

## **\*\*ATTENTION PETITIONERS\*\***

1. PLEASE REVIEW THE ATTACHED APPLICATION CAREFULLY AND COMPLETE THE ITEMS THAT PERTAINS TO YOUR REQUEST.
2. IT IS THE APPLICANT/OWNER'S RESPONSIBILITY TO COMPLETE THE ATTACHED APPLICATION IN ITS ENTIRETY NOT THE COMMUNITY DEVELOPMENT STAFF!!
3. WE WILL BE GLAD TO ASSIST YOU OR ANSWER ANY QUESTIONS THAT YOU MAY HAVE IN COMPLETING THE APPLICATION, BUT WE ARE NOT PERMITTED TO COMPLETE YOUR APPLICATION OR SITE PLAN.
4. AT THE TIME OF FILING YOUR APPLICATION IF ANY PERTINENT INFORMATION HAS BEEN LEFT OUT THE OFFICE STAFF WILL BE UNABLE TO ALLOW THE APPLICATION TO BE FILED.
5. SITE PLAN INFORMATION:
  - PLEASE TAKE YOUR TIME IN COMPLETING THE SITE PLAN
  - USE A RULER AND PENCIL
  - THE SITE PLAN DOES NOT HAVE TO BE TO SCALE BUT IT MUST BE NEAT AND LEGIBLE
  - THE TOP OF THE PAGE IS ALWAYS NORTH
  - FOLLOW THE CHECKLIST ENCLOSED TO ASSIST YOU IN PREPARING THE SITE PLAN
6. **To ensure proper submittal please contact Kristal or Melissa to set an appointment to review your application.**
7. **REMEMBER WE ONLY ALLOW 10 CASES PER MONTH TO BE PRESENTED TO THE ZONING BOARD OF APPEALS – WE WILL ONLY TAKE THE APPLICATIONS AND SITE PLANS THAT HAVE BEEN COMPLETED IN THEIR ENTIRETY AND THOSE THAT ARE NOT, MAY BE FORCED TO WAIT AN ADDITIONAL MONTH!!!!**

**THANK YOU VERY MUCH FOR YOUR COOPERATION & ATTENTION  
TO THIS MATTER!!!!!!**

Kristal Deininger, Community Development Administrator  
Department of Community Development  
Tazewell County  
11 S. Fourth Street  
4<sup>th</sup> Floor McKenzie Building  
Pekin, IL 61554  
Phone: (309) 477-2235      Fax:      (309) 477-2358

**TAZEWELL CO. COMMUNITY DEVELOPMENT**

**APPLICATION FOR ZONING HEARING**

**PETITION FOR:**

\_\_\_\_\_ Special Use (Dwelling Site)

\_\_\_\_\_ Special Use (Other)

For Staff Use Only:

Date Filed: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Case No.: \_\_\_\_\_

**1. Applicant and Owner Information:**

Applicant:

Owner:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

(home and work)

(home and work)

Email: \_\_\_\_\_

Email: \_\_\_\_\_

The property interest of the applicant, if not the owner is: \_\_\_\_\_

**2. Site and Surrounding Property Information:**

a. 911 address or property location of subject property:

\_\_\_\_\_  
\_\_\_\_\_

b. Correct Legal Description and Property Identification Number: (Attach an additional sheet if necessary - a copy of the legal description may be obtained from the Recorder of Deeds Office – 1<sup>st</sup> floor, McKenzie Building)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Proposed Parcel Size/Acreage: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

d. Describe all existing structures, physical attributes, land use of the property and past Zoning Cases related to this site:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. Soil productivity index rating of site (ask office staff for assistance):** \_\_\_\_\_

4. **State the Reason For and Nature of the Special Use:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. **Other pertinent information relating to the Special Use:**

- a. Hours of operation: \_\_\_\_\_
- b. Number of parking spaces including handicapped: \_\_\_\_\_
- c. Signs (size and number of): \_\_\_\_\_
- d. Number of employees: \_\_\_\_\_
- e. Number of new buildings to be constructed and proposed use of each building: \_\_\_\_\_  
\_\_\_\_\_
- f. Future expansion and time schedule: \_\_\_\_\_  
\_\_\_\_\_
- g. Additional information: \_\_\_\_\_  
\_\_\_\_\_

6. **The following questions shall only be answered if the application is a request to create a new dwelling site:**

- a. Is the property located: (Check appropriate item)
  - 1. Less than one-half (1/2) mile of a livestock feeding operation:  Yes  No
  - 2. More than one-half (1/2) mile of a livestock feeding operation:  Yes  No
- b. Please give the type of livestock operation and the number of animal units that the livestock feeding operation contains: \_\_\_\_\_
- c. Is a Variance necessary due to the site being located within one-half mile a livestock operation with 50 animals or more?  Yes  No

**A livestock feeding operation** is defined by the Tazewell County Zoning Code as:

Any new or existing operation which stables or confines and feeds or maintains for a total of 45 days or more in any 12-month period a combination of at least fifty (50) animal units, or its equivalency.

