

# **LAND USE PETITION**

1400 Mt. Zion Parkway Mt. Zion, IL 62549 Phone: 217.864.5424

Fax: 217.864.5935

All	of the following items are required for a complete land use petition application.		
	One completed <b>Checklist</b> (this form).		
	One completed <b>Application</b> , signed by the owner of the subject property or an authorized agent, notarized.		
	One copy of the property <b>Legal Description</b> , most likely a recorded deed, with Recorder's Stamp. The deed is available at the: Macon County Recorder's Office, 141 S. Main Street #201, Decatur, IL.		
	One signed, notarized <b>Owner Consent Form</b> (required only if the petitioner does <i>not</i> own the subject property).		
	Three copies of a <b>Site Plan</b> (for Variance and Special Exception petitions only; a site plan is <i>not</i> required for a rezoning). The site plan must clearly and accurately show the entire layout of the property including all structures, drives, parking areas and uses related to or proposed with the petition. The site plan must also include a north arrow and must be drawn to scale. See the attached Sample Site Plan.		
	One completed <b>Findings of Fact</b> form (for Variance and Special Exception petitions only; Findings of Fact are <i>not</i> required for a rezoning). See the attached guidance sheet.		
	One non-refundable application <b>filing fee</b> . Checks are payable to "Village of Mt. Zion".		
	<b>Contact person</b> information. The Contact Person will be contacted if additional information is necessary and will represent the petition at the hearing.		
	Contact Person:		
	Address:		
	City, State, ZIP:		
	Phone number: FAX:		
	Email address:		
	Preferred method of contact: EMAIL PHONE		

### How to File a Land Use Petition (Rezoning, Variance or Special Exception)

- 1. Obtain a land use petition application packet from Mt. Zion Village Hall, 1400 Mt. Zion Parkway, Mt. Zion, IL. If you have any questions during the application filing process, contact the Village Administrator at (217) 864-5424.
- 2. Submit your completed application packet to Mt. Zion Village Hall. Staff will prepare your Notice of Public Hearing and letters to adjacent property owners.
- 3. The petitioner is encouraged, though not required, to contact and meet prior to the hearing with any neighbors, neighborhood organizations, and/or homeowners associations that may have an interest in the petition.
- 4. Attend the public hearing and the following Village Board meeting. The petitioner, or his/her representative, must be present at the public hearing and the Village Board meeting to present the land use petition and to address any remonstrance and/or questions of the Planning Commission and Zoning Board of Appeals. Contact the Village Administrator with any questions you may have regarding the hearing process or preparation for the hearing. Please let staff know in advance of any intent to use visual aids/displays at the hearing.

## **LAND USE PETITION APPLICATION**

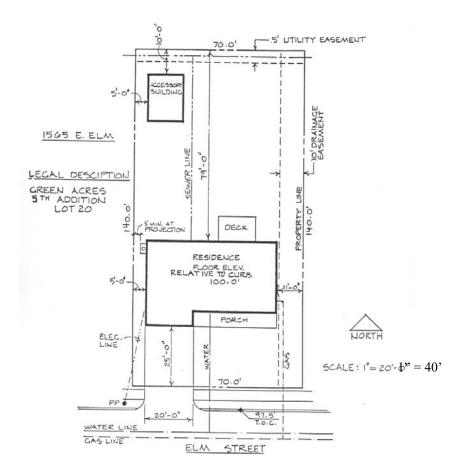
OFFICE USE ONLY		
Fee:		
Date Paid:		
Date of Hearing:		
Zoning:		

Subject Property (common address):	
Parcel Number:	Acreage:
Existing Use of Property:	
Existing Improvements on Property:	
Petitioner Name:	Phone:
Email Address:	
Petitioner's Home Address:	
Subject Property Owner Name (if different fro	om petitioner):
Subject Property Owner Address (if different f	from petitioner):
Land Use Request (check all that apply):	
Variance of Use	Rezoning
Variance of Development Standa	ards Special Use
Other (describe)	
Describe Land Use Request (attach additional	nages if necessary):
(	L
he above information and attached exhibits, to	o my knowledge and helief are true and corre
ne above mormation and accepted eximples, te	o my knowledge and benef, are a de and corre
	Signature of Petitioner
STATE OF ILLINOIS, COUNTY OF MACON:	
Subscribed and sworn to before me this	day of, 20
Notary Public	
Printed Name of Notary Public	
My Commission expires:	

## **OWNER CONSENT FORM**

The undersigned,	, being the owner of the	
property commonly known as	,	
hereby authorizes	to file land	
development petitions necessary for the aforemention	ned address.	
This consent shall <i>(check one)</i> :		
Remain in effect until revoked by a written s Zion.	statement filed with the Village of Mt.	
Remain in effect until	<u>.</u>	
Remain in effect until this land use petition	is resolved.	
Signature(s) of Owner(s)	_	
Signature(s) of Owner(s)	_	
STATE OF ILLINOIS, COUNTY OF MACON:		
Subscribed and sworn to before me thisday of _	, 20	
Notary Public		
Printed Name of Notary Public		
My Commission expires:		

