



## VILLAGE OF SPRING GROVE PLANNING & ZONING COMMISSION ZONING INFORMATION PACKET

The Planning & Zoning Commission (PZC) has been established as the advisory body, which conducts public hearings and makes recommendations on all petitions for zoning action. This body is appointed by the Village of Spring Grove Board and consists of seven (7) members. Requests for amendments, special uses or variances basically follow a three-step process, which includes:

1. Application: Must be made in form of a petition to the Planning & Zoning Commission. Information, procedures and examples of petitions are included in this packet. Petitioners should consult the Village of Spring Grove Zoning Ordinance for complete application requirements for specific requests. This packet is intended to be a guide and **not a substitute** for the provisions contained within the Village Zoning Ordinance.
2. Hearing before the PZC: Upon receipt of a complete application for a requested action, a hearing before the PZC is assigned. Petitioner, their representative or both should be present at the hearing to “make a case” for the petition. Petitioners should pay particular attention to any “standards” which accompany a particular request and present, at a minimum, testimony to these standards. There are notification requirements (described herein), which must be met prior to the commencement of the hearing.
3. Action by the Village Board: Upon completion of the hearing, the findings of the Planning & Zoning Commission are transmitted to the Village Board for final action. Village staff, in consultation with the Village Attorney, will prepare an ordinance which contains the precise recommendation of the PZC along with any additional information prior to the meeting at which the Village Board is to consider the petition. The authority to approve or deny a request rests with the Village of Spring Grove Board.

All applications (petitions) for zoning amendments, special uses or variances shall be filed with the Village Clerk. A hearing date will be set by the Village Clerk when all the filing requirements of the Village of Spring Grove Zoning Ordinance have been met and after staff review of the submissions. The sufficiency of the application will be considered by the PZC only after a public hearing has been held and all parties are given the opportunity to address the application, evidence and testimony.

The packet is divided into two (2) parts: the PZC Information Packet and the Document Examples. Page numbers within each section are independent. Footers contained within the document serve to identify each section. Prospective petitioners in making their request may use document examples, found herein. Information, which is **BOLDED** in the example documents, is generally the information, which needs to be modified to reflect the request of specific petitioner.

This packet is for **information purposes only** and may not contain all requirements of the Village of Spring Grove Zoning Ordinance for a particular action. Overall, it is the petitioner's responsibility to ensure the accuracy and sufficiency of the application.

Petitioners are strongly urged to **consult the Village of Spring Grove Zoning Ordinance** for any specific requirements which pertain to their particular request and may be required as part of the public hearing process. This is particularly true for requests for special use, which may have additional application and submittal requirements. Failure to comply with such requirements may result in delays, invalidation or denial of specific request.

**All Petitions** shall be brought in the name of the record titleholder, or the owner/owners of the beneficial interest, through their attorneys or authorized agents.

- **If the Petition is made by the trustee or beneficiary**, the Petition and Legal Notice shall identify each beneficiary of such land trust by name and address and define his interest therein. All such petitions shall submit a "Beneficial Interest Affidavit" as verified by the applicant.
- **If a contract purchaser or tenant is involved**, either with or without a contingent right, the contract purchaser or tenant shall be revealed and become a second party to the petition. However, such contract purchaser or tenant may not file without the owner as a party to the petition.

**Petitions may not contain alternative requests**, such as one zoning classification and a second alternative classification.

There are a minimum of six (6) items, which must be filed in order for an application to be considered "complete" (from the submittal perspective) and to be assigned a hearing date. These are listed in detail beginning on page 4 of the PZC Information Packet. Special Use requests may require additional items to be filed. Consult Chapter 7 of the Village of Spring Grove Zoning Ordinance for specific requirements for a particular special use.

**ONCE AGAIN, BE AWARE THAT PETITIONERS are responsible for the completeness and accuracy of the petitions. Careful review, by each petitioner, their attorney or representatives of the requirements for a specific request is recommended. PETITIONER IS ULTIMATELY RESPONSIBLE FOR THE CONTENT, ACCURACY AND SUFFICIENCY OF THEIR APPLICATION.**

## Filing Fee Schedule

- For application on hearings for owner occupied residential minor variance.....\$200.00
- For application on hearings for all other types of variances.....\$400.00
- For application on hearing for proposed Zoning amendments and Special Use Permits including P.U.D.'s
  - First 2 acres.....\$400.00
  - Each additional acre or part thereof.....\$ 20.00
- For application on reviews for Temporary Use Permits.....\$ 50.00
- Sign Deposit Fee .....\$100.00

## Retained Personnel Fees

Applicant shall be fully responsible for all retained personnel costs of the Village. A deposit toward the costs of any Retained Personnel necessary for the processing of the application, such as consulting engineering services, consulting planning services, legal services or court reporter services shall also be paid, except for:

1. Temporary Uses;
2. Appeals.

The deposit shall be credited against the expense to the Village of such personnel, which shall be fully charged to the applicant in the amount of \$300.00 for hearings on owner occupied residential minor variances and \$1,000 for all other zoning applications, said sum to be paid at the time of filing. Any portion of the deposit not needed to pay such expense shall be refunded without interest to the applicant within 30 days of final action on the application.

**All applications shall contain at a minimum of the following six  
(6) items and information upon submittal**

1. **Petition.** Petition (original) at a minimum the Petition must include the following information:

- Applicant's name;
- Nature of the request/statement of proposed amendment, special use or variance;
- Legal description (must coincide with plat, notice and ordinance);
- Permanent Parcel Index Number;
- Common description of property (including township and acreage);
- Statement of present zoning on property in question;
- Zoning of all surrounding property;
- Current address of the Petitioner(s); and
- Common street address of property in question, if applicable.

**See example petition in the Document Examples attached**

**Notes to applicants:** The Applicant **shall** provide a revised original (if necessary upon staff review) and twenty (20) additional copies of the Petition to the Village Clerk upon acceptance by the Village Clerk of the original petition. The scheduling of a hearing date shall not occur until all filing requirements have been met.

A survey signed and sealed by a Registered Land Surveyor.

2. **Legal Notice of Public Hearing.** One original and at a minimum the legal notice shall include the following information:

- Applicant's name and capacity (owner, beneficiary, contract purchaser, or representative of a principal) and stating the name and address of the true principal;
- Nature of the request/statement of proposed amendment, special use or variance;
- Statement of present zoning on property in question;
- Legal description (must coincide with petition, plat or ordinance);
- Permanent Parcel Index Number;
- Common description of property (including township and acreage);
- Common street address of property in questions, if applicable, or well known reference point such as landmark, highway or road intersection; and
- Name and address of hearing facility, date and time of hearing.

**See example of legal notice in the Document Examples attached.**

**Requirements for noticing a public hearing before the Planning & Zoning Commission shall be met by the Petitioner according to the following:**

- A. The Legal Notice shall be published **not less than fifteen (15) days and not more than thirty (30) days** before such hearing in a newspaper of general circulation published in McHenry County. The Legal Notice shall contain the legal and common address of the property for which the request is sought and a brief description of the nature of the matter being sought. A zoning text amendment shall not require location information.

A **Certificate of Publication** (received from the newspaper) shall be furnished to the Village Clerk **no less than four (4) business days prior to the scheduled hearing.**

**See example affidavit in the Document Examples attached.**

**Notes to applicants:** The newspaper of general circulation in McHenry County is the Northwest Herald. To publish the Legal Notice in the Northwest Herald please contact Mary Lou in Legal Advertisements at 815-526-4566.

- B. In all cases, except a zoning Text Amendment, a sign shall be posted upon the property involved. The sign shall be in public view on the nearest public way at least fifteen (15) consecutive days prior to the hearing. The sign shall specify the change in zoning, special use or variance applied for and the time and date of the public hearing. The sign is provided by the Village with the cost to produce the sign paid by the Petitioner. Such posting shall be performed by the Petitioner and proof of posting will be required by filing an affidavit stating the time, date and place of posting by the date of the public hearing. A notarized Affidavit of Posting shall be furnished to the Village Clerk **no less than four (4) business days prior to the scheduled hearing.**

**See example affidavit in the Document Examples attached.**

3. **List of abutting property owners (taxpayers) with permanent parcel index numbers (PIN#'s).** The Legal Notice of Public Hearing shall be sent by certified mail with return receipt requested to all adjoining property owners. Notification shall be provide to the person who last paid taxes on all property in accordance with the McHenry County Treasurer's Office records. If said property designated in the petition is bounded by a public road or street, alley or any other public way, such notice shall be sent to all of the most recent real estate taxpayers abutting the public road or street, alley or any other public way designated across from the property.

**Notification shall occur not less than 15 days and not more than 30 days before such hearing. The Petitioner shall also send to such persons a map showing the approximate location of the property and all surrounding property within at least a 1/2 mile radius of the subject property.**

A notarized Affidavit of Mailing as well as certified return mail cards (green index cards and receipts) shall be furnished to the Village Clerk **no less than four (4) business days prior to the scheduled hearing.**

**See example affidavit in the Document Examples attached.**

4. **Plat of Survey.** The Plat of Survey shall contain a seal, and be signed by a Registered Illinois Professional Land Surveyor. The legal description on the survey shall coincide with the legal description on the Petition, Notice of Public Hearing and Ordinance when presented.
5. **Filing Fees.** See Filing Fee Schedule on Page 3 of this Information Packet including sign deposit and retained personnel fees.
6. **Consent to On-site Inspection.** A notarized "Consent to On-site Inspection" shall accompany the filing of all petitions.

**See example "Consent to On-site Inspection" in the Document Examples attached.**

## Petition Submittal Checklist

**ITEMS REQUIRED WHEN A PETITION IS SUBMITTED.** Please note a Petition will not be accepted if one (1) or more of the items listed are lacking upon submittal.

- \_\_\_\_\_ Petition (original);
- \_\_\_\_\_ Legal Notice of Public Hearing (original);
- \_\_\_\_\_ List of abutting property owners (taxpayers) with Parcel Index Numbers (PIN's);
- \_\_\_\_\_ Plat of Survey (signed with surveyor's seal);
- \_\_\_\_\_ Consent to On-site Inspection (notarized); and
- \_\_\_\_\_ Filing Fees
- \_\_\_\_\_ Petition
- \_\_\_\_\_ Retained Personnel
- \_\_\_\_\_ Sign Deposit

- ✓ The Petitioner **MUST** provide an acceptable original petition and twenty (20) additional copies to the Village Clerk once the Petition has been reviewed for completeness and accepted by the Village Clerk, prior to the scheduling of a hearing date.
- ✓ Special Use Petitioners must also comply with the general Special Use application procedures in Section 714.2, Statements, of the Village of Spring Grove Zoning Ordinance. Moreover, all application procedures for a particular Special Use, listed in Chapter 7 must be considered in addition to the general application procedures in Section 715, Standards for All Special Uses.

**ITEMS REQUIRED AFTER A PETITION HAS BEEN SUBMITTED AND/OR ACCEPTED.** Check to make sure that all information denoted with a \* is to be submitted no less than four (4) business days prior to the scheduled hearing date.

