

**VILLAGE OF FREEBURG
APPLICATION FOR SPECIAL USE**

General Information

1. The Combined Planning and Zoning Board members are an appointed group of citizens whom reside in the Village of Freeburg.
2. The Board members may make site visits prior to the meeting date.
3. Your street address should be visible on the front of the home.
4. The Board hearings are generally held on the second Tuesday of the month at 6:00 p.m., and at such other times as the Board may determine necessary.
5. All information must be submitted with the application prior to the hearing date being set.
6. All property owners within 250 feet of your property will be notified of your request and it will be advertised in a newspaper with general circulation within the Village of Freeburg.

Special Use Applications are reviewed and determined at the scheduled hearing date. Applicants are required to present their cases and answer questions from the Combined Board members. The Board reserves the right to table applications pending submittal of additional information.

The following documents must be submitted with the completed application:

- Three (3) copies and an electronic copy of a to scale site plan (Sealed Illinois Minimum Standards Boundary Survey Preferred) containing the following:
 1. Name and address of the applicant
 2. Name and address of the owner or operator of the proposed structure or use
 3. Nature of the proposed use, including type of activity, manner of operation, number of occupants or employees, and similar matters
 4. Location of the proposed use or structure and its relationship to existing uses of structures on adjacent lots;
 5. Area and dimensions of the site for the proposed structure or use
 6. Existing topography of the site and proposed finished grade
 7. Existing and proposed screening, landscaping, and erosion control features on the site, including the parking area
 8. Height and setbacks of the proposed structure
 9. Number and size of the proposed dwelling units, if any
 10. Number and location of proposed parking/loading spaces and access ways
 11. Identification and location of all existing or proposed utilities, whether public or private
 12. Any other pertinent information that the Zoning Administrator may require

- Three (3) copies and an electronic copy of photographs that show the property requesting the Special Use Permit.

- Three (3) copies and an electronic copy of additional drawings that clearly present the facts relating to this request

- Three (3) copies and an electronic copy of a hardship letter containing the following:
 1. A description of the intended addition or improvement including location and distance from property lines.
 2. Written description of the practical difficulties or unnecessary hardships that will occur if the strict letter of the Zoning Code is applied.

**VILLAGE OF FREEBURG
APPLICATION FOR SPECIAL USE PERMIT**

Combined Planning and Zoning Board
Freeburg Municipal Center
14 Southgate Center
Freeburg, IL 62243

Special Use Permit No. _____
Date: _____

(DO NOT WRITE IN THIS SPACE – OFFICE USE ONLY)

Date set for hearing: _____
Date hearing held: _____
Notice published on: _____
Newspaper: _____

Permanent Parcel No. _____
Fee Paid to Village of Freeburg
\$ _____ Date: _____

Action by Combined Planning and Zoning Board:
() Denied
() Approved
() Approved with modifications
Date: _____

Comments: (Indicate other actions, such as
continuances): _____

Instructions to Applicants: All information required by this application must be completed and submitted herewith. If the application, supporting documents, and fees are not complete, the petition will not be submitted for above mentioned hearing. Applicants are encouraged to visit the office of the Zoning Administrator for any assistance needed in filling out this form.

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1. Address of Subject Property: _____ Parcel No. _____

2. Applicant information:

Name: _____

Address: _____

Phone: _____ Email: _____

Applicant's interest in property: _____

3. Owner information (if different from above)

Name: _____

Address: _____

Phone: _____ Email: _____

4. Describe the nature of the proposed project that is the subject of the petition:

5. With respect to any portion of this property, has a previous appeal or petition for special use been made:
() No () Yes (If “yes,” list all previous appeals and/or petitions, giving dates):

6. Zoning District: _____ Lot Size: _____
7. Current use of property: _____
8. Does the present use of the property conform to all use regulations for the zone district in which it is located? () Yes () No If “No,” specify each non-conforming use:

9. Do the existing structures comply with all area and bulk regulations for the zone district in which it is located? () Yes () No If “No,” specify each non-conforming condition.

10. What is the reason for the Special Use request?

11. Will the design, location, and manner of operation of the proposed special use adequately protect the public health, safety, welfare, and the physical environment of the Village?
() Yes () No If “No”, please explain.

12. Is the proposed special use consistent with the Village’s comprehensive plan?
() Yes () No If “No,” please explain why the proposed special use fits the location.

13. Will the proposed special use have an effect on the value of the neighboring property and on this Village’s overall tax base?
() Yes () No If “Yes”, please explain what effect.

14. Will the proposed special use have an effect on public utilities and/or on the traffic circulation on nearby streets?
() Yes () No If “Yes”, please explain what effect.

15. Are there any facilities near the proposed special use (such as schools or hospitals) that require special protection?