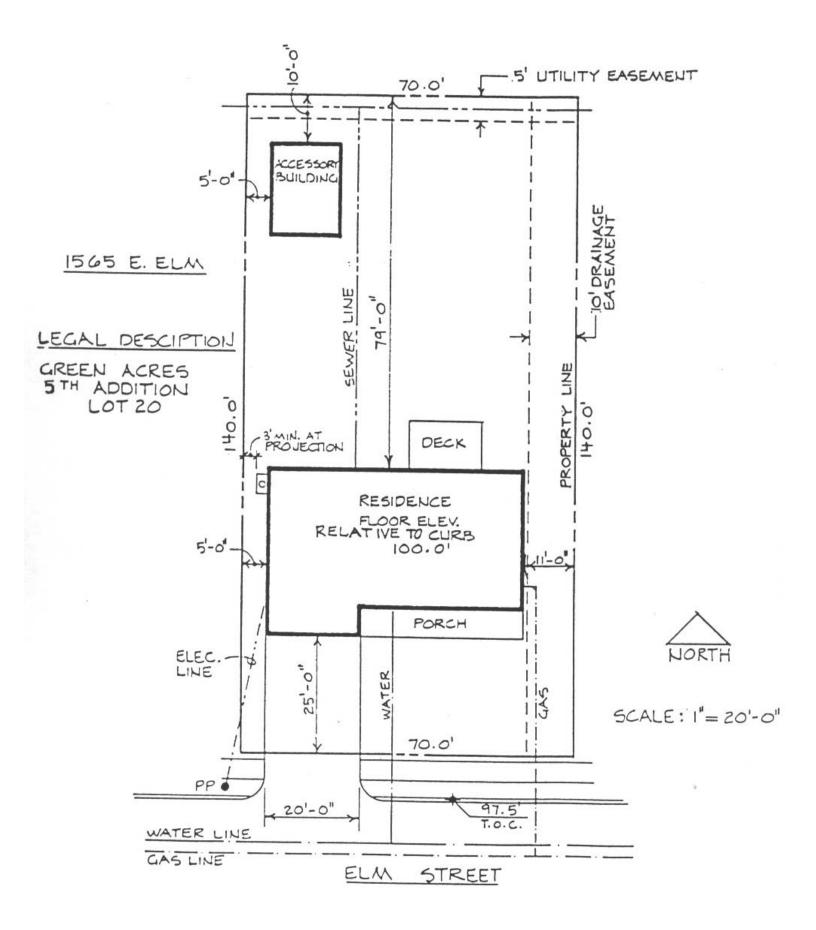
### SAMPLE SITE PLAN



(see reverse side for full-size site plan)

#### **NOTES**

- Include all site structures, existing and proposed. NOTE: Approved variances and special exceptions are usually granted subject to substantial compliance with a final site plan. So, be aware that you will be "locked into" your submitted site plan with regard to future site use and development.
- Label important dimensions. For example, if you're requesting a variance for the side setback of a shed, label that setback.
- Show curb cuts, access drives, parking areas, easements, sidewalks, adjoining rightsof- way and any other important features
- Include a North arrow
- Must be drawn to scale... usually 1"=10', 1"=20', 1"=30', 1"=40', 1"=50' or 1"=60'
- Site plans are always required for all variance and special exception petitions, but are not generally required for rezoning petitions.



### PREPARING FINDINGS OF FACT

You must provide written Findings of Fact with any application for a variance or special exception. It is important to prepare your Findings of Fact properly. If your petition is approved, the Findings of Fact are adopted by the Village of Mt. Zion as the basis of the approval. Though uncommon, the petition grant could be subject to judicial review by a court of law. In such an event, these findings would be the primary evidence in the court's review.

The following suggestions are offered to assist you in your Findings preparation:

- Read each statement carefully before completing the finding. What you write after the
  word "because" in each of the findings must support the statement that introduces the
  finding.
- Be sure that you understand the statements in the Findings of Fact. For example, if you do
  not know what the "Comprehensive Plan recommendation" is, do not complete the
  finding referring to the Plan recommendation until you have learned about it. Ask the
  Village Administrator for assistance.
- Do not use personal matters as reasons for Findings. The Findings must relate to the property and its circumstances, not to a person and his/her circumstances. For example, financial difficulty cannot be cited in the Findings.
- Use correct spelling and grammar.
- Do not use pronouns (*I*, *he*, *she* or *we*, or the possessives *my*, *his*, *her* or *our*) to describe yourself or the person or entity seeking the variance. Instead, use the word *petitioner* or *petitioners*.
- Though your planner cannot write your Findings for you, she/he is available for assistance. You may also obtain professional assistance, though that is not required.

## FINDINGS OF FACT: USE VARIANCE

1. The approval <u>will not</u> be injurious to the public health, safety, morals and general welfare of the community because:
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
3. The need for the variance arises from some condition peculiar to the property involved because:
4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:
5. The approval does not interfere substantially with the Comprehensive Plan because:
Office Use Only: Do Not Write Below This Line
<b>DECISION</b> It is therefore the decision of this body that this Variance petition is APPROVED.
Adopted:,

# FINDINGS OF FACT: DEVELOPMENT STANDARDS VARIANCE

1. The approval <u>will not</u> be injurious to the public health, safety, morals and general welfare of the community because:		
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:		
3. The strict application of the terms of the Zoning Ordinance <u>will</u> result in practical difficulties in the use of the property because:		
Office Hee Only De Not White Polesy This Line		
Office Use Only: Do Not Write Below This Line		
<b>DECISION</b> It is therefore the decision of this body that this Variance petition is APPROVED.		
Adopted: day year		
month day year		

## FINDINGS OF FACT: SPECIAL USE PERMIT

1.	The use shall be specifically identified as a special exception in this Ordinance for the zoning district in question because:
2.	The special exception can be served with adequate utilities, access roads, drainage and other necessary facilities because:
3.	The special exception shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons, and shall comply with any and all design development standards for the use identified in this Ordinance because:
- 4. -	The special exception shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and property because:
5. -	The special exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood because:
6. -	The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood because:
7. -	The special exception shall preserve the purpose of this Ordinance, and shall not interfere substantially with the Comprehensive Plan because:
_	Office Use Only: Do Not Write Below This Line  DECISION  It is therefore the decision of this body that this Variance potition is APPROVED.
	It is therefore the decision of this body that this Variance petition is APPROVED.  Adopted: