City of Rockford, Illinois
Community & Economic Development Department
Construction and Development Services
425 East State Street, Rockford, IL 61104
Phone: (815) 987-5550 Fax: (815) 967-4243 TDD (815) 987-5718
Web: www.rockfordil.gov

ZONING BOARD OF APPEALS

2013 SCHEDULE of PUBLIC HEARINGS

FILING DEADLINE: (Thursday, 5:00 P.M.)	**MEETING DATE:** (Third Tuesday of the Month)
December 13, 2012	January 15, 2013
January 17, 2013	February 20, 2013-Wed
February 14, 2013	March 19, 2013
March 14, 2013	April 16, 2013
April 11, 2013	May 21, 2013
May 16, 2013	June 18, 2013
June 13, 2013	July 16, 2013
July 18, 2013	August 20, 2013
August 15, 2013	September 17, 2013
September 12, 2013	October 16, 2013
October 17, 2013	November 19, 2013
November 14, 2013	December 17, 2013
December 19, 2013	January 22, 2014-Wed

These public hearings, conducted by the Zoning Board of Appeals, will be held at: City Council Chambers, Second Floor, City Hall, 425 East State Street, Rockford, Illinois. The hearings commence at 6:30 P.M. and are open to the public. If you have any questions, please call the Zoning Office at (815) 987-5585.

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ZONING APPLICATION FORM

(Office Use) **ZBA FILE #:**_____

(Please Type or Print)

1. **Address of subject property:**_____

2. **Legal description: Lot;**_____**Block;**_____**Subdivision;**_____
   (If property has not been subdivided attach a legal description)

   Property dimensions are:_____ft. by_____ft.=_____square feet._____

   If more than two acres, then give area in acres:_____acres_____

3. **Property Identification number(s):**_____

4. **Owner of record is:**_____**Phone:**_____

   _____
   (Address) (City) (State) (Zip)

5. **Applicant's Name:**_____**Phone:**_____

   _____
   (Address) (City) (State) (Zip)

6. **Applicant's interest in the property:**_____
   (owner, agent, contractor, Realtor, etc.)

7. ***THE FOLLOWING ACTION IS REQUESTED***:

   A. Zoning Map Amendment from:_____**to:**_____

   B. Special Use Permit for:_____

   _____in a(n) _____Zoning District.

   C. Variation to:_____

   _____in a(n)_____Zoning District.

   Illinois State Law requires that in order for a Variation to be granted a hardship must be proven by a positive Finding of Fact for seven criteria (see attached sheet). Please indicate what your specific hardship(s) is (are)_

   _____

   _____

8. **All existing uses on the property are:**_____

   _____

9. **The proposed uses on the property, if this application is approved are:**_____

   _____

10. List the owners of record of all properties located adjacent to, and across the street or alley from, the property for which this application is being filed. (If property is held in a Trust, give the Trust Number and Bank name and address.) These parties will be notified by the City of pending action prior to the public hearing.

Property Identification Number	***Owner's Name:***	***Mailing Address:***

(If more space is needed, attach a separate sheet of paper.)

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.

_____/_____

(Name of applicant) (**Name of Owner, if different**)

_____Date:_____

(Signature of applicant)

_____Date:_____

Signature of Owner, if different)

*****Official Use Only*****

Zoning Map Number:_____Date of Public Hearing:_____Filing Fee:_____

Is Illinois Department of Conservation review required?_____

Is Illinois Department of Transportation Access Permit require?_____

Is Winnebago County Highway Department Access Permit required?_____

Application accepted by:_____Date:_____

FINDINGS OF FACT FOR A VARIATION

SECTION
1604 VARIATION

1604.5 FINDINGS OF FACT AND RECOMMENDATION BY ZONING BOARD OF APPEALS

1604.5 A FINDINGS

For the Zoning Board of Appeals to approve an application for any proposed Variation, it must find that each of the following items are met:

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

2. The conditions upon which a petition for a Variation is based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.

3. The purpose of the Variation is not based exclusively upon a desire to increase the value or income potential of the property.

4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.