If you are unsure if the property lies within one-half mile of a livestock feeding operation, please contact the Tazewell County Farm Bureau Office at (309) 347-3165 for assistance.

**7. Findings of Fact for Special Use.**

a. Explain how the site will be so situated as to minimize adverse effects, including visual impacts on adjacent properties. \_\_\_\_\_

\_\_\_\_\_

b. Explain how the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity. \_\_\_\_\_

\_\_\_\_\_

c. Explain how the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. \_\_\_\_\_

\_\_\_\_\_

d. Explain how the Special Use will not substantially diminish and impair property value within the neighborhood. \_\_\_\_\_

\_\_\_\_\_

e. Explain how or if adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. \_\_\_\_\_

\_\_\_\_\_

f. Explain how or if adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets. \_\_\_\_\_

\_\_\_\_\_

g. Explain how you can provide evidence that granting the special use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels that would hinder the operation or expansion of such operation. \_\_\_\_\_

\_\_\_\_\_

h. Explain how granting the special use, which is located more than one half mile from a livestock feeding operation will not hinder the operation or expansion of such operation. \_\_\_\_\_

\_\_\_\_\_

i. Explain how the Special Use is consistent with the existing uses of property within the general area of the property in question. \_\_\_\_\_

j. Explain how the property is suitable for the Special Use as proposed. \_\_\_\_\_

\_\_\_\_\_

**8. Signature:**

- (a). **Attendance at the Public Hearing is required of the applicant or a designated representative. Failure of the applicant, owner or designee to appear before the Zoning Board of Appeals may cause the petition to be postponed.**

The following hereby acknowledges that all the information contained in this application and accompanying documents are true and correct to the best of my knowledge, and I acknowledge the attendance responsibilities of the applicant, owner or designee as set forth in paragraph (a) above:

_____ Signature of Applicant	_____ Signature of Owner
_____ Date	_____ Date

**NOTE: This application must be completed in its entirety prior to filing with the Community Department. Please do not hesitate to contact the Community Development Department if you have any questions while completing this application. If this Application and Site Plan are not completed in their entirety your request may be withdrawn for lack of proper information. Thank you for your cooperation.**

**REQUIRED AND REQUESTED ATTACHMENTS: (check all that apply)**

1. \_\_\_\_\_ When the Applicant is different than the Owner, an owner's consent form must be provided with original signature. Provide Attachment.
2. \_\_\_\_\_ When the petition seeks creation of a non farm dwelling site, an Agriculture Land Use Easement must be provided with original signature. Provide Attachment.
3. \_\_\_\_\_ When the Petitioner or Applicant is a corporation, and if a corporation, the correct names and address of all officers and directors, and all stockholders and shareholders owning any interest in excess of twenty percent (20%) of all outstanding stock of such corporation. Provide Attachment.
4. \_\_\_\_\_ When the Applicant or his principal, if other than the Applicant, is a business or an entity doing business under an assumed name, include the name and residence of all true and actual owners of such business or entity. Provide Attachment.
5. \_\_\_\_\_ When the Applicant or his principal, if other than the Applicant, is a partnership, a joint venture, a syndicate, or an unincorporated voluntary association, include the names and addresses of all partners, members of the partnership, joint venture, syndicate, or unincorporated voluntary association. Provide Attachment.
6. \_\_\_\_\_ When the Applicant is acting for himself, or in the capacity of an agent, an alter ego, or a representative of a principal, the applicant shall include the name and addresses of the true principal. Provide Attachment
7. \_\_\_\_\_ A statement signed by the appropriate road official stating that the proposed access way is adequate for the proposed use. A signed entrance permit from the road authority will suffice. **(This must be submitted prior to the Public Hearing).**
8. \_\_\_\_\_ If the site is within 1.5 miles of a boundary of an incorporated city or village and the city/village has an adopted plan (master plan or comprehensive plan), it may exercise its extra-territorial jurisdiction. Therefore, you should check with the city/village to determine if your plan(s) are compatible with the city/village plan(s), and if any additional requirements may apply. If subdividing property the city/village may also enforce its subdivision regulations within its 1.5 mile extra territorial planning area.
9. \_\_\_\_\_ Flood Plain Map (where applicable – Office Staff can assist).
10. \_\_\_\_\_ Other included documents pertaining to the specific request.

