



KANKAKEE COUNTY PLANNING DEPARTMENT  
ZONING BOARD OF APPEALS  
APPLICATION FOR REZONING • SPECIAL USE • VARIANCE

189 East Court Street  
Kankakee, IL 60901  
Telephone (815) 937-2940  
Fax (815) 937-2974  
<http://planning.k3county.net/>

## PROCEDURE

1. Inquiry.
2. Discussion with Planning Staff.
3. Determine classification.
  - Rezoning or Amendment
  - Special Use Permit
  - Variance
4. Applicant acquires adjacent property owners contact information for the application. Contact information may be obtained from the County Assessment Office • 189 E. Court St., Kankakee, IL • (815) 937-2945.
5. Applicant petitions Zoning Board of Appeals.
  - Submit two (2) copies of the application with the appropriate fee to Office of the County Clerk • 189 E. Court St., Kankakee, IL • (815) 937-2990.  
Fee payable to Kankakee County Clerk

## FEES:

Classification	Base Fee	Per Acre
Rezoning or Amendment *	\$600.00	0-50 acres = \$30 per acre 51-100 acres = \$20 per acre 101 + acres = \$10 per acre
Special Use Permit *	\$600.00	0-50 acres = \$30 per acre 51-100 acres = \$20 per acre 101 + acres = \$10 per acre
Variance *	\$280.00	N/A
Continuance	\$175.00	(if requested by petitioner or as a result of the petitioner)
NRI Report	See attachment A	
EcoCAT Report	See attachment B	
* Legal Notice	Applicant is responsible for publishing costs	

- The County Planning Department will arrange a hearing date, time and place. The Planning Department will publish a legal notice in a newspaper of local dissemination on behalf of the petitioner. The petitioner will be notified by the Planning Department when the publisher's certificate is received and will need to make payment to the Planning Department for the publication at least one business day before the hearing. The publisher's certificate will be submitted by the Planning Department.
- Petitioner must notify adjacent property owners of the date, time, place and purpose of the hearing not less than fifteen (15) days prior to the hearing in writing by certified mail, return receipt requested, and retain proof of mailing slips.

6. Zoning Board of Appeals (ZBA) hearing.

- Petitioner or representative attends hearing.
- Planning Department submits proof of publication (i.e. publisher's certificate), in advance of the hearing for verification.
- Petitioner submits proof of mailing (i.e. green return receipts, if not completed prior), a minimum of six (6) hours in advance of the hearing for verification.
- Petitioner describes intended use of property and addresses each finding of fact.
- Questions from the ZBA, general public and Planning Staff.
- Recommendation made by ZBA and forwarded to County Board via the Planning, Zoning and Agriculture Committee.

7. Planning, Zoning and Agriculture Committee (PZA) Meeting.

- The Planning Department will notify petitioner of date, time and place of PZA meeting and requests attendance of the petitioner or his/her designee.
- ZBA recommendation is discussed by PZA Committee.
- PZA Committee action on petitioner's request, referral to County Board for approval or denial.
- The Planning Department will notify petitioner of date, time and place of Kankakee County Board meeting.

8. Kankakee County Board meeting.

- PZA report reviewed by the Board.
- Discussion.
- Vote.

9. Recordkeeping.

- The Planning Department will send a letter and a copy of the resolution to the petitioner certifying the action of the County Board.
- The Planning Department will inform all appropriate County Departments of any change and amend the County Zoning Map and/or records.

10. Appeal.

- Right of appeal (if denied) available through contact with Planning Staff.

**Case No. \_\_\_\_\_**  
*(to be completed by Staff)*

**APPLICANT INFORMATION**

Rezoning       Special Use Permit       Variance(s)       Amendment

*Check all that apply*

Property owner name(s): \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Telephone & Fax number(s): \_\_\_\_\_

E-mail(s): \_\_\_\_\_

Signature of property owner: \_\_\_\_\_

Applicant name(s) (if not the owner): \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Telephone & Fax number(s): \_\_\_\_\_

E-mail(s): \_\_\_\_\_

Signature of applicant: \_\_\_\_\_

Agent/Attorney's name: \_\_\_\_\_

Agent/Attorney firm name: \_\_\_\_\_

Agent/Attorney address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Agent/Attorney telephone & fax number(s): \_\_\_\_\_

Agent/Attorney e-mail(s): \_\_\_\_\_

By signing the above the applicant certifies that all of the statements contained in any papers or plans submitted here within are true to the best of their knowledge and belief.

\* If the owner is a corporation, the names and addresses are required to all officers and directors and of all stockholders/shareholders owning in excess of 20% of all outstanding stock of such corporation.

## **SUBJECT PROPERTY INFORMATION**

911 address: \_\_\_\_\_

General location: \_\_\_\_\_

Township: \_\_\_\_\_

PIN (parcel index number): \_\_\_\_\_

Lot dimensions: \_\_\_\_\_ Lot size (acres): \_\_\_\_\_

Lot width/frontage (feet): \_\_\_\_\_

Current zoning district: \_\_\_\_\_ Current land use: \_\_\_\_\_

Descriptions of improvements currently on the property: \_\_\_\_\_

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The following are all of the individuals, firms, corporations owning property adjacent to or across from the subject property in each direction (public road and other public way excluded), as appear from the tax records of the Kankakee County Assessor's Office. (Attach additional pages if necessary).

