by statute and ordinance. The County of Jo Daviess disclaims all responsibility if any of the information submitted by the applicants is inaccurate or in error. The required filing fee must accompany the request. Regardless of the final action, all fees are non-refundable.**

**Note: It is the sole responsibility of the applicant to provide a complete submittal package at time of submission. (If petitioner submits additional information either by their own accord or by the direction of the Zoning Administrator or Zoning Board of Appeals, then the additional information must be submitted no later than five (5) business days prior to the Zoning Board meeting to which they will be appearing.)**

**APPLICATION FOR WIND ENERGY CONVERSION SYSTEMS  
SPECIAL USE PERMIT**

**Owner** (All beneficiaries if property is held in a land trust. All stockholders holding over 20% of the stock if owner is a corporation.)

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Petitioner if other than Owner:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Contract Purchaser or developer if other than Owner:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Subject Property:**

PIN: 43-\_\_\_\_-\_\_\_\_-\_\_\_\_-\_\_\_\_

1. Common address: \_\_\_\_\_

2. Describe location: \_\_\_\_\_  
\_\_\_\_\_

3. Acreage or dimensions: \_\_\_\_\_

4. Brief legal description: \_\_\_\_\_  
\_\_\_\_\_

5. Height of WEC (distance from the rotor blade at its highest point to the top surface of the WECS foundation): \_\_\_\_\_

6. Describe use requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Describe facilities that have been/will be provided for the subject use: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Describe possible effects on surrounding properties and action to be taken to lessen said effects: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby swear that the information given herein is true and complete.

\_\_\_\_\_  
Petitioner/Applicant

\_\_\_\_\_  
Petitioner/Applicant

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\*Submit evidence of Title (Deed or Title Insurance Policy). (1 Copy)

\*Submit photos/ site plan if appropriate. (16 Copies)



**CONSENT TO ON-SITE INSPECTION**

Your petitioner(s), \_\_\_\_\_, respectfully represent to the Planning Commission of Jo Daviess County, as follows:

Name(s)

That \_\_\_\_\_, are the owners of record of the real estate which is the subject of this petition and more commonly known as

Owners Name(s)

Address

City

Township

That the Petitioners are requesting a Public Hearing for the subject property.

That the petitioners of the described real estate do hereby freely and voluntarily consent to inspection of the site of the parcel in question for purposes of determining the appropriateness of the pending proposed zoning petition by the Jo Daviess County Planning Commission and hereby release such persons from any liability based in whole or in part on the inspection of the parcel in question.

That in exchange for the above actions by the Petitioner(s), Jo Daviess County agrees that at least one (1) member of the Planning Commission will inspect the parcel in question prior to considering the evidence presented upon the above petition.

\_\_\_\_\_  
(Owner) Signature

\_\_\_\_\_  
(Owner) Signature

SUBSCRIBED and SWORN to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

**LIVESTOCK AFFIDAVIT**

State of Illinois )  
 )  
County of Jo Daviess )

RE: \_\_\_\_\_

\_\_\_\_\_ after being first duly sworn on oath depose(s) and say(s):

I (We) hereby certify that to the best of my (our) knowledge, the site that is subject of the above application is not within one-quarter mile (1,320') of a "livestock management facility and/or livestock waste handling facility" with more than fifty (50) animal units pursuant to the *Illinois Livestock Management Facilities Act*.

\_\_\_\_\_  
Affiant

\_\_\_\_\_  
Affiant

Acknowledgment

State of Illinois )  
 )  
County of Jo Daviess )

I, \_\_\_\_\_, Notary Public in and for the State and County aforesaid, do

hereby certify that \_\_\_\_\_, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing affidavit, appeared before me this day in person and signed and delivered the said affidavit for the uses and purposes therein set forth as his or their free and voluntary act.

Giver under my hand and notarial seal this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_ .

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

(Seal)

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# Jo Daviess County Planning & Development

Kristina Tranel, Planning & Development Administrator

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## CONCEPT PLAN CHECKLIST

Project Name (if applicable): \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Location (1/4 Section, Township, Range): \_\_\_\_\_

Current Zoning: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_

Owner(s): \_\_\_\_\_

Address/City/State/Zip: \_\_\_\_\_

Applicant/Authorized Agent: \_\_\_\_\_

Address/City/State/Zip/Telephone #: \_\_\_\_\_

Surveyor/Engineer: \_\_\_\_\_

Address/City/State/Zip/Telephone #: \_\_\_\_\_

Sixteen (16) copies of a "Concept Plan" must be submitted. The "Concept Plan" must be clearly labeled as such and may be any scale so long as the scale is an increment of ten feet (10') or one hundred feet (100'), shall be on a not larger than 30" x 36" sheet, folded to approximately nine inches by twelve inches (9" x 12"). The following checklist is provided in order to help the applicant and the permitting agency in providing a complete application and application review.