5. The granting of the Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.

7. The proposed Variation complies with the spirit and intent of restrictions imposed by this Ordinance.

WINNEBAGO COUNTY SOIL AND WATER CONSERVATION DISTRICT

4833 Owen Center Rd.
Rockford, IL 61101-6007

(815) 965-2392, Ext. 3
Fax – (815) 965-2447

Required information for Natural Resource Inventory Reports and Zoning Letters.
Incomplete applications will not be processed.

Date: _____ *(Office use)* **REPORT #** _____

Zoning application filed with: *(The report will be mailed/emailed to the office indicated below)*

☐ County ☐ Rockford ☐ Loves Park ☐ Machesney Park ☐ Other (*specify*: _____)

Location of subject property: _____
(*Street address)*

PIN #: ___ ___ - ___ ___ - ___ ___ ___ - ___ ___ ___ **Township:** _____ **Section(s)** _____

Total Acres: _____ **Current Zoning**: _____

Project or Subdivision Name: _____

Surrounding Land Use: _____

Name and address of owner:

_____
_____
_____
_____

Name and address of applicant:
(The report will be mailed to listed applicant)

_____
_____
_____
_____

Name & phone # of contact person: _____

( ) _____ - _____

Type of Request:
(Check the one that applies and describe the request in detail)

☐ Change in Zoning from _____to_____

☐ Variance: _____

☐ Special Use Permit: _____

☐ Other: _____

Existing Land Use: (vacant, agriculture, etc.) _____

Proposed Land Use: _____

Date of Public Hearing: _____

Water Supply:

☐ Well ☐ Community Water

Wastewater Treatment:

☐ Septic ☐ Sanitary Sewer

Proposed Land Use Will Include:

☐ Septic Tank Filter Fields ☐ Dwellings without Basement ☐ Small Commercial Buildings

☐ Dwelling With Basements ☐ Other (describe in detail) _____

I (we) understand the filing of this application allows an authorized representative of the Winnebago County Soil and Water Conservation District to visit and conduct any necessary on-site investigations on the site which is described above. It is also understood that through this request I am giving the Soil and Water Conservation District permission to provide NRCS Wetland Inventory Information on my land in regards to the Natural Resource Information Report. I understand that this report becomes public knowledge once accepted by the District Board of Directors. Completions of this report may require 30 days as allowed under State Law.

_____

(Petitioner) **(Date)**

This report is used as a guide in making land use decisions and does not preclude further refinement of soil type boundary lines during more detailed on-site investigations. Interpretations are based on criteria established by the National Soils Handbook (USDA-Natural Resource Conservation Service) and are subject to change by this office and appropriate county agencies.

FEES:	**PAYMENT** *(we accept any of the following)*:
• Zoning Letter – $75.00 • N.R.I. Reports *(zoning request involving AG Zoned land or vacant land)* – $400.00 (0-5 acres) +$20.00/acre over 5 *Winnebago County SWCD fee determinations are final.* *Reports will not be completed without payment.*	• cash • check *(made payable to):* *Winnebago County SWCD* • Credit card *(Illinois E-Pay through the SWCD website at www.winnebagoswcd.org).* *A returned check fee of $25.00 will be charged for each returned check*

If you have any questions regarding this form please call (815) 965-2392, extension 3.

FILING DEADLINE

Any person who petitions any municipality or county agency in the District for variation or amendment from that municipality's or county's zoning ordinance or who proposed to subdivide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the District no less than 10 days prior to the regularly scheduled meeting of the District.

The Winnebago County Soil and Water Conservation District is an equal opportunity employer. All programs and services are offered without regard to race, color, national origin, religion, sex, age, marital status, or handicap.

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ZONING APPLICATION FEE SCHEDULE
All fees are non-refundable

ZONING MAP AMENDMENT	**Fee**	**Tech Fee**	**Total Fee**
RE, R-1, R-1U, R-2			
Less than 1/2 acre	$375	$37.50	$412.50
1/2-2 acres	$450	$45.00	$495.00
2-5 acres	$545	$54.50	$599.50
Plus $25 for every acre or portion thereof over 5 acres	No maximum		
R-3, R-4, PRD			
Less than 1/2 acre	$550	$55.00	$605.00
1/2-2 acres	$625	$62.50	$687.50
2-5 acres	$650	$65.00	$715.00
Plus $25 for every acre or portion thereof over 5 acres	No maximum		
C-1, C-2, C-3, C-4, PMD			
Less than 1/2 acre	$560	$56.00	$616.00
1/2-2 acres	$635	$63.50	$698.50
2-5 acres	$710	$71.00	$781.00
Plus $40 for every acre or portion thereof over 5 acres	No maximum		
I-1, I-2, I-3			
Less than 1/2 acre	$660	$66.00	$726.00
1/2-2 acres	$710	$71.00	$781.00
2-5 acres	$775	$77.50	$852.50
Plus $50 for every acre or portion thereof over 5 acres	No maximum		

