

Village of Hamel, Illinois

HAMEL ZONING PROCEDURE (REZONING)

This booklet is intended to provide the zoning applicant with a general overview of Hamel's zoning. The information provided herein is merely an illustrative guide, and is not intended to provide legal advice or to substitute for the Hamel Zoning Ordinance or other laws, or to be inclusive of the requirements for obtaining rezoning. Any contradiction, dispute or difference between the contents of this booklet and applicable Village Ordinances, laws, plans, policies or guidelines, will be resolved by reference to the ordinances or other official documents. **Zoning applicants are strongly advised to consult with an attorney in interpreting the laws and in navigating through the zoning process.**

What is Zoning?

Zoning regulates the development of property in the Village by encouraging compatible land uses and buildings. Zoning reflects the Village Board's policies based on community goals for the future of the Village.

The Village is divided into many zoning districts, each shown on the Village Zoning District Map. The Hamel Zoning Ordinance contains corresponding district schedules for the zoning districts. A district schedule contains a list of permitted uses and regulations including location, height, and site coverage and floor area of any development which may be permitted on a site.

Some districts may have accompanying Village-approved guidelines for development applications, while other districts may be governed by a Planned Development Procedure.

What is Rezoning?

All rezoning applications are reviewed by the Zoning Board of Appeals and are reported to the Village Board with a recommendation of support or refusal. The Village Board makes the final decision either to approve or refuse the application. Rezoning changes from one set of restrictions under the existing classification to the restrictions (less or more stringent) of a different classification may occur in three ways, all of which require two public hearings.

Procedure

The Village Board may, from time to time, on its own motion, on petition of any person or persons in interest, or on initial recommendation of the Zoning Board of Appeals, amend, supplement, or repeal the regulations and provisions of the Hamel Zoning Ordinance. Any such proposed amendment or change, when initiated by the Village Board or by individual petition, shall be referred to the Zoning Board of Appeals for an advisory report thereon. When a proposed amendment or change is initiated by the Zoning Board of Appeals, said advisory report shall accompany the initial recommendation of the Board of Appeals. (Section 13-4-B.)

How Do I Submit a Rezoning Application?

The rezoning applicant should complete the application form as provided by the Village Clerk. Basic information needed to complete a rezoning application form includes:

- Street address or other reference description of the site to be rezoned

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- Legal description, including lot, block and district lot numbers for the site.
- Site dimensions and area
- Present zoning
- Requested zoning
- Statement of purpose of the rezoning
- An application fee.
- \$500 Court reporter fee deposit per hearing (if the applicant desires a transcript of the proceedings before the Village Zoning Board or Village Board). It is the applicant's duty to preserve his/her record for appeal. Should the applicant desire a transcript of the proceedings before either Board, the applicant must submit a \$500 court reporter deposit with the Village Clerk for each such hearing. If, after the hearing before the Board, the actual court reporting fee is less than \$500, the clerk will refund the difference to the applicant. If the actual fee is more than \$500 the applicant will be responsible for any additional fee. Failure of the applicant to pay the \$500 fee may result in there being no court reporter present at the hearing, and consequently, no transcript of the proceedings.

How is My Application Processed?

Once the application is received, the Zoning Board of Appeals may seek input from various Village departments, and others who may have an interest in the proposed rezoning. A site inspection is also undertaken for property rezoning and all background information is reviewed.

The applicant may be requested to erect a sign(s) on the site to alert the public to the application. The Zoning Board of Appeals may also mail letters to those registered property owners within an approximate two-block radius of the site to further advise them of the application.

The Board of Appeals will then conduct a public hearing on the rezoning application, the date and place of which shall be fixed in advance by the Board of Appeals at any regular or special meeting. Notice of the time and date of such hearing shall be given by publishing one notice thereof in a newspaper of general circulation in the Village, such publication to be made at least 15 days prior to the public hearing. (Section 13-2-E.3)

The application is then evaluated by the Zoning Board of Appeals, taking into consideration the input received from the various Village departments and others involved. A report is then written, providing a complete analysis of the application (including a recommendation of approval or of refusal) which is then sent to a regular meeting of the Village Board.

After receiving the advisory report from the Board of Appeals and before acting on any proposed amendment, the Village Board shall hold a public hearing on the proposed amendment at the next regular meeting of the Village Board, unless the Village Board shall otherwise specifically order that such hearing by it be held at a subsequent regular or special meeting. Notice of the hearing shall be made at least 15 days prior to the hearing in a newspaper of general circulation in the Village. (Section 13-4-C.1.)

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At the hearing, the Village Board makes a presentation of the application, gives a summary of the analysis, including input from the public, and restates the recommendation of the Zoning Board of Appeals. The applicant is then given an opportunity to speak, followed by all members of the public. A decision to approve or refuse the rezoning application is generally made at the hearing, but may be deferred to a regular Village Board meeting.

Schedule for Rezoning Applications

The anticipated time frame for a final rezoning decision is three to four months from the date of application. Applications are scheduled on a first-come, first-served basis.

Process

- Application filed.
- Posting of Signs; Notice to Adjoining Land Owners
- Legal Publication Notice .
- Zoning Board of Appeals Hearing
- Zoning Board of Appeals Recommendation
- Legal Publication Notice
- Village Board Hearing
- Village Board Action

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REZONING APPLICATION

Applicants Name: _____

Persons represented by Applicant: _____

Mailing Address for Correspondence: _____

Telephone: _____

Existing Zoning: Proposed Zoning: Acceptable Alternative:

Proposed Use: _____

Existing Use: _____

Improvements to be Constructed/Removed/Demolished: _____

Reason for Application: (justification for zoning change): _____

Address of Site: _____

Assessors Account Number (found on tax notice): _____

Legal Description (attach separate sheet, if necessary): _____

Name, Address and Signature of All Property Owners. This is mandatory. All owners must sign, unless duly authorized power-of attorney is attached. A managing partner in a corporation may sign, and submit written authorization, or write "managing partner" by the signature. If in business name or corporation, list all persons owning 5% or more. Attach separate sheet if necessary.

Name: _____

Name: _____

Address: _____

Address: _____

Signature: _____

Signature: _____

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**STATEMENT OF INTENT
GENERAL REZONING**

Applicant's Name: _____

Nature and Description of Business: _____

Reason for Amendment: (It is public policy to amend the Zoning Ordinance only when one or more of the following conditions prevail)

___ ERROR (there is a manifest error in the Zoning Ordinance)

___ CHANGE IN CONDITIONS (changing conditions in a particular area make change in the Ordinance necessary and desirable)

___ INCREASE IN NEED FOR SITES FOR BUSINESS & INDUSTRY (increased need for sites in addition to sites that are available)

___ SUBDIVISION OF LAND (the subdivision of land into urban building sites makes reclassification necessary and desirable)

SQUARE FEET OF PROPERTY: _____

SQUARE FEET OF STRUCTURE(S): _____

PARKING SPACES REQUIRED: _____ SPACES PROVIDED: _____

HOURS OF OPERATION (if other than residential use): _____

NUMBER OF NEW JOBS CREATED: _____

TOTAL ESTIMATED NUMBER OF EMPLOYEES: _____

IS WATER PROVIDED BY THE VILLAGE? _____
IF NOT, WHAT IS THE SOURCE OF WATER? _____

IS SEWER PROVIDED BY THE VILLAGE? _____
IF NOT, WHAT IS THE SOURCE OF SEWER? _____

Applicant's signature: _____