

APPENDIX A
REQUEST FOR PUBLIC RECORDS

TO: Melissa A. Kreiter
Administrative Assistant
County of Tazewell
Department of Community Development
Room 400, McKenzie Building
11 South 4th Street
Pekin, IL 61554
Email: mkreiter@tazewell.com

FROM: _____
Name

Organization

Address

Phone Number

DESCRIPTION OF REQUESTED RECORD (S): _____

Please indicate if you wish to inspect the above captioned records or wish a copy of them:

Inspection *Copy* *Both*

X _____
Signature of Person(s) making request

APPENDIX B
FEE SCHEDULE FOR DUPLICATION OF PUBLIC RECORDS

<u>Type of Duplication</u>	<u>Per Copy Charge</u>
Paper copy from each original document	\$.15 (after first 50 pages)

FOR OFFICE USE ONLY:	
_____	_____
<i>Date Received</i>	<i>Date Response Due</i>
Notation re Oral Communication or Other Items: _____	

**TAZEWELL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
FREEDOM OF INFORMATION ACT GUIDELINES**

I. INTRODUCTION

These guidelines are established to implement the provisions of the Freedom of Information Act (5 ILCS 140 et seq.) The purpose of these guidelines is to support the policy of providing public access to the public records in the possession of this office while, at the same time, protecting legitimate privacy interest and maintaining administrative efficiency.

II. DEFINITIONS

- A. Terms used in these guidelines shall have the same meaning as in the Freedom of Information Act.
- B. "FOIA" means the Freedom of Information Act.
- C. "Freedom of Information Officer" means the Assistant to the Community Development Administrator.
- D. "Office" means the Tazewell County Department of Community Development.
- E. "Person (Requester)" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group.
- F. "Public Records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body. A few examples of public records available under FOIA are: orders; rules; reports and studies; contracts; names, titles and salaries of public employees' and the voting of records of public bodies. Information can be available in electronic as well as paper format.

III. PROCEDURES FOR REQUESTING PUBLIC RECORDS

- A. Person to Whom Request are Submitted.

Requests for public records shall be submitted to the Freedom of Information Officer of this Office. Requests shall be submitted to the following address:

Melissa Kreiter, Administrative Assistant
County of Tazewell
Department of Community Development
Room 400, McKenzie Building
11 South 4th Street
Pekin, IL 61554
Email: mkreiter@tazewell.com
ATTN: FOIA REQUEST

B. Form and Content of Request

1. Request shall be made in accordance with the FOIA. Such requests may be submitted on FOIA request forms provided by the Office or by other means available to the requestor. See Appendix A to these guidelines.
2. The requestor shall provide the following information in a written request for public records:
 - A. A description of the public records sought, being as specific as possible;
 - B. Whether the request is for inspection of public records, copies of public records, or both.

IV. **PROCEDURES FOR OFFICE RESPONSE FOR PUBLIC RECORDS**

A. Time for Office Response

1. The Office shall respond to a written request for public records within 5 working days after the receipt of such request. Day 1 of the 5-day timeline is the first business day after the request is received.
2. The Office may give notice of an extension of time to respond which does not exceed an additional 5 working days. Such an extension is allowable if written notice is provided within the original 5 working day time limit for the reasons provided in Section 3 (d) of the FOIA. Such notice of extension shall state the reasons why the extension is necessary and the date by which the records will be made available or denial will be forthcoming.

B. Types of Office Responses

1. The Office shall respond to a request for public records in one of three ways;
 - a) Approve the request;
 - b) Approve in part and deny in part;
 - c) Deny the request.
2. Upon approval of a request for public records, the Office may either make available the materials, give notice that the materials shall be made available upon payment of allowable costs, or give notice of the time and place for inspection of records.
3. A denial of a request for public records shall be made in writing. It shall state the reasons for the denial in accordance with either Section 3 (d) or Section 7 of the FOIA and the names and titles of individuals responsible for the decision. It shall also give notice of the requestor's right to seek review by the public Access Counselor in the Attorney General's Office as well as the right seek judicial review by filing a court case.
4. Categorical requests creating an undue burden upon the Office shall be denied only after extending to the requestor the opportunity to confer in an attempt to reduce the request to manageable proportions in accordance with Section 3 (g) of the FOIA.

