

Zoning Board of Appeals Cost Recovery Fees

Third Party Cost Recovery

During the course of reviewing and processing development applications, the City of Highland Park often incurs expenses for third party costs. In order to efficiently process zoning applications, every filed petition is subject to certain cost recovery fees (“Cost Recovery Fees”) that are placed in a City escrow account (“Cost Recovery Fee Escrow”), as provided in Section 150.306 of “The Highland Park Zoning Code of 1997,” as amended. Cost Recovery Fees are in addition to any and all other filing fees and other charges established by the City. The fee is based upon an application of typical complexity and need for third party consulting services.

- Zoning Board of Appeals Application Cost Recovery Fee: \$500.00

All Zoning Board of Appeals applications have the following costs, which will be deducted from the Cost Recovery Fee Escrow:

- Publication of Legal Notice(s); Court Reporter Fees Incurred at Each Meeting; Mailing of the final Order.

The following items denote other costs occasionally incurred for Zoning Board of Appeals cases that would be deducted from the Cost Recovery Fee Escrow:

- Professional and technical consultant services
- Document recordation and/or copy reproduction
- Corporation Counsel, or other City retained attorney or law firm, consultation, meeting attendance, document preparation, and review

PLEASE READ & INITIAL: The cost incurred and deducted from the Cost Recovery Fee Escrow varies with each case. Several factors impacting the amount deducted include but are not limited to: length of Legal Notice, length of discussion at the public hearing, additional notification or continuations of the public hearing.

In order to prevent insufficient third-party escrow which may result in billing after the petition is processed and to ensure the petition is processed without delay, any continuation of a public hearing to a future meeting requires an additional \$500 deposit into the Cost Recovery Fee Escrow. If the additional \$500 deposit is not received by the Planning Division prior to the scheduled meeting date, the City reserves the right to suspend processing of the petition. **Initial:** _____

Costs incurred exceeding the final deposit amount will be billed to the applicant, and any remainder refunded, as indicated below.

Process

Every petition must be accompanied by the required Application Fee and Cost Recovery Fee. Cost Recovery Fees will be forwarded to the Finance Division and deposited in a Cost Recovery Fee Escrow. Within 90 days following final action on a petition, a final accounting will be made and any remaining funds in the Cost Recovery Fee Escrow after payment of the total actual costs due will be returned to the owner or petitioner. Failure to pay any portion of the Cost Recovery Fee or submit the continuation deposit fee prior to the Zoning Board of Appeals’ consideration of the case shall be grounds for refusing to process a petition and for denying or revoking any permit.

Petitioner Agreement

By signing below, the owner or petitioner acknowledges that it is subject to all of the provisions contained in Section 150.306 of the Zoning Code and agrees to pay, and to have consented to, (i) the Cost Recovery Fees, (ii) any costs of collection that have not been paid within 30 days following the mailing of a written demand for payment to the owner or petitioner at the address set forth on the petition, and (iii) any additional Cost Recovery Fees assessed. No petition filed shall be considered complete unless and until all fees and deposits have been paid. Every approval granted and every permit issued, whether or not expressly so conditioned, shall be deemed to be conditioned upon payment of Cost Recovery Fees as required pursuant to City ordinance.

Owner Signature: _____

Date: _____

Petitioner Signature (if different than Property Owner): _____

Date: _____

Billing and Refunds shall be sent to the Petitioner/Owner at the following address:

Name: _____

Address (City, State, ZIP): _____

Phone #: _____

Email Address: _____