

**VILLAGE OF FREEBURG
APPLICATION FOR ZONING AMENDMENT**

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.

Amendment requests are reviewed and determined at the scheduled hearing date. Applicants are required to present their cases and answer questions from 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 site plan (Sealed Illinois Minimum Standards Boundary Survey Preferred) containing the following:
 1. Name and address of property owner, address of project
 2. Identification of adjacent streets
 3. A North arrow and identification of drawing scale such as 1" = 20' (must be to scale)
 4. Property lines, dimensions and area
 5. Location, size and shape of any structures presently on the site
 6. Dimensions showing front, side and rear yard setbacks
 7. Dimensions showing distance of structures from property lines
- Three (3) copies and an electronic copy of photographs that show the subject property
- 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 ZONING AMENDMENT

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

Amendment Request 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: _____

Recommendation of Combined Planning and Zoning Bd:
 Denied
 Approved
 Approved with modifications
Date: _____

Action by Village Board:
 Denied
 Approved
 Approved with modifications
Date: _____

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 the above mentioned hearing. Applicants are encouraged to visit the office of the Zoning Administrator for any assistance needed in filling out this form. Normally, there are only two primary reasons for a change in zoning. These are: (a) the original zoning was in error; and (b) the conditions of the neighborhood have changed to such an extent or degree as to warrant rezoning. The burden of providing substantial evidence rests with the applicant.

=====

1. Address of Subject Property: _____ Parcel # _____

2. Applicant information: Name: _____

Address: _____

Phone: _____ Email: _____

Applicant's interest in property: _____

3. Owner information (if different from above) Name: _____

Address: _____

Phone: _____ Email: _____

1. This application must be filed with an accurate legal description and two copies of a plat map of the subject property drawn to a scale of not less than one (1) inch equals two hundred (200) feet.

Legal Description: _____

(Lot, block subdivision; metes and bounds descriptions may be on attachment)

2. Area of land rezoning requested for _____ acres/square feet.
3. Present Zone District Classification of subject and adjacent properties (show zone district boundaries on plat). _____
4. A. Present use of property: _____
B. Proposed use of property: _____
5. Is the subject property suitable for uses already permitted under existing regulations?
() Yes () No If "Yes," please explain why the change is needed.

6. Has the trend of development in the vicinity of the subject property substantially changed since the property was initially zoned or last rezoned?
() Yes () No If "Yes," please explain the changes.

7. Will the requested amended zoning conform to the implementation of the Village's comprehensive plan?
() Yes () No If "No," how will it deviate?

8. An amendment is requested to amend the zone district classification of certain described properties shown on the Zone District Map. A statement of the applicant's described reasons and factual information and materials supporting the requested rezoning is attached.

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

Date: _____

Signature of Applicant / Owner

ARTICLE XXIII - AMENDMENTS

40-23-1 **AMENDMENTS.** The Village Board of Trustees may amend this Chapter in accordance with state law and the provisions of this subchapter. Proposed alterations of district boundaries or proposed changes in the status of uses (permitted, special, prohibited) shall be deemed proposed amendments. Amendments may be proposed by the Board of Trustees, the Zoning Administrator, the Combined Planning and Zoning Board, or any party in interest. **(65 ILCS 5/11-13-14)**

40-23-2 **FILING.** Every proposal to amend this Chapter shall be filed with the Zoning Administrator on a prescribed form. Every amendment proposal shall also be filed with the Soil and Water Conservation District as per state law. The Zoning Administrator shall promptly transmit said proposal, together with any comments or recommendations they might wish to make to the Combined Planning and Zoning Board for a public hearing.

40-23-3 **PUBLIC HEARING; NOTICE.**

(A) The Combined Planning and Zoning Board shall hold a public hearing on every amendment proposal within a reasonable time after said proposal has been 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 amendment shall be given not more than **thirty (30)** nor less than **fifteen (15) days** before the hearing:

- (1) By publication in a newspaper of general circulation within the Village; and
- (2) When the amendment involves a rezoning, not a text amendment, by first-class mail to all parties whose property is within 250 feet of the property for which rezoning is requested.

40-23-4 **ADVISORY REPORT; FINDINGS OF FACT.** Within a reasonable time after the public hearing, the Combined Planning and Zoning Board shall submit their advisory report to the Board of Trustees. The report shall state the recommendations of the Combined Planning and Zoning Board regarding adoption of the proposed amendment and their reasons therefore. If the effect of the proposed amendment would be to alter district boundaries or to change the status of any use, the Combined Planning and Zoning Board shall include in their advisory report findings of fact concerning each of the following matters:

- (A) Existing use and zoning of the property in question;
- (B) Existing uses and zoning of other lots in the vicinity of the property in question;
- (C) Suitability of the property in question for uses already permitted under existing regulations;
- (D) Suitability of the property in question for the proposed use;
- (E) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.

40-23-5 **ACTION BY BOARD OF TRUSTEES.** The Board of Trustees shall act on every proposed amendment at their next regularly scheduled meeting following submission of the advisory report of the Combined Planning and Zoning Board. Without further public hearing, the Village Board may approve or disapprove any proposed amendment or may refer it back to the Combined Planning and Zoning Board for further consideration by simple majority vote of all the members then holding office.

40-23-6 **WHEN TWO-THIRDS MAJORITY VOTE IS REQUIRED.** The favorable vote of at least **two-thirds (2/3)** of the members of the Village Board of Trustees is required to pass an amendment to this Chapter in each of the following instances:

(A) When passage would be contrary to the recommendations of the Combined Planning and Zoning Board.

(B) When the amendment is opposed, in writing, by the owners of **twenty percent (20%)** of the frontage proposed to be altered, by the owners of **twenty percent (20%)** of the frontage immediately adjoining or across an alley therefrom, or by the owners of **twenty percent (20%)** of the frontage directly opposite the frontage proposed to be altered. **(65 ILCS 5/11-13-14)**

40-23-7 **NOTICE TO APPLICANT OF WRITTEN PROTEST.** In cases of written opposition to an amendment of this Chapter as prescribed in **Section 40-23-6**, a copy of the written protest shall be served by the protester or protesters on the applicant for the proposed amendment and a copy upon the applicant's attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed amendment. **(65 ILCS 5/11-13-14)**

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) **Combined Planning and Zoning Board Fees:**

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.