Site Plan:

- Existing conditions: Lot lines (property lines) of the subject parcel(s) or zoning lot(s), any existing building(s) and/or structure(s), easements (drainage, utility, etc.), public right-of-way (include street or road names), and any other critical information including graphic scale, north arrow and location map.

- Proposed Improvements: Proposed WEC's and/or any accessory structures. Indicate linear distances from proposed WEC's and/or any accessory structures to lot lines, street or road right-of-way lines, and existing buildings and/or structures.
- Construction Plans

Below are the applicable standards out of the Jo Daviess County Zoning Ordinance, Title 8, Chapter 5, Article 5b-40. By checking these off you are indicating they are in compliance and shall provide documentation either on site plan or additional documents.

*C. Procedure*

1. Submittal Requirements

- a. To obtain a Special Use Permit, the Applicant must first submit an application to the County.
- b. In addition to the application requirements stated in Article 8-2d the application shall contain or be accompanied by the following information:
  - (1) A WECS Project summary, including to the extent available: (1) a general description of the project, including its approximate name plate generating capacity; the potential equipment manufacturer(s), type(s) of WECS(s), number of WECS, and name plate generating capacity of each WECS; the maximum height of the WECS Tower(s) and maximum diameter of the WECS(s) rotor(s); the general location of the project; and (2) a description of the Applicant, Owner and Operator, including their respective business structures;
  - (2) The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s), if known;
  - (3) A site plan for the installation of WECS showing the planned location of each WECS Tower, guy lines and anchor bases (if any), Primary Structure(s), property lines (including identification of adjoining properties), setback lines, public access roads and turnout locations, Substation(s), electrical cabling from the WECS Tower to the Substation(s), ancillary equipment, third party transmission lines, and layout of all structures within the geographical boundaries of any applicable setback;

- (4) All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance; and
- (5) Any other information normally required by the County as part of its Zoning Ordinance.
- (6) The Applicant shall notify The County of any changes to the information provided in Section A above that occur while the special use application is pending

*D. Design and Installation*

1. Design Safety Certification

- a. WECSs shall conform to applicable industry standards, including those of the American National Standards Institute (“ANSI”). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (“UL”), Det Norske Veritas (“DNV”), Germanischer Lloyd Wind Energie (“GL”), or an equivalent third party.
- b. Following the granting of siting approval under this Ordinance, a Professional Engineer shall certify, as part of the building permit application that the foundation and tower design of the WECS is within accepted professional standards, given local soil and climate conditions.

2. Controls and Brakes

- a. All WECS shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

3. Electrical Components

- a. All electrical components of the WECS shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g. ANSI and International Electrical Commission).

4. Color

- a. Towers and blades shall be painted white or gray or another non-reflective, unobtrusive color.

5. Compliance with the Federal Aviation Administration
  - a. The Applicant for the WECS shall comply with all applicable FAA requirements.
6. Warnings
  - a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations.
  - b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
7. Climb Prevention
  - a. All WECS Towers must be unclimbable by design or protected by anti-climbing devices such as:
    - (1) Fences with locking portals at least six feet high; or
    - (2) Anti-climbing devices twelve (12) feet vertically from the base of the WECS Tower

*E. Setbacks*

1. All WECS towers shall be set back at least one thousand four hundred (1,400) feet from any primary structure. The distance for the above setback shall be measured from the point of the primary structure foundation closest to the WECS tower to the center of the WECS tower foundation. The owner of the primary structure may waive this setback requirement; but in no case shall a WECS tower be located closer to a primary structure than one and one tenth (1.10) times the WECS tower height. A waiver may also be granted to the owner of a Primary Structure, to be built after the installation of a WECS tower. Such a primary structure shall be located no closer than one and one tenth (1.10) times the WECS Tower Height. Any time a setback distance waiver is involved, the owner of the primary structure shall provide a notarized letter requesting said waiver.
2. All WECS towers shall be set back a distance of at least one and one tenth (1.10) times the WECS Tower height from public roads, third party transmission lines, and communication towers. The County may waive this setback requirement.
3. All WECS towers shall be set back a distance of at least one and one tenth (1.10) times the WECS tower height from adjacent property lines. The affected adjacent property owner may waive this setback requirement.

4. The applicant does not need to obtain a variance from the County upon waiver by either the County or property owner of any of the above setback requirements. Any waiver of any of the above setback requirements shall be addressed during public hearing and shall run with the land and be recorded as part of the chain of title in the deed of the subject property.

