

Village of Mt. Zion

Procedures for Variances, Special Use Permits, and Rezoning.

Preapplication Conference.

The petitioner or his agents shall meet with the village zoning officer to discuss the appropriate procedure. The zoning officer may at his discretion request the petitioner to meet with the planning staff. In a case of a rezoning involving a planned development, commercial, or industrial request, or involving a tract of land more than 5 acres in size, the petitioner may also be required to have a reapplication meeting with the commission.

Purpose. The purposes of the preapplication meeting are as follows:

- (1) To explain to the petitioner the provisions of this ordinance and other applicable village codes and ordinances.
- (2) To determine whether or not any other village actions such as subdivision, vacation, or annexation are necessary for the development of the land.
- (3) To determine exactly what the zoning petition should contain, and what procedure should be followed prior to the setting of the public hearing.
- (4) To discuss the compatibility of a petition with the village's officially adopted comprehensive plan and official maps.
- (5) To determine if the petitioner has made necessary investigating to insure that his property can be developed properly upon obtaining the classification he seeks.
- (6) To acquaint the developer with the technical planning assistance available through the planning staff.

Information needed for preapplication conference. The petitioner should have a legal description and map of his property showing the surrounding land uses at the time of his meeting with the village zoning officer, commission, or planning staff. Other information, such as soil types, topographical maps, and other data related to the site's suitability for its development would be helpful. (Ord. 1972-73-8, passed 11/6/72; Ord. 1979-80-19, passed 2/4/80) Penalty, see S 150.999.

Submittal Procedures.

Upon satisfying the preapplication requirements, the petitioner may then proceed to file a zoning petition with the village. This petition must include the following to be entitled to village consideration.

(A) A petition, properly filled out on the village form, including the following information:

- (1) Name and address of petitioner.
- (2) Name and address of owner.
- (3) Name and address of any agent representing the petitioner.
- (4) A legal description of the property which allows the property to be located on any map without having to check the recorder of deeds office.
- (5) A common description of the property.
- (6) Existing zoning classification of property.
- (7) Zoning classification being sought.
- (8) The names and addresses of all abutting landowners.
- (9) A statement concerning the proposed use of the property.
- (10) In cases of variances, the special hardships that exist which would qualify the petitioner for a variance.
- (11) In cases of special uses of planned unit developments, a detailed statement as to the proposed use of the property.

(B) A scaled map showing the dimensions of the property and the zoning of the surrounding properties.

(C) Appropriate fees as required by the schedule in Section 150.27.

(D) Upon submission of the above, the officer shall take one copy of the petition, sign it and place the fee amount on the petition. The petitioner shall then take the petition and map to the village clerk or village administrator who shall formally accept the petition for filing and collect the fees as required by the zoning officer. (Ord. 1972-73-8, passed 11/6/72; Ord. 1979-80-19, passed 2/4/80) Penalty, see S 150.999.

S 150.023 Public Hearing.

Upon receiving any petition, the village clerk or the village administrator shall notify the chairman of the commission of the petition. The chairman shall then set a date for action on the petition. Notice shall be given of the time and place of the hearing, by publishing a notice thereof at least once in one or more newspapers published in the municipality, or, if no newspaper is published therein, then in one or more newspapers with a general circulation within the municipality. (Ord. 1972-73-8, passed 11/6/72; Ord. 1979-80-19, passed 2/4/80) Penalty, see S 150.999.

S 150.024 Decision of the Commission.

At the date of the public hearing, the petitioner or his representative shall be prepared to submit his case to the commission. The commission shall then take a vote of its membership, and shall report the findings to the board by a written notice. (Ord. 1972-73-8, passed 11/6/72; Ord. 1979-80-19, passed 2/4/80).

S 150.025 Decision of the Board.

On all matters which require action of the Board, the Board shall, within 30 days after receiving the recommendation of the commission concerning a zoning petition, take whatever action the board deems appropriate, except that no petition may be tabled for more than 90 days. (Ord. 1972-73-8, passed 11/6/72; Ord. 1979-90-19, passed 2/4/80) (Ord. 91-92-14).

Fees

Petition for Variance	\$150
Petition for Special Use Permit	\$150
Petition for Rezoning	\$150

Rezoning to Higher Classifications

1) VA-1 or VC-1 to VR-1, VR-2, or VR-3:

(a) on tracts less than 5 acres	\$150
(b) on tracts between 5 to 10 acres	\$150
(c) on tracts between 10-25 acres	\$150
(d) on tracts over 25 acres	\$150

2) VA-1, VC-1, or VR-1, VR-2, VR-3 to VR-5, VO-1, or VO-2:

(a) on tracts less than 5 acres	\$150
(b) on tracts between 5 to 10 acres	\$150
(c) on tracts between 10 to 25 acres	\$150
(d) on tracts over 35 acres	\$150

3) VA-1, VC-1, VO-1, VO-2 or any residential districts to VB-1, VB-2, or VB-3:

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|---------------------------------|-------|
| (a) on tracts less than 5 acres | \$150 |
| (b) on tracts between 5 or more | \$150 |

4) VA-1, VC-1, VO-1, VO-2, any residential or commercial district to VM-1 or VM-2:

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|----------------------------------|-------|
| (a) on tracts less than 10 acres | \$150 |
| (b) on tracts between 10 or more | \$150 |

5) Planned Unit Development:

(a) Residential

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|--------------------------------------|-------|
| (1) on tracts less than 10 acres | \$150 |
| (2) on tracts between 10 to 25 acres | \$150 |
| (3) on tracts greater than 25 acres | \$150 |

(b) Commercial

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|--------------------------------------|-------|
| (1) on tracts less than 10 acres | \$150 |
| (2) on tracts between 10 to 25 acres | \$150 |
| (3) on tracts greater than 10 acres | \$150 |

(c) Industrial

- | | |
|-------------------------------------|-------|
| (1) on tracts less than 10 acres | \$150 |
| (2) on tracts greater than 10 acres | \$150 |

(d) Other \$150

(6) Special Permit- Any petition for a special permit \$150

(7) Rezoning to Lower Classification- Any change from a higher to lower classification \$150