- \_\_\_\_\_ Certification of Publication\* (received from newspaper)
- \_\_\_\_\_ Affidavit of Mailing\* - notarized
- \_\_\_\_\_ Affidavit of Posting\* - notarized
- \_\_\_\_\_ Certified Return Mail Cards\* (white receipts and green index cards)

# Zoning Document Examples

IN THE MATTER OF THE APPLICATION OF )  
JOHN DOE & JANE DOE FOR AN AMENDMENT )  
TO THE ZONING ORDINANCE OF THE )  
MCHENRY COUNTY, ILLINOIS FOR )  
(AMENDMENT, CONDITIONAL USE OR VARIATION )

PETITION FOR AN AMENDMENT

Your Petitioner(s), **John Doe & Jane Doe**, respectfully represents to the Planning and Zoning Commission of the Village of Spring Grove as follows:

1. That **John Doe & Jane Doe** are the owners of record of the real estate which is the subject of this petition and which is more fully described as follows:

LEGAL DESCRIPTION FROM PLAT OF SURVEY AND  
PERMANENT PARCEL INDEX NUMBER MUST BE TYPED HERE.

2. That petitioners presently reside at **123 Main Street**, Spring Grove, Illinois.

3. That the property which is subject of this petition consist of **1.0 acres** and at **123 Petition Drive, Spring Grove, in Burton Township**. The subject property is located approximately **100 feet north of the intersection of Petition Drive and Denial Lane**.

4a. The subject property is presently classified as **A-1 Agriculture District, McHenry County**, and petitioners wish to reclassify the subject property to **E-1, Estate Residential One Acre Minimum, Spring Grove**.

OR

4b. The petitioners request no reclassification of the subject property from its present classification of **E-1, Estate Residential One Acre, Spring Grove**, but a variance be granted to the property to permit **a side yard setback for seven (7) feet instead of the required twenty (20) foot setback**.

OR

4c. The petitioners request no reclassification of the subject property from its current classification which is **I, Industrial, Spring Grove**, but a Special Use Permit be granted to **allow the outside storage of commercial equipment and vehicles** on the property in question.

5. That the property abutting the property in question is classified as follows:
- a. To the North: (i.e. E-1, Estate Residential One-Acre Minimum, Spring Grove)
  - b. To the South: (i.e. A-1, Agriculture, McHenry County)
  - c. To the West: (i.e. I-1, Industrial, Spring Grove)
  - d. To the East: (i.e. B-2, General Business, Spring Grove)

Wherefore, Petitioner prays that the Chairman of the Planning and Zoning Commission set a date and time for a Public Hearing to be held for the proposed request.

\_\_\_\_\_  
John Doe

\_\_\_\_\_  
Jane Doe

Prepared By:  
Mr. & Mrs. John Doe  
123 Main Street  
Spring Grove, IL 60081  
daytime #: 815-555-1234  
fax #: 815-555-5678

**VERIFICATION**

We, **John and Jane Doe**, sworn on oath, hereby verify and attest to the truth and correctness of all facts, statements and information presented herein.

\_\_\_\_\_  
John Doe

\_\_\_\_\_  
Jane Doe

SUBSCRIBED and SWORN to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

## Example – Legal Notice of Public Hearing

IN THE MATTER OF THE APPLICATION OF )  
JOHN DOE & JANE DOE FOR AN AMENDMENT )  
TO THE ZONING ORDINANCE OF THE )  
MCHENRY COUNTY, ILLINOIS FOR )  
(AMENDMENT, CONDITIONAL USE OR VARIATION )

Notice is hereby given in compliance with the Village of Spring Grove Zoning Ordinance, that a public hearing will be held before the Village of Spring Grove Planning and Zoning Commission, in connection with this Ordinance, which would result in a (**amendment, variance or special use**) for the following described real estate:

### LEGAL DESCRIPTION FROM PLAT OF SURVEY AND PERMANENT PARCEL INDEX NUMBER MUST BE TYPED HERE.

The subject property is located approximately **100 feet north of the intersection of Petition Drive and Denial Lane**, with a common address of **123 Petition Drive**, Spring Grove, Illinois in **Burton** Township.

The petitioners are requesting to reclassify the subject property from **A-1 Agriculture District, McHenry County**, to **E-1, Estate Residential One Acre Minimum, Spring Grove**.