NAME: _____	TAX ID: _____
ADDRESS: _____	

NAME: _____	TAX ID: _____
ADDRESS: _____	

NAME: _____	TAX ID: _____
ADDRESS: _____	

NAME: _____	TAX ID: _____
ADDRESS: _____	

NAME: _____	TAX ID: _____
ADDRESS: _____	

NAME: _____	TAX ID: _____
ADDRESS: _____	

## **GENERAL CASE INFORMATION**

*Complete all that apply*

### **REZONING/AMENDMENT**

A request for rezoning/amendment to rezone property from \_\_\_\_\_ to \_\_\_\_\_, to the property described below.

An amendment to the text regarding Section \_\_\_\_\_ of the Kankakee County Code.

### **SPECIAL USE PERMIT**

A request for Special Use # \_\_\_\_\_ in an \_\_\_\_\_ District to the property described below.

### **VARIANCE(s)**

A request for a variance regarding Section(s) \_\_\_\_\_ of the Kankakee County Code.

Relating to: \_\_\_\_\_

Variance of: \_\_\_\_\_ to the property described below (indicate applicable references in the County Code by Section number).

State the reason for the request (rezoning, special use permit or variance):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is the purpose of this application to address an ordinance or code violation?

Yes  No

If yes, what is the violation?  
\_\_\_\_\_

**LEGAL DESCRIPTION** (insert below, use additional sheets as necessary).

## **APPLICATION SUBMITTAL CHECKLIST**

- Site/Plot plan showing all existing/proposed structures with setbacks shown.
- Plat of survey/Floodplain survey (if available/applicable).
- Aerial photograph (may be obtained through County Assessment Office).
- Natural Resources Inventory Report application submittal (Kankakee Soil & Water Conservation District), if applicable, see Attachment A.
- Illinois Department of Natural Resources EcoCAT results report, if applicable, see Attachment B.
- Other pertinent documents/plans related to the request (construction drawings, photos, maps, traffic control facilities, utility locations, architectural elevations, etc.).

Please do not submit original supporting documents, all documents submitted with the application become part of the official record, and will not be returned.

## REZONING APPLICATION FOR ALL DISTRICTS OTHER THAN A2

### **FINDINGS OF FACT SHEET – REZONING/AMENDMENTS**

The Kankakee County Zoning Board of Appeals is required to make findings of fact when considering a rezoning/amendment. The ZBA shall make findings based upon the evidence presented to it in each specific case, upon, among other, the following matters:

a. How is the proposed rezoning/amendment consistent with the purpose and intent of the zoning ordinance/code: \_\_\_\_\_

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b. How is the proposed rezoning/amendment consistent with the goals, objectives and policies of the Kankakee County Comprehensive Plan: \_\_\_\_\_

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c. Explain how and if all required utilities, such as water and sanitary facilities, drainage, access to public rights-of-way, recreational facilities, educational facilities, and public safety facilities have been or will be provided, and possess or will possess adequate capacity and/or manpower to accommodate the permitted uses within the zoning classification being requested: \_\_\_\_\_

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d. Explain how the proposed rezoning/amendment will be compatible with the existing uses of property and the zoning classification of property within the general area of the property in question: \_\_\_\_\_

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e. Explain how the permitted uses in the zoning classification being requested will not substantially increase the level of congestion on public rights-of-way: \_\_\_\_\_

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f. Is the subject property suitable for the permitted uses under the **existing** zoning classification: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

g. Is the subject property suitable for the permitted uses under the **proposed** zoning classification: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

h. What is the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

i. Is the proposed rezoning/amendment within one and a half mile of a municipality: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

j. Does the LESA report reflect the suitability of the site for the proposed rezoning/amendment requested and uses allowed therein: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## REZONING APPLICATION FOR A2 DISTRICT ONLY

### **FINDINGS OF FACT SHEET – REZONING/AMENDMENTS**

The Kankakee County Zoning Board of Appeals is required to make findings of fact when considering a rezoning. The ZBA shall make findings based upon the evidence presented to it in each specific case, upon, among others, the following matters:

a. How is the proposed rezoning/amendment consistent with the purpose and intent of the zoning ordinance/code: \_\_\_\_\_

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b. How is the proposed rezoning/amendment consistent with the goals, objectives and policies of the Kankakee County Comprehensive Plan: \_\_\_\_\_

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c. Explain how the proposed rezoning/amendment will be compatible with the existing uses of property and the zoning classification of property within the general area of the property in question: \_\_\_\_\_

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d. Explain how the permitted uses in the zoning classification being requested will not substantially increase the level of congestion on public rights-of-way: \_\_\_\_\_