() Yes () No If "Yes", please explain what facilities.

16. A Special Use Permit is requested for the property described above in conformity with the documents submitted herewith. **Initial, Date, and Sign below.**

_____ I certify that all of the above statements and the statements contained in any papers or supporting documents submitted with this application are true and correct to the best of my knowledge.

_____ I consent to the entry in or upon the subject property of this application by any authorized official of the Village for the purpose of pre-hearing site inspection, or the posting, maintaining, and removing such notices as may be required by law.

Date: _____

Signature of Applicant

Date: _____

Signature of Owner

INFORMATION FOR APPLICANTS FOR A SPECIAL USE PERMIT

40-22-1 **SPECIAL USE PERMITS.** This Chapter divides the Village into various districts and permits in each district as a matter of right only those uses which are clearly compatible with one another. Certain other uses, because of their special operational or physical characteristics, may or may not have a detrimental impact on nearby permitted uses, depending upon their precise location, manner of operation, and other factors. Such "special uses" require careful case-by-case review, and may be allowed only after review and approval by the Combined Planning and Zoning Board.

40-22-2 **APPLICATION.**

(A) Every applicant for a special-use permit shall submit to the Zoning Administrator in narrative and/or graphic form the items of information enumerated below. The Zoning Administrator shall promptly transmit the completed application, together with any comments or recommendation they might have, to the Combined Planning and Zoning Board.

(B) **Items of Information.**

- (1) Name and address of the applicant;
- (2) Name and address of the owner or operator of the proposed structure or use, if different from subsection (1):
- (3) Nature of the proposed use, including type of activity, manner of operation, number of occupants or employees, and similar matters;
- (4) Location of the proposed use or structure and its relationship to existing uses of structures on adjacent lots;
- (5) Area and dimensions of the site for the proposed structure or use;
- (6) Existing topography of the site and proposed finished grade;
- (7) Existing and proposed screening, landscaping, and erosion control features on the site, including the parking area;
- (8) Height and setbacks of the proposed structure;
- (9) Number and size of the proposed dwelling units, if any;
- (10) Number and location of proposed parking/loading spaces and access ways;
- (11) Identification and location of all existing or proposed utilities, whether public or private; and/or
- (12) Any other pertinent information that the Zoning Administrator may require.

40-22-3 **PUBLIC HEARING; NOTICE.**

(A) The Combined Planning and Zoning Board shall hold a public hearing on every special-use permit application within a reasonable time after the application is submitted to them. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney.

(B) Notice indicating the time, date, and place of the hearing and the nature of the proposed special use shall be given not more than **thirty (30) days** nor less than **fifteen (15) days** before the hearing:

- (1) By certified mail to the applicant; and by first-class mail to all parties whose property is within 250 feet of the lot line of the proposed special-use; and
- (2) By publication in a newspaper of general circulation within the Village.

40-22-4 FACTORS CONSIDERED BY THE BOARD. The Combined Planning and Zoning Board shall consider the following factors in making a decision:

- (A) Whether the proposed design, location, and manner of operation of the proposed special use will adequately protect the public health, safety, and welfare, and the physical environment;
- (B) Whether the proposed special use is consistent with this Village's comprehensive plan, if any;
- (C) The effect the proposed special use would have on the value of neighboring property and on this Village's overall tax base;
- (D) The effect the proposed special use would have on public utilities and on the traffic circulation on nearby streets; and
- (E) Whether there are any facilities near the proposed special use (such as schools or hospitals) that require special protection.

40-22-5 DECISION; FINDINGS OF FACT. The Combined Planning and Zoning Board shall reach a decision on every special-use permit application within a reasonable time after public hearing. In accordance with state law, the Combined Planning and Zoning Board shall specify the terms and conditions of the permit to be granted (if any) in one statement and their findings of fact in another statement. The findings of fact shall be responsive in the decision-making factors listed in the preceding section and shall clearly indicate the Combined Planning and Zoning Board's reasons for granting, with or without modifications and/or conditions, or denying the requested special-use permit. **(65 ILCS 5/11-13-11)**

40-24-13 FEES. The Board of Trustees establishes the following schedule of fees for the various permits and procedures listed in this Chapter. The fees are intended to defray the administrative costs connected with the processing/conducting of such permits or procedures; the fees do not constitute a tax or other revenue-raising device. All such fees shall be paid in advance by the applicant to the Village Clerk as follows:

(B)	<u>Combined Planning and Zoning Board Fees:</u>	
	Interpretation of Code	\$350, plus mailing and publication costs.
	Special-Use Permit	\$350, plus mailing and publication costs.
	Variance Permit	\$350, plus mailing and publication costs.
	Amendments	\$350, plus mailing and publication costs.