5. Failure to respond to a written request within 5 working days will be considered by the requestor a denial of the request.

V. **PROCEDURES FOR OF A DENIAL**

A. Appeal of a denial

1. A requestor whose request has been denied by the Freedom of Information Officer may File a request for review with Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of final denial.
2. A requestor whose request is denied may also file suit with the circuit court for the County where the public body has its principal office or where the person denied access resides.

VI. **PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTORS**

A. Inspection of Records at Community Development Department's Office.

1. Unless otherwise agreed, the inspection of records shall take place at the office of the Freedom of Information Officer during normal working hours.
2. Documents which the requestor wishes to have copies shall be segregated during the course of the inspection. Generally, all copying shall be done by the Office employees.
3. An employee of the Office may be present throughout the inspection. A requestor may be prohibited from bringing bags, brief case, or other containers into the inspection room.

B. Copies of Public Records

1. Copies of public records shall be provided to the requestor only upon payment of any charges which are due.
2. Charges may be waived or reduced in any case where the Freedom of Information Officer determines that the waiver serves the public interest.

C. General Materials Available from the Freedom of Information Officer.

The Freedom of Information Officer shall make available to the public at no charge the following materials:

1. A brief description of the organizational structure and budget of the office.
2. A list of types and categories of public records maintained by the Office.
3. A copy of these Guidelines.

APPENDIX B

APPROVAL OF REQUEST FOR PUBLIC RECORDS

FROM: Melissa A. Kreiter
Administrative Assistant
County of Tazewell
Department of Community Development
Room 400, McKenzie Building
11 South 4th Street
Pekin, IL 61554
Email: mkreiter@tazewell.com

TO: _____
Name

Organization

Address

Phone Number

DESCRIPTION OF REQUESTED RECORD (S): _____

Your request dated _____ for the above captioned records has been approved:

- The documents you requested are enclosed.
 - The documents will be made available upon payment of copying costs in the amount of \$_____.
 - You may inspect the records in the Office of the Tazewell County Department of Community Development in Room 400, McKenzie Building, Fourth and Court Streets, Pekin, Illinois, on _____.
 - Other: _____
- _____

FOIA Officer

Date

APPENDIX C

DENIAL OF REQUEST FOR PUBLIC RECORDS

FROM: Melissa A. Kreiter
Administrative Assistant
County of Tazewell
Department of Community Development
Room 400, McKenzie Building
11 South 4th Street
Pekin, IL 61554
Email: mkreiter@tazewell.com

TO: _____
Name

Organization

Address

Phone Number

DESCRIPTION OF REQUESTED RECORD (S): _____

Your request dated _____ for the above captioned records has been denied:

_____ The request creates an undue burden on the public body in accordance with Section 3 of the Freedom of Information Act, and we were unable to negotiate a more reasonable request. Compliance with the request would cause an undue burden on the office for the following reason (s):

_____ The materials requested are exempt under Section 7 of the Freedom of Information Act for the following reason (s):

You have the right to seek review by the Public Access Counselor in the Attorney General's Office, as well as the right to seek judicial review by filing a court case. The Public Access Counselor's information is as follows:

Cara Smith
Public Access Counselor
Public Access Bureau
500 S. 2nd Street
Springfield, IL 62706
E-mail: CSmith@atg.state.il.us
FOIA Hotline: 1-877-299-3642
Direct Line: 312-814-5526

FOIA Officer

Date

APPENDIX D
PARTIAL APPROVAL OF REQUEST FOR PUBLIC RECORDS

FROM: Melissa A. Kreiter
Administrative Assistant
County of Tazewell
Department of Community Development
Room 400, McKenzie Building
11 South 4th Street
Pekin, IL 61554
Email: mkreiter@tazewell.com

TO: _____
Name

Organization

Address

Phone Number

DESCRIPTION OF REQUESTED RECORD (S): _____

Your request dated _____ for the above captioned records has been partially approved. Those part of your request which have been approved.

are enclosed will be available upon payment of copying costs in the amount of _____.

may inspect the records in the Office of the Tazewell County Community Development Department, Room 400, McKenzie Building, Fourth and Court Streets, Pekin, Illinois, on _____.

