



# **HISTORIC PROPERTY ECONOMIC HARDSHIP**

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## **APPLICATION PACKET / INSTRUCTIONS**

Community Development Department  
22 South First Street  
Geneva, Illinois 60134

Michael A. Lambert, Preservation Planner  
630-938-4541  
mlambert@geneva.il.us

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### **INITIATING A REQUEST FOR PRESERVATION RELIEF DUE TO ECONOMIC HARDSHIP**

Applicants seeking relief from completing work in compliance with preservation standards due to economic hardship when such work is stipulated by either administrative staff; the Historic Preservation Commission or City Council, must submit a complete Economic Hardship Application Packet to the Preservation Planner in accordance with the City of Geneva Code - Title 10, Chapter 6.

A pre-application meeting between the Applicant and the Preservation Planner is required *prior to submitting a completed application requesting relief due to economic hardship* for a specific designated property. The purpose of the pre-application meeting is to provide direction to the Applicant and review the standards for economic hardship relief.

*Economic Hardship applications prepared independent of a pre-application meeting or made in formats other than this format will not be accepted.*

### **FEEES FOR ECONOMIC HARDSHIP RELIEF REQUESTS**

Applicants seeking a Certificate of Economic Hardship are not required to pay an application or filing fee but shall bear all costs and pay all costs and applicable fees associated with the application and determination process. All fees are set by the Geneva City Council and may include public notice publication, certified mailings, recordation and transcription of public meetings or hearings, attorney fees, staff time and other costs associated with the processing of the request for relief due to economic hardship.

### **SUBMITTING A COMPLETE ECONOMIC HARDSHIP REQUEST APPLICATION**

Applicants are required to provide both a printed and digital copy of the Economic Hardship form (Part 1, consisting of 2 sections, and Part 2, consisting of 4 sections).

## ECONOMIC HARDSHIP REVIEW PROCESS

Upon receipt of a complete Economic Hardship Application Packet for any property designated as an individual Historic Landmark or as part of a Historic District is submitted, the application will be reviewed—within ten (10) working days of filing—for completeness and accuracy by the Preservation Planner and other appropriate City Staff. Following the review, the Preservation Planner will forward written comments to the Applicant.

The Applicant is required to revise and return the amended Economic Hardship Request within thirty (30) working days; failure to provide a revised Economic Hardship Request application in a timely fashion will result in an automatic withdrawal of the request.

Within five (5) working days of the filing of a demolition permit requiring a public hearing, the Preservation Planner shall notify, in writing by regular mail, the Owners of Record identified herein for notification of application submittal.

Once a complete and accurate Economic Hardship Request is received by the Preservation Planner, a Public Hearing will be scheduled for the next regularly-scheduled meeting of the Historic Preservation Commission (HPC). ***Applicants are required to make a presentation before the Geneva Historic Preservation Commission (HPC) and interested members of the public. Applicants bear the burden of proof that the failure of the HPC to approve the proposed work would leave the subject property without an economically viable use, and that the sale, rental or rehabilitation of the property is not possible, resulting in the property being incapable of earning any reasonable economic return. Applicants should be prepared to answer questions about the demolition request that may arise at the public hearing.***

The Preservation Planner will coordinate the completion of the public hearing notification procedures required by the State of Illinois, including the publication of such notice on the City of Geneva webpage and in the Daily Herald, and the posting of a sign on the subject property. All notifications will be completed no sooner than thirty (30) days and no later than fifteen (15) days prior to the public hearing meeting date.

Not less than ten (10) calendar days prior to the public hearing, the Preservation Planner shall notify, by certified mail, the Owners of Record identified herein for notification. Written notice shall include the date, time and location of the scheduled public hearing and information regarding access to a digital or written copy of the demolition application.

The Historic Preservation Commission may request additional information from the Applicant prior to making a recommendation regarding the Economic Hardship Request, and may continue a public hearing to allow sufficient time for the Applicant to submit additional information as requested.

Within forty-five (45) days of the conclusion of the public hearing, the Historic Preservation Commission shall make written findings and, by a simple majority vote, grant or deny the application for economic hardship.

If an Economic Hardship Request is not approved by the Historic Preservation Commission or

the Applicant objects to the Commission's determination, the Applicant may request, in writing, to the Director of Community Development that an appeal of the Commission's decision be made to the Geneva City Council. Within thirty (30) calendar days after such an appeal is made, the Geneva City Council shall affirm or reverse the Commission's determination by resolution and in accordance with the provisions of the Geneva Historic Preservation Ordinance. **The City Council may only reverse the Commission's determination with an affirmative vote of at least 2/3 of the aldermen.**

Within seven (7) calendar days of action by the City Council, the Secretary of the City Council shall notify, in writing, the Applicant and the Building Official of the City Council's determination.

### **ECONOMIC HARDSHIP RELIEF APPLICATION – SUBMITTALS CHECKLIST**

All required items shall be submitted by the Applicant, as a single packet, prior to the published deadline for the scheduled public hearing/meeting of the Geneva Historic Preservation Commission (HPC). Staff review will not begin until Staff has determined that both the print and digital copies of the request packet are complete.

Applicants shall provide the following documents when submitting a Request for Relief Due To Economic Hardship:

- Amount paid for the property, date of purchase and the party from whom the property was purchased (including a description of any relationship to the Applicant or current Owner of the property).
- Assessed value of the land and improvements thereon according to the most recent assessments.
- Real estate taxes for two (2) years previous to the application for economic hardship relief.
- Remaining mortgage balance, if any, and annual debt service, if any, for the previous two (2) years previous to the application for economic hardship relief.
- All appraisals obtained within the two (2) years previous to the application for economic hardship relief by the Owner of Record or the Applicant in connection with the purchase, financing or ownership of the property.
- Any listing of the property for sale or rent, price asked and offers received.
- Any consideration by the Owner of Record or the Applicant regarding profitable adaptive uses for the property.

- A detailed cost estimate for the rehabilitation of the improvement, property or site, prepared by a design professional or licensed contractor with expertise in the renovation of existing and/or historic properties.
- If the property is income-producing, the annual gross income from the property for the two (2) years previous to the request for economic hardship relief; itemized operating and maintenance expenses for the previous two (2) years and annual cash flow before and after debt service, if any, during the same period.
- Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture or other form of ownership.
- Any information including the income tax bracket of the Owner of Record or the Applicant or any other principal investors in the property that is reasonably necessary for a determination of whether or not the property can be reasonably used or yield a reasonable return on an investment to present or future owners of the property.
- One (1) copy of a list containing the name and mailing address of the Owner(s) of Record and Permanent Index Number (PIN) of all properties within five hundred feet (500) of the nominated property for notification(s) (**Exhibit A**).
- One (1) copy of the Affidavit of Accuracy (**Exhibit B**) signed by the Applicant or the person who created the list of property owners within five hundred feet (500) of the nominated property (*Note: The City of Geneva employs a Notary Public at City Hall for your convenience.*)
- One (1) set of unsealed, unstuffed, stamped (standard mail) envelopes addressed to each of the property owners within five hundred feet (500) of the subject property. The envelopes shall list the City of Geneva, not the Applicant, as the return addressee:  
City of Geneva  
22 South First Street  
Geneva, Illinois 60134
- One (1) set of unsealed, unstuffed, envelopes with appropriate postage and return receipts (certified mail) affixed, of all Owners of Record within Five Hundred feet (500) of the proposed Historic District boundaries. The envelopes shall list the City of Geneva, not the Applicant, as the return addressee:  
City of Geneva  
22 South First Street  
Geneva, Illinois 60134
- Any other reasonable information required by City ordinance or that may be requested by City staff.

**Questions may be directed to Michael A. Lambert, Preservation Planner, during regular office hours.**



# HISTORIC PROPERTY ECONOMIC HARDSHIP

## PART ONE - APPLICANT / OWNER INFORMATION

Community Development Department  
22 South First Street  
Geneva, Illinois 60134

Michael A. Lambert, Preservation Planner  
630-938-4541  
mlambert@geneva.il.us

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### SUBMITTAL REQUIREMENTS

**Prior to completing this form, consultation with the Preservation Planner is highly encouraged. The Preservation Planner is generally available during regular office hours.**

To be deemed "complete," a Relief Due to Economic Hardship Request submittal must include (in the format specified) sufficient and relevant information to adequately describe the existing economic conditions and potential economic viability of the subject property.

**Please legibly print or type the required information on the form provided; submittals in any other format will not be accepted.**

When a complete application for economic hardship for a historic property is submitted, Staff will prepare a report containing preliminary findings regarding the economic factors associated with the subject property. The report will be forwarded to the Historic Preservation Commission (HPC) which will hold a public hearing at the next regularly-scheduled meeting of the Commission. **The Applicant must attend the public hearing and be prepared to answer questions regarding the economic conditions of the subject property.**

### **1. APPLICANT INFORMATION**

*Attach additional sheets if more than one person is making application.*

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

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

Street: \_\_\_\_\_

City/State: \_\_\_\_\_

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

Fax: \_\_\_\_\_

**2. OWNER INFORMATION**

List all Owners of Record, use additional sheets if necessary. For a property that is held by multiple individuals or a trust, please provide the name and address of the property agent identified by the Kane County Recorder. In the case of ownership by a corporation or similar entity, please provide the name of the Chief Executive Officer (CEO) or President as the Owner.

**Owner 1**

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

Street: \_\_\_\_\_ City/State: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

**Owner 2**

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

Street: \_\_\_\_\_ City/State: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

**Instrument of Ownership**

- Individual                       Joint Tenancy                       Trust
- Corporation                       Other: \_\_\_\_\_

**If the subject property is owned by a trust, corporation or other entity, please provide the following information:**

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

Title of Owner: \_\_\_\_\_ *Trustee, Agent, Guardian, President, CEO, etc.*



# HISTORIC PROPERTY ECONOMIC HARDSHIP

## PART TWO - PROPERTY INFORMATION

Community Development Department  
22 South First Street  
Geneva, Illinois 60134

Michael A. Lambert, Preservation Planner  
630-938-4541  
mlambert@geneva.il.us

### 1. PROPERTY IDENTIFICATION

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

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

Street Address: \_\_\_\_\_

Tax Assessor's Parcel Identification Number (P.I.N.):  -  -  -

Tax Assessor's Parcel Identification Number (P.I.N.):  -  -  -

*Attach additional PINs on a separate sheet of paper, if necessary*

Description of Property Boundaries or Legal Description *(use an additional page, if needed):*

### 2. PROPERTY CLASSIFICATION

Building     Structure     Object     Landscape     Site

**3. PROPERTY DESCRIPTION**

Provide photographs of all exterior sides of the building and photographs of all significant architectural and structural features or details. Photographs should clearly depict the existing character, condition and integrity of the subject property. *Provide photographs in print and digital format (jpeg/300dpi).*

**Primary Building Function**

- |   |  |
|---|--|
| <input type="checkbox"/> Domestic/Residential | <input type="checkbox"/> Recreational/Cultural |
| <input type="checkbox"/> Commercial/Office    | <input type="checkbox"/> Agricultural          |
| <input type="checkbox"/> Social/Fraternal     | <input type="checkbox"/> Industrial            |
| <input type="checkbox"/> Government           | <input type="checkbox"/> Health Care           |
| <input type="checkbox"/> Education            | <input type="checkbox"/> Transportation        |
| <input type="checkbox"/> Religious            | <input type="checkbox"/> Landscape             |
| <input type="checkbox"/> Funerary             | <input type="checkbox"/> Other: _____          |

**4. APPLICANT’S CERTIFICATION**

I certify that I have received a copy of the submittal requirements and review procedures related to this request for relief due to economic hardship related to a designated Historic Landmark or property within a designated Historic District within the City of Geneva, Illinois. I understand that I must attend the public hearing, once scheduled, and present my case for designation before the Geneva Historic Preservation Commission and, if required, before the Geneva City Council.

I have reviewed the Geneva City Code requirements which relate to this application, and I certify that, to the best of my knowledge, this application submittal is in conformance with applicable ordinances.

I agree to reimburse the City of Geneva for any additional professional services or costs incurred by the City of Geneva—including but not limited to—fees of attorneys, engineers, planners, architects, surveyors and/or other consultants when those fees are directly associated with the City of Geneva making a final determination regarding this request for economic hardship.

I further certify that all the information provided above and that the information contained within any documents submitted herewith is true, complete, and accurate, to the best of my knowledge.

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

\_\_\_\_\_  
Date



THIS PAGE INTENTIONALLY LEFT BLANK AND NO INFORMATION IS REQUIRED OF THE APPLICANT.  
HOWEVER, THIS PAGE MUST BE SUBMITTED WITH THE APPLICATION FOR  
RELIEF DUE TO ECONOMIC HARDSHIP.

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**Historic Preservation Commission Staff Use Only**

Case Number: \_\_\_\_\_

HPC Meeting Date: \_\_\_\_\_

Application Complete:     Yes     No

HPC Distribution Date: \_\_\_\_\_

Date Received: \_\_\_\_\_

City Council Distribution Date: \_\_\_\_\_

Staff Acknowledgement: \_\_\_\_\_

Action:     HPC     City Council

**EXHIBIT B**

STATE OF ILLINOIS            )  
  ) SS  
  )  
COUNTY OF KANE

**AFFIDAVIT**

The undersigned, being duly sworn on oath, deposes and says that the attached list of property owners comprises, to the best of the Affiant's knowledge, a true and complete list containing the names and addresses of the persons to whom the current real estate tax bills are sent for those premises lying within five hundred feet (500) in all directions of the property lines of the Subject Property.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

Subscribed and sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

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