OR

The petitioners are requesting a variance be granted to permit a **side yard setback for seven (7) feet instead of the required twenty (20) foot setback**.

OR

The petitioners are requesting a Special Use Permit be granted **to allow the outside storage of commercial equipment and vehicles** on the property in question.

The petitioners presently reside at **123 Main Street**, Spring Grove, Illinois.

A hearing on this petitioner will beheld on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at 6:00 p.m. at the Village of Spring Grove, Municipal Centre, located at 7401 Meyer Road, Spring Grove, McHenry County, Illinois, at which time and place any person desiring to be heard may be present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

VILLAGE OF SPRING GROVE  
PLANNING & ZONING COMMISSION

BY: /s/ Mike Gajewski, Chairperson

## CONSENT TO ON-SITE INSPECTION

Your Petitioner(s), **JOHN DOE & JANE DOE**, respectfully represents to the Village of Spring Grove Planning and Zoning Commission, as follows:

That **JOHN DOE & JANE DOE** are the owners of record of the real estate which is the subject of this petition and more commonly known as **123 Petition Drive**, Spring Grove, Illinois in **Burton** Township.

That the Petitioners are requesting a (**amendment, variance or special use**) for the subject property.

That the Petitioners of the described real estate do hereby freely and voluntarily consent to inspection of the site of the parcel in question for purposes of determining the appropriateness of the pending proposed zoning petition by the Village of Spring Grove Planning and Zoning Commission and hereby release such persons from any liability based on whole or in part on the inspection of the parcel in question.

That in exchange for the above actions by the Petitioner, the Village of Spring Grove agrees that at least one (1) member of the Planning and Zoning Commission will inspect the parcel in question prior to considering the evidence presented upon the above petition.

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John Doe

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Jane Doe

SUBSCRIBED and SWORN to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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NOTARY PUBLIC

AFFIDAVIT OF POSTING

JOHN DOE, being upon oath deposes and says as follows:

That he is the petitioner in the matter captioned "In the matter of the application JOHN DOE & JANE DOE for a (amendment, variance or special use).

The above captioned matter is scheduled to be heard by the Village of Spring Grove Planning and Zoning Commission on \_\_\_\_\_, 20\_\_ at 6:00 p.m. at the Village of Spring Grove, Municipal Centre, located at 7401 Meyer Road, Spring Grove, McHenry County, Illinois.

That he has complied with the posting requirements set forth in the "Village of Spring Grove Zoning Ordinance" adopted on August 2, 2005 and as amended, by placing the customary zoning sign at such locations as are visible and conspicuous to the general public for at least 15 consecutive days prior to the hearing.

That said posting was accomplished on \_\_\_\_\_, 20\_\_.

That \_\_\_\_\_ sign(s) was/were placed on the parcel in question.

Affiant further sayeth naught.

\_\_\_\_\_  
Signature

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

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

AFFIDAVIT OF MAILING

JOHN DOE, being upon oath deposes and says as follows:

That he is the petitioner in the matter captioned "In the matter of the application JOHN DOE & JANE DOE for a (amendment, variance or special use).

The above captioned matter is scheduled to be heard by the Village of Spring Grove Planning and Zoning Commission on \_\_\_\_\_, 20\_\_ at 6:00 p.m. at the Village of Spring Grove, Municipal Centre, located at 7401 Meyer Road, Spring Grove, McHenry County, Illinois.

That he has complied with the notification requirements set forth in the "Village of Spring Grove Zoning Ordinance" adopted on August 2, 2005 and as amended, by notifying by means of certified mail-return receipt requested, all of the most recent real estate taxpayers of record of all property abutting designated in the petition.

That said notification was accomplished on \_\_\_\_\_, 20\_\_.

That attached hereto is a copy of a list of names, addresses and permanent parcel index numbers of all taxpayers entitled to notice.

\_\_\_\_\_  
Signature

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

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