**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

## 2010 SCHEDULE of PUBLIC HEARINGS

| **FILING DEADLINE:** (Thursday, 5:00 P.M.) | **MEETING DATE:** (Third Tuesday of the Month) |
|---|---|
| December 17, 2009 | January 20, 2010-Wed |
| January 14, 2010 | February 17, 2010-Wed |
| February 11, 2010 | March 16, 2010 |
| March 18, 2010 | April 20, 2010 |
| April 15, 2010 | May 18, 2010 |
| May 13, 2010 | June 15, 2010 |
| June 17, 2010 | July 20, 2010 |
| July 15, 2010 | August 17, 2010 |
| August 19, 2010 | September 21, 2010 |
| September 16, 2010 | October 19, 2010 |
| October 14, 2010 | November 16, 2010 |
| November 18, 2010 | December 21, 2010 |
| December 16, 2010 | January 19, 2011-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:*** |
|---|---|---|
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(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**: _____ County _____Rockford _____ Loves Park

_____ Machesney Park

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

**PIN #:** ___ ___ - ___ ___ - ___ ___ ___ - ___ ___ ___

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

**Name and address of owner**: _____

_____

_____

**Name and address of applicant**: _____

_____

_____

**Name & phone # of contact person**: _____

( ) _____ - _____

**Type of Request: (Check the one that applies)**

_____Change in Zoning from _____to_____

_____ Variance (describe in detail) _____

_____ Special Use Permit: (describe in detail)_____

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

**Proposed Land Use:** _____

**N.R.I. Reports Only**
Proposed Land Use Will Include: (check applicable items)

_____Septic Tank Filter Fields _____Dwellings Without Basements

_____Small Commercial Buildings _____Other (describe in detail)

_____Dwelling With Basements _____

*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-Soil Conservation Service) and are subject to change by this office and appropriate county agencies.*

**FEES:** *Winnebago County SWCD fee determinations are final.*
*Reports will not be completed without payment.*

- 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

**MAKE CHECKS PAYABLE TO:**
*Winnebago County SWCD*
*4833 Owen Center Road*
*Rockford, IL 61101-6007*

(VISA/MASTERCARD-accepted)

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 | $360 | $36.00 | $396.00 |
| 1/2-2 acres | $430 | $43.00 | $473.00 |
| 2-5 acres | $525 | $52.50 | $577.75 |
| Plus $25 for every acre or portion thereof over 5 acres | No maximum | | |
| **R-3, R-4, PRD** | | | |
| Less than 1/2 acre | $530 | $53.00 | $583.00 |
| 1/2-2 acres | $600 | $60.00 | $660.00 |
| 2-5 acres | $625 | $62.50 | $687.50 |
| 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 | $540 | $54.00 | $594.00 |
| 1/2-2 acres | $610 | $61.00 | $671.00 |
| 2-5 acres | $680 | $68.00 | $748.00 |
| Plus $40 for every acre or portion thereof over 5 acres | No maximum | | |
| **I-1, I-2, I-3** | | | |
| Less than 1/2 acre | $610 | $61.00 | $671.00 |
| 1/2-2 acres | $680 | $68.00 | $748.00 |
| 2-5 acres | $745 | $74.50 | $819.50 |
| 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 | $360 | $36.00 | $396.00 |
| 1/2-2 acres | $430 | $43.00 | $473.00 |
| 2-5 acres | $525 | $52.50 | $577.50 |
| Plus $25 for every acre or portion thereof over 5 acres | No maximum | | |
| **R-3, R-4, PRD** | | | |
| Less than 1/2 acre | $530 | $53.00 | $583.00 |
| 1/2-2 acres | $600 | $60.00 | $660.00 |
| 2-5 acres | $690 | $69.00 | $759.00 |
| 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 | $540 | $54.00 | $594.00 |
| 1/2-2 acres | $610 | $61.00 | $671.00 |
| 2-5 acres | $680 | $68.00 | $748.00 |
| Plus $40 for every acre or portion thereof over 5 acres | No maximum | | |
| **I-1, I-2, I-3** | | | |
| Less than 1/2 acre | $610 | $61.00 | $671.00 |
| 1/2-2 acres | $680 | $68.00 | $748.00 |
| 2-5 acres | $745 | $74.50 | $819.50 |
| 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** | $300 | $30.00 | $330.00 |
| **RENEWAL OF SPECIAL USE PERMIT** | $350 | $35.00 | $385.00 |
| **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 | $420 | $42.00 | $462.00 |
| I-1, I-2, I-3 | $480 | $48.00 | $528.00 |
| **ZONING TEXT AMENDMENT** | $350 | $35.00 | $385.00 |
| **ZONING VERIFICATION LETTERS** | $ 60 | $ 6.00 | $ 66.00 |
| **ANNUAL BILLBOARD LICENSE** | $100 | $ 5.00 | $105.00 |
| **ANNUAL BILLBOARD LICENSE (Electronic Message Board)** | $500 | $25.00 | $525.00 |
| **DUMPSTER ENCLOSURE PERMIT** | $ 60 | $ 6.00 | $ 66.00 |
| **FENCE PERMITS** | | | |
| RE, R-1, R-1U, R-2 | $ 40 | $ 4.00 | $ 44.00 |
| R-3, R-4 | $ 50 | $ 5.00 | $ 55.00 |
| C-1, C-2, C-3, C-4 | $100 | $10.00 | $110.00 |
| I-1, I-2, I-3 | $130 | $13.00 | $143.00 |
| **HOME OCCUPATION PERMITS** | | | |
| Initial Permit | $ 80 | $ 8.00 | $ 88.00 |
| Renewal | $ 40 | $ 4.00 | $ 44.00 |
| **PARKING LOT PERMITS: Valuation of:** | | | |
| $1,000 - $10,000 | $250 | $25.00 | $275.00 |
| $10,001 - $20,000 | $500 | $50.00 | $550.00 |
| $20,000 + | $500 plus $5 for every $1,000 valuation over $20,000 | | |
| **SITE PLAN / USE REVIEW Commercial, Industrial & Multi-family (interior remodel and building changes)** | $ 50 | $ 5.00 | $ 55.00 |
| **SITE PLAN / USE REVIEW Commercial, Industrial & Multi-family (new)** | $100 | $10.00 | $110.00 |
| **SITE PLAN / USE REVIEW (1 & 2 Family)** | | | |
| 1 & 2 Family Review (new construction) | $ 50 | $ 5.00 | $ 55.00 |
| 1 & 2 Family Review (alteration, addition, deck, shed, pool) | $ 20 | $ 2.00 | $ 22.00 |
| **PERFORMANCE REVIEW** | $150 | $15.00 | $165.00 |
| **TEMPORARY SIGN PERMIT (Light, Pole, Banner and Other)** | $ 30 | $ 3.00 | $ 33.00 |

# 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.*