*F. Compliance with Additional Regulations*

1. Nothing in this Ordinance is intended to preempt other applicable state and federal laws and regulations.

*G. Use of Public Roads*

1. An Applicant, Owner, or Operator proposing to use any [county, municipality, township or village] road(s), for the purpose of transporting WECS or Substation parts and/or equipment for construction, operation, or maintenance of the WECS(s) or Substation(s), shall:
  - a. Identify all such public roads; and
  - b. Obtain applicable weight and size permits from relevant government agencies prior to construction.
2. To the extent an Applicant, Owner, or Operator must obtain a weight or size permit from the [county, municipality, township or village], the Applicant, Owner, or Operator shall:
  - a. Conduct a pre-construction baseline survey to determine existing road conditions for assessing potential future damage; and
  - b. Secure Financial Assurance, in a reasonable amount agreed to by the relevant parties, for the purpose of repairing any damage to public roads caused by constructing, operating or maintaining the WECS.

*H. Operation*

1. Maintenance
  - a. The Owner or Operator of the WECS must submit, on an annual basis, a summary of the operation and maintenance reports to the County. In addition to the above annual summary, the Owner or Operator must furnish such operation and maintenance reports as the County reasonably requests.
  - b. Any physical modification to the WECS that alters the mechanical load, mechanical load path, or major electrical components shall require re-certification under Article 8-

5b-40, D, 1, (a). Prior to making any physical modification (other than a like-kind replacement), the owner or operator shall confer with a relevant third-party certifying entity identified in Article 8-5b-40, D, 1, (a) to determine whether the physical modification requires re-certification.

2. Interference

- a. The Applicant shall provide the applicable microwave transmission providers and local emergency service provider(s) (911 operators) copies of the complete application. To the extent that the above provider(s) demonstrate a likelihood of interference with its communications resulting from the WECS(s), the Applicant shall take reasonable measures to mitigate such anticipated interference. If, after construction of the WECS, the Owner or Operator receives a written complaint related to the above-mentioned interference, the Owner or Operator shall take reasonable steps to respond to the complaint.
- b. If, after construction of the WECS, the Owner or Operator receives a written complaint related to interference with local broadcast residential television, the Owner or Operator shall take reasonable steps to respond to the complaint.

3. Coordination with Local Fire Department

- a. The Applicant, Owner or Operator shall submit to the local fire department a copy of the complete application
- b. Upon request by the local fire department, the Owner or Operator shall cooperate with the local fire department to develop the fire department's emergency response plan.
- c. Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

4. Materials Handling, Storage and Disposal

- a. All solid wastes related to the construction, operation and maintenance of the WECS shall be removed from the site properly and disposed of in accordance with all federal, state and local laws.
- b. All hazardous materials related to the construction, operation and maintenance of the WECS shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.



*I. Noise Levels*

Noise levels from each WECS or WECS Project shall be in compliance with applicable Illinois Pollution Control Board (IPCB) regulations. The Applicant, through the use of a qualified professional, as part of the application process, shall appropriately demonstrate compliance with the above noise requirements.

*J. Birds*

A qualified professional, such as an ornithologist or wildlife biologist, shall conduct an avian habitat study, as part of the application process, to determine if the installation of WECS will have a substantial adverse impact on birds.

*K. Public Participation*

Nothing in these standards is meant to augment or diminish existing opportunities for public participation.

*L. Liability Insurance*

The Owner or Operator of the WECS(s) shall maintain a current general liability policy covering bodily injury and property damage with limits of at least one million dollars (\$1,000,000) per occurrence and one million dollars (\$1,000,000) in the aggregate.

*M. Decommissioning Plan*

1. A decommissioning plan must be submitted to ensure that the WECS Project is properly decommissioned. The Decommissioning Plan shall include:
  - a. Provisions describing the triggering events for decommissioning the WECS Project;
  - b. Provisions for the removal of structures, debris and cabling, including those below the soil surface;
  - c. Provisions for the restoration of the soil and vegetation;
  - d. An estimate of the decommissioning costs certified by a Professional Engineer;
  - e. Financial Assurance, secured by the Owner or Operator, for the purpose of adequately performing decommissioning, in an amount equal to the Professional Engineer's certified estimate of the decommissioning costs;
  - f. Identification of and procedures for County access to Financial Assurances;
  - g. A provision that the terms of the Decommissioning Plan shall be binding upon the Owner or Operator and any of

their successors, assigns, or heirs; and

- h. A provision that the County shall have access to the site, pursuant to reasonable notice, to effect or complete decommissioning.

*N. Remedies*

1. The applicant's, Owner's, or Operator's failure to materially comply with any of the above provisions shall constitute a default under this Ordinance.
2. Prior to implementation of the existing County procedures for the resolution of such default(s), the appropriate County body shall first provide written notice to the Owner and Operator, setting forth the alleged default(s). Such written notice shall provide the Owner and Operator a reasonable time period, not to exceed sixty (60) days, for good faith negotiations to resolve the alleged default(s).
3. If the County determines in its discretion that the parties cannot resolve the alleged default within the good faith negotiation period, the existing County ordinance provisions addressing the resolution of such default shall govern.