**OWNER'S CONSENT FORM**

I, (*property owner's name*) \_\_\_\_\_  
understand that (*applicant's name*) \_\_\_\_\_  
is petitioning for a(n) (*explain request*) \_\_\_\_\_  
\_\_\_\_\_

located at (*give address*) \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Parcel I.D. # \_\_\_\_\_

with the Tazewell County Community Development Department.

I hereby attest that I understand the request and consent to the filing of the petition by the applicant as listed above.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

Subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**AGRICULTURE LAND USE EASEMENT**

*The creation of a non-farm family home in an agricultural area is incompatible with the agriculture areas in Tazewell County. The Tazewell County Zoning Board of Appeals, will review this application and the associated facts. In making a determination on whether to grant a Special Use they may consider an Agriculture Land Use Easement.*

*Further the Community Development Administrator will accept an Agricultural Land Use Easement when making a determination upon sites under Administrative Review.*

*If the Agricultural Land Use Easement is offered by the Applicant herein and if it is accepted by the County in making a determination herein, the Easement will be recorded on the deed and become a permanent part of the record of the aforementioned property. Proof of recording shall be submitted prior to Building Permit issuance.*

*If said Easement is granted by the Applicant, the County assumes no responsibility to the Grantor or any Grantees.*

WHEREAS, \_\_\_\_\_, are the owners of real property described as follows:

(Legal Description or P.I.N.# & Address): \_\_\_\_\_

In accordance with the Special Use granted by the Tazewell Zoning Board of Appeals, or Administrative Review by the Community Development Administrator known as Case No. \_\_\_\_\_, approving a permit for residential development on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to, or in close proximity, to the above described property, a perpetual nonexclusive easement as follows:

1. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from commercial agricultural operations on adjacent lands. Such operations include:
  - a. Wide, slow moving farm equipment on roads or in fields at various times of the day or night;
  - b. Dust or odors from operation of machinery as well as herbicides, pesticides, fertilizers, and manure being applied to farmland;
  - c. Wind blown debris such as corn stalks, soybean residue, or other materials;
  - d. On occasions, airplanes applying herbicides, pesticides or other materials;
  - e. Odors from livestock/poultry operations or stray livestock;
  - f. Drainage problems or short term flooding, which may occur during heavy rainfall;
  - g. Other customary and normal agricultural/livestock operations and procedures;

These activities ordinarily and necessarily produce noise, dust, smoke, odors, and other conditions that may conflict with the Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on adjacent lands which may conflict with Grantors' use of Grantors' property for residential purposes and grantors hereby grant an easement to adjacent or nearby property owners for such activities.

2. Nothing in this easement shall grant a right to adjacent property owners for ingress or egress upon or across the described property. Nothing in this easement shall prohibit or otherwise restrict the regulations of governmental agencies for activities conducted on adjacent properties.

This easement is appurtenant to all property adjacent to, or in close proximity, to the above described property and shall bind to their heirs, successors, and assigns of Grantors and shall endure for the benefit of the adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of the easement.

IN WITNESS WHEREOF, the Grantors have executed this easement dates this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Grantor

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

**CHECKLIST TO AID IN COMPLETING AN ACCURATE SITE PLAN**

**NORTH IS AT THE TOP OF THE PAGE WHEN YOU BEGIN!!!**

**(Note: not all categories below may apply to your request)**

**\*\*\*REMEMBER THE SITE PLAN MUST BE NEATLY COMPLETED!!!!\*\*\***

**Completed**

1. Show and **label** placement of all proposed and existing buildings and/or structures, dimensions and distances from the overhang to the front, side and rear property lines. Other setbacks checked. \_\_\_\_\_
2. Show all signs, their location and dimensions. \_\_\_\_\_
3. Show location of parking, their dimension and number of spaces required by the Zoning Code. \_\_\_\_\_
4. Show Exterior lighting. Show existing and proposed landscaping and buffering & screening, (Example: type of trees, bushes, fencing, walls, natural barriers, etc.) and the approximate height. \_\_\_\_\_
5. Show and identify all roadways and proposed and existing entrances from the site onto the roadways. **Including traffic pattern (Arrows illustrating direction of traffic flow)** \_\_\_\_\_
6. Show the approximate location of septic systems and well. \_\_\_\_\_
7. Where applicable indicate flood hazard area. \_\_\_\_\_
8. Where applicable, show all out-side storage of materials and identify the materials. \_\_\_\_\_
9. Identify the surrounding zoning district classifications that are immediately adjacent to the site. \_\_\_\_\_
10. Topographical information such as trees, ponds, hills, gullies streams, etc. \_\_\_\_\_
11. Any other pertinent information that may be applicable to the zoning request which may aid the ZBA when considering your request. \_\_\_\_\_

**For Staff Use Only:**

Items above reviewed with Applicant and Accepted by:

\_\_\_\_\_ (Initials) Date: \_\_\_\_\_

**NOTE: FOR PROPER UNDERSTANDING OF YOUR APPLICATION, SHOW PLACEMENT AND LABEL BUILDINGS, BUILDING SIZE, DISTANCE FROM OVERHANG OF BUILDINGS TO FRONT, REAR AND SIDE LOT LINES, LOCATION OF PARKING SPACES, LANDSCAPING, AND OTHER PERTINENT DETAILS. \*REFER TO CHECKLIST\***

**NORTH SHOULD BE AT THE TOP OF THE PAGE WHEN YOU BEGIN!!**

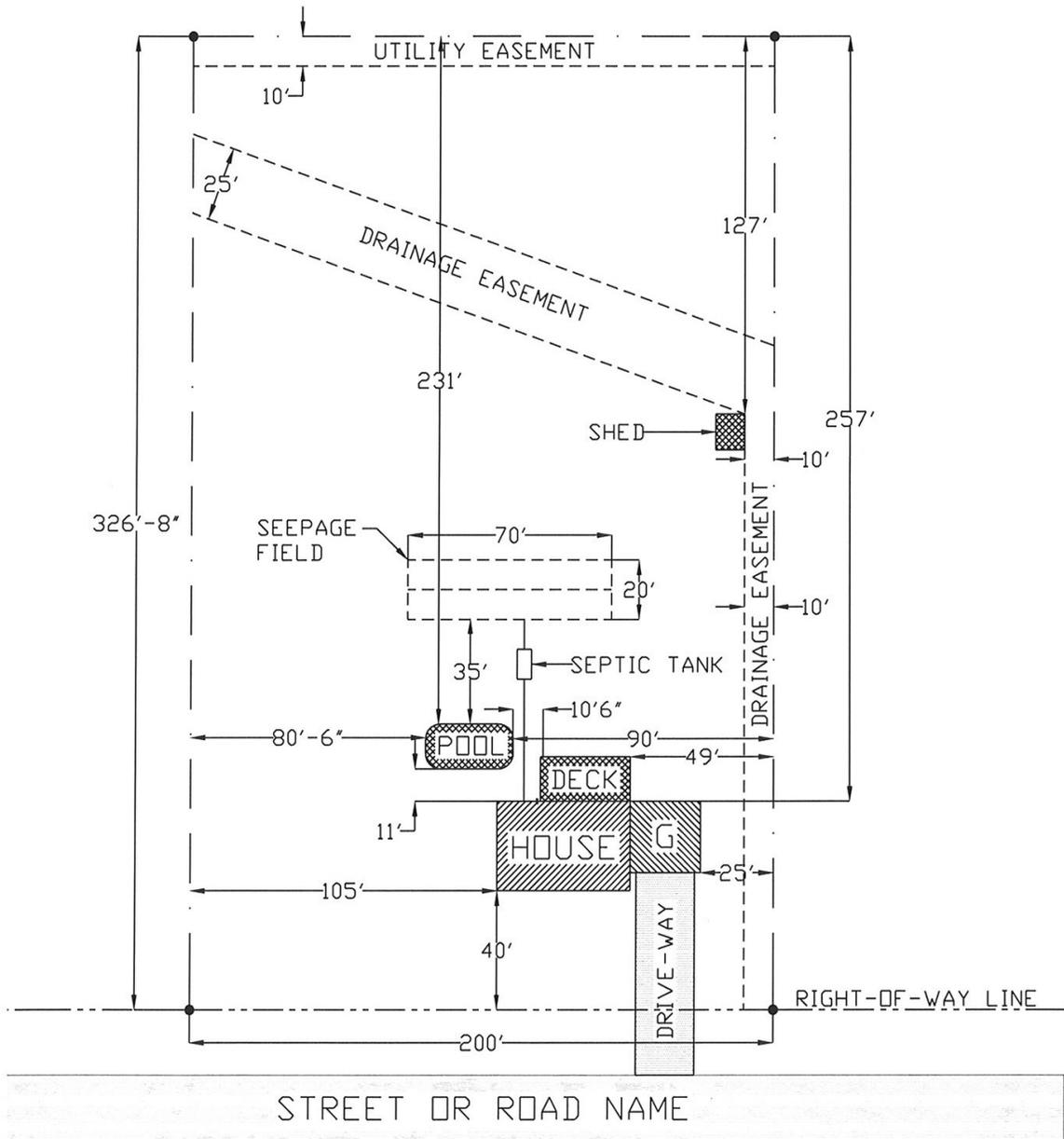


**SITE PLAN**

**EXHIBIT \_\_\_\_\_**

Special Use Application

# (EXAMPLE) SITE PLAN



NORTH  
1" = 50'