The following portions of your request have been denied for the reason(s) cited: _____

You have the right to seek review by the Public Access Counselor in the Attorney General's Office, as well as the right to seek judicial review by filing a court case. The Public Access Counselor's information is as follows:

Cara Smith
Public Access Counselor
Public Access Bureau
500 S. 2nd Street
Springfield, IL 62706
E-mail: CSmith@atg.state.il.us
FOIA Hotline: 1-877-299-3642
Direct Line: 312-814-5526

FOIA Officer

Date

APPENDIX E

DEFERRAL OF RESPONSE TO REQUEST FOR PUBLIC RECORD

FROM: Melissa A. Kreiter
Administrative Assistant
County of Tazewell
Department of Community Development
Room 400, McKenzie Building
11 South 4th Street
Pekin, IL 61554
Email: mkreiter@tazewell.com

TO: _____
Name

Organization

Address

Phone Number

DESCRIPTION OF REQUESTED RECORD (S): _____

Your request dated _____ for the above captioned records must be delayed. The delay in responding to your request is for the following reason(s): (Provide reason for delay in accordance with Section 3(d) of the FOIA).

You will be notified by _____ as to the action taken on your request.
(date)

FOIA Officer

Date

APPENDIX F

DESCRIPTION OF OFFICE

The Tazewell County Community Development Department (formerly the Planning and Zoning Department) was created by an Ordinance enacted October 9, 1963, establishing zoning districts and adopting comprehensive zoning regulations and standards for the County of Tazewell, Illinois, and providing for the administration, enforcement and amendment thereof, accordance with the provisions of the 55 ILCS 5/5-12001 et al.

The Zoning Districts established and the zoning regulations and standards adopted and to be enforced have been made for the purpose of:

- (1) Promoting the public health, safety, morals, comfort and general welfare;
- (2) Conserving the value of land, buildings, and structures throughout the County;
- (3) Lessening and avoiding congestion on the public streets and highways;
- (4) Avoiding hazards to persons and damage to property resulting from flooding;
- (5) Regulating and limiting the height and bulk of buildings and structures hereafter to be erected;
- (6) Securing adequate light, pure air and safety from fire and other dangers;
- (7) Classifying, regulating, and restricting the location of trades and industries and the location of buildings, structures, and land zoned for specified industrial, commercial, residential, and other uses;
- (8) Establishing regulations and standards to which buildings, structures, or uses therein shall conform;
- (9) Prohibiting uses, buildings, or structures incompatible with the character of such districts; and
- (10) Implementing the policies and proposals of the County's Comprehensive Land Use Plan.

Further the primary function of the Community Development Department is for the administration, interpretation and enforcement of the Tazewell County Zoning Ordinance. The Department is responsible for the issuance of building permits, zoning compliance certificates and regulation of construction and all use activities in the unincorporated areas of Tazewell County. The Department also conducts Code Enforcement and investigates alleged violations and pursues valid violations to gain code compliance under the Administrative Adjudication Ordinance.

Additional Departmental functions include the administration and enforcement of the Subdivision Ordinance, Erosion, Sediment and Storm Water Control Ordinance, Flood Plain Development Ordinance, Adult Use Ordinance, Inoperable Motor Vehicle Ordinance and the Wind Farm Ordinance. Department duties also includes receiving and preparing all Variance, Special Use and Rezoning applications for Public Hearings by the Tazewell County Zoning Board of Appeals, in addition to providing professional and technical assistance to the Zoning Board of Appeals, Land Use Committee and County Board with regards to all Zoning and Land Use issues.