SPECIAL USE PERMIT			
RE, R-1, R-1U, R-2			
Less than 1/2 acre	$375	$37.50	$412.50
1/2-2 acres	$450	$45.00	$495.00
2-5 acres	$545	$54.50	$599.50
Plus $25 for every acre or portion thereof over 5 acres	No maximum		
R-3, R-4, PRD			
Less than 1/2 acre	$550	$55.00	$605.00
1/2-2 acres	$625	$62.50	$687.00
2-5 acres	$715	$71.50	$786.50
Plus $25 for every acre or portion thereof over 5 acres	No maximum		
C-1, C-2, C-3, C-4 PMD			
Less than 1/2 acre	$560	$56.00	$616.00
1/2-2 acres	$635	$63.50	$698.50
2-5 acres	$735	$73.50	$808.50
Plus $40 for every acre or portion thereof over 5 acres	No maximum		
I-1, I-2, I-3			
Less than 1/2 acre	$660	$66.00	$726.00
1/2-2 acres	$710	$71.00	$781.00
2-5 acres	$775	$77.50	$852.50
Plus $50 for every acre or portion thereof over 5 acres	No maximum		

PLANNING AND ZONING FEES (Continued)

	Fee	Tech Fee	Total Fee
MODIFICATION OF SPECIAL USE PERMIT	$365	$36.50	$401.50
APPEAL OF ZONING OFFICER DETERMINATION	$400	$40.00	$440.00
RENEWAL OF SPECIAL USE PERMIT	$365	$36.50	$401.50
VARIATION			
RE, R-1, R-1U, R-2	$300	$30.00	$330.00
R-3, R-4, PRD	$360	$36.00	$396.00
C-1, C-2, C-3, C-4, PRD	$450	$45.00	$495.00
I-1, I-2, I-3	$500	$50.00	$550.00
ZONING TEXT AMENDMENT	$350	$35.00	$385.00

FASTRAC ZONING APPLICATION: Accepted one week from standard filing deadline.

FasTrac zoning applications shall include a one hundred percent (100%) surcharge on the application fee. All filing fees include publication costs, unless the publication costs exceed one-third (1/3) of the filing fee, in which case, the amount of the publication cost that is in excess of two-thirds (2/3) of the filing fee shall be billed to the applicant by the Zoning Office on or before the date of the Zoning Board of Appeals meeting for which the notice was published and shall be due and payable within ten (10) days. The City Council may refuse to take action on an application for which additional publication costs have not been paid.

COMBINED ZONING APPLICATIONS: The fee for a combined application shall be the single highest fee, of any one of the individual zoning requests within the combined application.

FILING FEE EXEMPTIONS OR REFUNDS FOR ZONING APPLICATIONS: Exemptions or refunds from required filing fees shall be authorized only in accordance with the following provisions:

A. Whenever the applicant is a department, division or office of the City of Rockford, then no application filing fee shall be required.

B. Whenever an application has been accepted in error, then the situation shall be explained to the Zoning Board of Appeals and the Board may direct the filing fee be refunded to the applicant.

C. In those situations not covered by the provisions of Subsections A and B, above, City Council, by adoption of a Resolution, may direct the Zoning Officer to accept an application without requiring payment of the filing fee, or direct the filing fee to be refunded.

D. No zoning application fee shall be charged to any property owner who is required to file a zoning application to add a parking area on the property when the need for the parking area is caused by the City removing parking from an adjacent arterial or collector street.

