

Introduction

The information contained in this package is to help you become familiar with the various requirements which must be met before an application for an appeal is accepted and also to prepare you to provide testimony and address any questions which might be raised at the public hearing.

Illinois Compiled Statutes, Chapter 55, Section 5/5 -12011 and 5/5 -12012 et. seq. contains statutory provisions relating to Administrative Appeal. Once your application is accepted, the entire appeal process generally takes approximately 30 to 45 days to complete. Careful and proper preparation of your application is essential and, in the long run, you will save considerable time and expense for both yourself and the County. If you should have any questions, please feel free to call the Rock Island County Zoning & Building Safety Department at (309) 558-3771. If you wish to visit the office to discuss your application, please call ahead for an appointment.

What is an Appeal?

The Zoning Board of Appeals (ZBA) is authorized to hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the Zoning Administrator or other administrative official in the enforcement of the Title 3 Zoning Regulations, Chapter 2 Unified Zoning Ordinance.

Before Filing the Application

You are strongly urged to meet with the Zoning Administrator before preparing an application. The Zoning Administrator will advise you on the correct form to use, how to complete the application, explain the procedures involved and attempt to identify potential problems which might be encountered. An appeal may be taken by any aggrieved person or by an officer, department, board or bureau of the County who believes that there is an error in any order, requirement, decision, interpretation or determination made by the Zoning Administrator. An original application shall be filed with the Zoning & Building Safety Department.

Filing the Application

The following documents, information, and the correct filing fee must be submitted in proper form before any application will be accepted for processing.

- **The Application:** The application is two parts. The first is a form auto-generated by staff within the office permit program. The second part is pages 3 & 4 of this document explaining more detail your appeal. The appeal process cannot begin without the application being fully completed by the appellant and submitted to the Zoning & Building Safety Department. It is extremely important that the application be filled out completely.
- **Application Fee:** The application fee in the amount of \$100.00 shall be paid at the time of filing an application. This includes the cost of publishing the notice in the newspaper.
- **Disclosure of Interest:** Whenever applicable, on page 5, the following disclosures must be made:
 - When the applicant is a land trust or trustee of a land trust, the application shall identify each beneficiary of such land trust by name and address and define each beneficiary's interest therein. All applicants shall be verified by the applicant in his or her capacity as trustee.
 - When the applicant is a corporation, the applicant shall include the correct names, addresses and percent interest of all stockholders or shareholders owning any interest in excess of 20 percent of all outstanding stock of such corporation. If the corporation has no shareholders, a statement to that effect shall be submitted.
 - When the applicant is a business entity doing business under an assumed name, the application shall include the names and addresses of all true and actual owners of such business or entity.

- When the applicant is a partnership, joint venture, syndicate, or an unincorporated voluntary association, the application shall include the names and addresses of all partners, joint ventures, syndicate members, or members of the unincorporated voluntary association.
- **Owner's Consent:** The owner shall consent to allow staff & the Zoning Board of Appeals to enter upon the property described on this application for the purpose of inspection and determining the appropriateness of the pending proposed petition. See page 6.
- **Maps:** If the appeal involves a parcel of land, certain information should be graphically shown on maps which must accompany an application. If any map to be submitted measures larger than 11" by 17", ten copies of such map must be submitted. The following information may be shown on these maps:
 - The parcel subject to the appeal (a plat of survey is preferred, if available).
 - The dimensions and acreage (or square footage) of the subject parcel.
 - The location of all improvements, if any, on the subject property and the distances of these improvements from all property lines.
 - All existing uses (e.g. "house", "pastureland", "gas station", etc.; not to be confused with zoning district) on all adjacent properties within 500 feet of the boundaries of the subject property (tax maps, which show individual parcels at a scale of 1"= 100' or 1"=400', are useful base maps for this item and are available from the Rock Island County Recorder of Deeds). The map shall also show the current names of all roads within 500 feet of the property.
 - Approximate locations of natural resources such as steep slopes, woodlands, floodplain, wetlands, etc. present on the property.

After the Application is filed and Before the Public Hearing

An appeal shall stay all proceedings in furtherance of the action appealed from unless the Administrative Officer certifies to the Zoning Board of Appeals, after the application for the appeal has been filed with him/her, that by reason of acts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life and property.

Zoning staff will prepare a legal notice and send to all affected parties. A staff report and documentation supporting the Zoning Administrator's decision will be prepared for the hearing. The Statute requires notice of each hearing shall be published at least 15 days in advance thereof in a newspaper of general circulation published in the township or road district in which such property is located.

The Public Hearing

The public hearing is generally held approximately five weeks after an application is accepted and filed. The time of the hearing is scheduled by the ZBA, and the hearing is held in the Rock Island County Office Building or other location designated by the ZBA.

After the Public Hearing

Once the public hearing is concluded, the ZBA may make its determination on the day of the hearing after the testimony has concluded or it may take the application under advisement and make its determination at a continued meeting date. The decision of the ZBA is final. An affirmative vote of three members of the ZBA is required in order to reverse any order, requirement, decision or determination of any administrative official.

Again, the entire process generally takes from 30 to 45 days to complete from the date the application is filed.



Administrative Appeal Application

Return Completed Form To: Zoning & Building Safety Dept, 1504 3rd Ave., Room 305, Rock Island, IL 61201

1. Name(s) of Property Owner(s): _____
(Must be the legal names of all owner(s) with a 20% or more interest in the property. See page 5)

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____
(Home) (Business) (Email)

2. Applicant (if different from owner): _____

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____
(Home) (Business) (Email)

3. Contact Person (if different from owner): _____

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____
(Home) (Business) (Email)

4. Property information:

Property Address: _____

PIN: ___ - ___ - ___ - ___ Parcel Size: _____ Zoning Classification: _____

Land Use – Current: _____ Proposed: _____

Surrounding Zoning Classifications:

North: _____ East: _____ South: _____ West: _____

5. Brief Explanation of Reason for Appeal, specifying decision being appealed and section(s) of Title 3, Chapter 2, of the County Code of Ordinances involved: _____



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Owner's Consent

Application/Permit/Case Number: _____

I (print property owner's name) _____

understand that (print applicant name) _____

is petitioning for a(n) (explain request) _____

at (list address) _____

City _____ State _____ Zip _____;

Parcel ID (s): _____

with the Rock Island County Department of Zoning & Building Safety.

I hereby attest that I understand the request and consent to the filing of the petition by the applicant listed above and consents to the Rock Island County Zoning Administrator or his/her designee(s) and the Zoning Board of Appeals permission to enter upon the property described on this application for the purpose of inspection and determining the appropriateness of the pending proposed petition, and hereby release such person from any liability based in whole or in part on the inspection of the site in question.

Owner's Signature

Date

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public