Additional information to be provided:

- Areas shown on the Jo Daviess County, Illinois *Flood Insurance Rate Maps* as being in "Zone A" or "Zone AE".
- Low areas subject to occasional over-flow flooding, sheet flooding or ponding.
- Wetlands (refer to the *U.S.D.A. Preliminary Wetlands Inventory* available from the Jo Daviess County Field Office of the U.S. D. A., Natural Resources Conservation Service).
- Names of adjacent subdivisions and owners of adjacent property.
- A notation indicating whether or not the site is located within 1.5 miles of an incorporated city or village.
- Any political boundaries on or adjacent to the subject site (i.e. corporate, township, school district, etc. boundaries) and a list of all known taxing districts the parcel falls under.

The "Concept Plan" shall be accompanied by the following supporting documents/information:

- Evidence of ownership, or proof of legal interest in, the subject property.

- Natural Resource Inventory Report from the Jo Daviess County Soil & Water Conservation District, if applicable. (1 Hard Copy along with an Electronic Copy Emailed to our office)
- A completed “Concept Plan Checklist”.
- A completed Wind Energy Conversion System Special Use Permit application. (16 copies)
- Legal Description – complete legal description applying only to the parcel being zoned.
- Application Fee
- Any other information requested by the Planning & Development Officer.

I, \_\_\_\_\_, certify that all information presented herewith is complete and accurate.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Notice to Applicants:

The intent of the “Concept Plan” is to provide information to help both the applicant and the Jo Daviess County review agencies/decision makers evaluate the feasibility of a proposed land use change according to development plans, policies, existing and projected development activities, and zoning and/or subdivision regulations.

The “Concept Plan” should encourage the discussion of basic problems and questions related to the proposed land use change prior to approval and expenditure of funds for detailed development plans by the applicant.

The information required of a “Concept Plan” is such that applicants may prepare a “Concept Plan” at little or no cost. If technical assistance is needed by an applicant in preparing a “Concept Plan”, an applicant may also choose to have a “Concept Plan” prepared by a surveyor, engineer, land planner or architect.

(Purposely left blank)

**TO: Applicants for a "map amendment" (change of zoning) or Special Use Permit**  
**FROM: Kristina Tranel, Jo Daviess County Plat Officer**  
**RE: Subdivision plat approval process**

Please be advised that any property split/land division may be subject to the requirements of the **Plat Act** (765 ILCS 205/0.01 et seq.) and the **Jo Daviess County Land Subdivision Regulations** (Chapter 12, Article 2 of the Jo Daviess County Code).

Please take notice and be aware that **zoning approval is not a subdivision plat approval, and a "Concept Plan" or Plat of Survey is not a subdivision plat. Subdivision plat approval is a required process that is separate from zoning approval.** An application for plat approval may, however, run concurrently with a map amendment application, but most persons wish to make sure that the zoning change will be approved prior to expenditure of funds for a preliminary subdivision plat.

The following defines a subdivision, as well as what land/deed divisions are exempt:

**SUBDIVISION:** The partitioning or dividing of a parcel or tract of land by the subdivider thereof or by his heirs, executors, administrators, or legal representation, any of which is less than five (5) acres in area. The provisions of this Act (Ordinance) shall not apply and no subdivision is required in any of the following instances:

- A. The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access;
- B. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
- C. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- D. The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easement of access;
- E. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
- F. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- G. Conveyances made to correct descriptions in prior conveyances;
- H. The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
- I. The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by a registered surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

Any questions relating to any of the above may be directed to: Kristina Tranel  
Jo Daviess County Planning & Development Department      [plan@jodaviesscountyil.gov](mailto:plan@jodaviesscountyil.gov)  
1 Commercial Drive, Suite 1, Hanover, IL 61041              (815) 591-3810

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# Jo Daviess County Planning & Development

Kristina Tranel, Planning & Development Administrator

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Website: [www.jodaviesscountyil.gov](http://www.jodaviesscountyil.gov)

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## Fee Schedule

### Wind Energy Conversion:

Private WEC-----\$150.00

5 or fewer Commercial WECS ----- \$ 25.00 per foot of tower height per tower

6-20 Commercial WECS----- \$ 12.00 per foot of tower height per tower

20 or more Commercial WECS ----- \$ 8.00 per foot of tower height per tower

Replacement of major components on an existing facility shall be a flat fee of \$1,200.00.

### LESA

When done outside of a rezoning request ----- \$50.00

### Special Use Permits:

Per request ----- \$500.00

## ACTION TO CORRECT A VIOLATION

When any action is taken to correct a violation of any kind the fee will be increased by 50%.

The Jo Daviess County Planning & Development Fee schedule can be viewed in its entirety by visiting our website [www.jodaviesscountyil.gov](http://www.jodaviesscountyil.gov) or a copy may be requested.