ZONING APPLICATION PROCESS, TIMETABLE and GENERAL INSTRUCTIONS FOR FILING A ZONING APPLICATION

Please be aware that the City Council action necessary for zoning requests can sometimes be lengthy. If the standard steps are taken to approve your request the following calendar would apply:

Week One:	**Tuesday, Zoning Board of Appeals meeting**
Week Three:	**Monday, Code and Regulation Committee meeting**
Week Four:	**Monday, Committee Report read into City Council**
Week Five:	**Monday, Committee Report approved by City Council**
Week Six:	**Monday, Ordinance read into City Council**
Week Seven:	**Monday, Ordinance approved by City Council**
Week Eight:	**Monday, Ordinance takes affect**
	(or item may be reconsidered by City Council)

1. Applicants are required to ***make an appointment to review their application*** at least one week prior to the filing deadline date. The application form is to be completed in full and returned to the Zoning Office by the filing deadline to be heard at the corresponding Zoning Board of Appeals meeting. (see Schedule of Public Hearings)

2. In some cases review may be required by the ***Illinois Department of Natural Resources***. The applicant must contact the Illinois Department of Natural Resources prior to filing an application to find out if this review will be necessary for their property.

3. If the Zoning Application requested involves a change of use, new access or a modification of an existing ***access onto a State or County maintained road or street***, then the petitioner must apply for an access permit from the appropriate agency. The applicant may write or call the following for information on how to apply or whether or not a permit is necessary:

Illinois Department of Transportation
Division of Highways, District 2
819 Depot Avenue
Dixon, IL 61021-3500
(815) 284-2271

Winnebago County Highway Dept.
424 North Springfield Avenue
Rockford, IL 61101
(815) 965-9431

4. Names and addresses of the required ***adjacent property owners*** (required under item 10 on the Zoning Application form) can be obtained from:
Winnebago County Recorder's Office
404 Elm Street, 4th Floor
Rockford, Illinois

5. A ***soils report*** is required by State law for all zoning requests.
The Winnebago County Soil and Water Conservation District
4833 Owen Center Road
Rockford, Illinois 61101
(815) 965-2392 ext. 3
You must request this report from them; their form is attached at the end of this packet. Please note that a fee is charged for this service.

6. A ***site plan drawn to-scale*** must be submitted with the application if the zoning request includes either a Special Use Permit and/or a Variation. The site plan must be drawn to scale (engineer or architects scale, and at least one copy of any site plan submitted to this department must be sized 11" x 17" or 8.5" x 11", and include the following: (see sample site plan attached for example).

- Dimensions of the parcel and dimensions and setbacks of all existing and proposed structures.
- Streets, sidewalks and curb cuts for access to the property; the required number of off-street parking stalls, loading and stacking areas, and their dimensions; and traffic circulation aisles and their dimensions.
- A landscaping plan showing all the landscape strips and buffers required by the Zoning Ordinance, including dimensions and a summary of the landscape units required to be provided with the proposed development.

Please Note: If alterations to the site plan submitted are required in order to meet the Zoning Ordinance regulations you will be required to revise the site plan. This could result in a delay in the processing of your application.

You or your representative ***must*** appear before the Zoning Board of Appeals on the designated meeting date. Failure to appear may result in a Zoning Board recommendation to deny your request or cause action on your request to be delayed. If, for any reason, you desire to have your application heard at a later Zoning Board of Appeals meeting, a request must be submitted in writing to this office prior to the meeting date for which it has been scheduled.

Should time be of the essence there are ways to expedite this process. Two Alderman, with Council approval, may ***"Suspend the Rules"*** when the Committee Report is read in and when the Ordinance is read in, thus placing the item on passage one week earlier at each stage. By doing this for both the Committee Report and Ordinance the item would then be approved two weeks earlier. The implementation of this procedure is the responsibility of the applicant who must notify the Chairman of the Code and Regulation Committee in writing prior to the Committee meeting explaining the reasoning for requesting this action. In the case of an emergency, the Ordinance could be read in the same week as the Committee Report passed, thus reducing the time period by one more week. However, the Legal Department does need to be notified of this by the Chairman of the Code and Regulation Committee by the previous Friday in order to draft the Ordinance.

- This is somewhat complex and confusing for those not familiar with the process. If you have any questions, please feel free to contact the Legal Department, Kerry Partridge, at 815-987-5548.

If you have any questions regarding the zoning procedure or the information required on the application form please contact the Zoning Office at 815-987-5585 - we are here to assist you.