The 2010 Operating Budget for the Community Development Department: \$161,515.00

LIST OF RECORDS MAINTAINED

1. Building Permits for the unincorporated areas of Tazewell County.
2. Zoning Cases (changes in zoning classification, Code Amendments, Variances, Special Uses, Appeals, approved and pending).
3. Subdivision Plats (approved and pending).
4. Sidwell Tax Maps of Each Township in Tazewell County.
5. National Flood Insurance, Flood Boundary and Floodway Maps of Tazewell County - unincorporated areas.
6. Official Zoning Maps by Township of Tazewell County.
7. Agricultural Areas originally formed in Tazewell County. (No longer Active – was known as the Agricultural Areas Conservation and Protection Ordinance – Title 7, Chapter 4)
8. Tazewell County Comprehensive Plan.
9. Code of Tazewell County:
 - a. Title 7, Chapter 1, Zoning
 - b. Title 7, Chapter 2, Adult Use Ordinance
 - c. Title 7, Chapter 3, Wind Farm Ordinance
 - d. Title 7, Chapter 4, Small Wind Energy Systems Ordinance
 - e. Title 7, Chapter 5, **REMOVED** (formerly Tazewell County Site Approval Ordinance for Regional Pollution Control Facilities - now handled by Health Dept.)
 - f. Title 7, Chapter 6, Adjudication Ordinance
 - g. Title 8, Chapter 1, Inoperable Motor Vehicle Ordinance
 - h. Title 8, Chapter 2, Subdivision Ordinance
 - i. Title 8, Chapter 3, Tazewell County Erosion, Sediment and Stormwater Control Ordinance
 - j. Title 8, Chapter 4, Regulating Development in Floodplain Areas
10. Erosion, Sediment and Stormwater Control Permit Applications. (approved and pending)
11. All violations and files on these violations referred to the Tazewell County Hearing Officer or Tazewell County States Attorney Office.
12. Fines and Liens assessed for all noncompliant violations
13. Agendas and Minutes of the Tazewell County Zoning Board of Appeals proceedings showing vote of each member and records of other actions.
14. Transcripts of Tazewell County Zoning Board of Appeals Hearings.
15. Site Specific and Standard Erosion Control Permits.
16. Agendas and Minutes of the meetings of the Tazewell County Land Use Committee.
17. Personnel Files.
18. Files on all Fees received and deposited with the Tazewell County Treasurers Office.
19. Enterprise Zone Applications and Information
20. Freedom of Information Act Files.

**TAZEWELL COUNTY
ZONING BOARD OF APPEALS**

(Revised September 30, 2013)

<u>TERM</u>	<u>NAME</u>	<u>TOWNSHIP</u>
App. – 7/00 Exp. - 11/30/18	James Newman, Chairman 616 Wilshire Dr. Washington, IL 61571 Phone: 444-2872 (H)	Washington Incorporated
App. – 11/91 Exp. – 11/30/15	Loren Toevs 160 Arnold Rd. East Peoria, IL 61611 Phone: 699-8801 (H)	Fondulac Incorporated
App. – 11/03 Exp. – 11/30/18	Sandy May 901 Coolidge Pekin, IL 61554 Phone: 347-8069 (H)	Pekin Incorporated
App. – 11/10 Exp. - 11/30/18	JoAn Baum 313 Wildwood Dr. Groveland, IL 61535 Phone: 387-2012	Groveland Unincorporated
App. – 3/04 Exp. – 11/30/16	Duane Lessen 2346 Delavan Rd. Delavan, IL 61734 Phone: 244-7443 (H) 369-5477(C)	Delavan Unincorporated
App. – 9/03 Exp. – 11/30/16	Ken Zimmerman 26566 Queenwood Rd. Morton, IL 61550 Phone: 263-8912 (H)	Morton Unincorporated
App. – 3/10 Exp. – 11/30/17	Phil Webb 17273 Red Shale Hill Rd. Pekin, IL 61554 Phone: 348-2116	Elm Grove Unincorporated
<u>ALTERNATES:</u>		
1 st App. – 6/12 Exp. – 11/30/18	Don Vaughn P.O. Box 298 Delavan, IL 61734 (309)208-6115	Dillon Unincorporated
2 nd App. – 12/13 Exp. – 11/30/18	Paul Hahn 33633 IL Rte 9 Mackinaw, IL 61755 (309) 359-9463	Mackinaw Unincorporated