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e. Is the subject property suitable for the permitted uses under the **existing** zoning classification: \_\_\_\_\_

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f. Is the subject property suitable for the permitted uses under the **proposed** zoning classification: \_\_\_\_\_

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g. Is the proposed rezoning/amendment outside one and a half miles of a municipality:

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h. Are the soils suitable and capable of supporting residential use: \_\_\_\_\_

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i. Explain how the proposed rezoning/amendment is in the public interest: \_\_\_\_\_

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## SPECIAL USE PERMIT APPLICATION

### **FINDINGS OF FACT SHEET – SPECIAL USE PERMIT**

a. Explain how the establishment, maintenance, or operation of the special use will/will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare: \_\_\_\_\_

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b. Explain how the special use will/will not be injurious to the enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish or impair property values within the neighborhood: \_\_\_\_\_

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c. Explain how the establishment of the special use will/will not substantially impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district: \_\_\_\_\_

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d. Explain how and if adequate measures have been or will be provided for utilities, access roads and drainage: \_\_\_\_\_

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

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f. Will the special use, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board: \_\_\_\_\_

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## VARIANCE APPLICATION

### **FINDINGS OF FACT SHEET – VARIANCE**

Neither the Kankakee County Board, nor the Zoning Board of Appeals, when authorized to do so, will vary the application of the regulations created by the Kankakee County Code unless the Zoning Board of Appeals shall have made findings, based upon the evidence admitted in each specific case.

a. Would a particular hardship to the owner result, as distinguished from a mere inconvenience, if the letter of the regulations were to be carried out, (i.e. because of the particular existing use, physical surroundings, shape or topographical conditions of the property in question): \_\_\_\_\_

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b. How are the conditions for this request unique to the property in question that would not apply, generally, to other property with the same zoning classification: \_\_\_\_\_

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c. Will the granting of the variance be detrimental to the public welfare or be injurious to the property or improvements in the neighborhood in which the property is located:

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d. Will the variance impair an adequate supply of light and air to adjacent property, substantially increase the congestion of the public street, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood: \_\_\_\_\_

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## ATTACHMENT "A" NRI APPLICATION

### KANKAKEE COUNTY SOIL AND WATER CONSERVATION DISTRICT 685 Larry Power Road, Bourbonnais, IL 60914 Phone: 815-937-8940, ext. 3 FAX 815-937-8952 NATURAL RESOURCE INFORMATION REPORT APPLICATION

The Kankakee County SWCD has thirty (30) days to complete this report after receipt of the following items:

Plat of Survey       Location Map       Legal Description       Tentative Plat       Appropriate Fee

**This application will not be processed until all of the required items have been received by the Kankakee County SWCD office.**  
Fee: Full Report: \$400.00 for 0-5 acres and \$15.00 for each additional acre or part thereof. **(Schedule of Fees Effective July 1, 2005)**  
Letter: \$200.00 processing fee if staff determines that a full report is not necessary. Additional funds received will be refunded.  
**Please make check or money order payable to Kankakee County SWCD**

Contact Person: \_\_\_\_\_ Phone: (   )

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

Petitioner's Name: \_\_\_\_\_ Phone: (   )

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

Property Owner: \_\_\_\_\_ Phone: (   )

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

**Petitioner's Copy of Report should be mailed to:**  Petitioner      or       Contact Person

#### PARCEL INFORMATION:

Municipality filing with for zoning change: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Requested Zoning/Special Use/Variance/Annexation: \_\_\_\_\_

Street Address of Property: \_\_\_\_\_

County: \_\_\_\_\_ Township Name: \_\_\_\_\_ Section: \_\_\_\_\_ Acres in Parcel: \_\_\_\_\_

Parcel Tax Number (s): \_\_\_\_\_

#### EXPLAIN PROPOSED LAND USE:

#### PROPOSED IMPROVEMENTS: (CHECK ALL APPLICABLE ITEMS)

##### Planned Structures:

- Dwellings w/o basements
- Dwellings with basements
- Commercial Buildings
- Other

##### Open Space:

- Park/Playground Areas
- Common Open Space Areas
- Conservation Areas
- Other

##### Stormwater Treatment:

- Drainage Ditches
- Central Sewer
- Detention Basin
- Other

#### WASTEWATER TREATMENT: (CHECK ALL APPLICABLE ITEMS)      WATER SUPPLY: (CHECK ALL APPLICABLE ITEMS)

- Septic System
- Sanitary Sewer
- Other

- Individual Well
- Community Water

#### EXISTING SITE CHARACTERISTICS: (CHECK ALL APPLICABLE ITEMS)

- Ponds or Lakes
- Stream or River
- Building (s)

- Floodplain/Floodway
- Wetland (s)
- Disturbed Land

- Woodland
- Cropland
- Open Grassland

- Drainage Tiles
- Wooded Fence Row
- Mature Trees

I (we) understand the filing of this application allows an authorized representative from the Kankakee County Soil and Water Conservation District to conduct an onsite investigation of the parcels listed above. Furthermore, this report becomes subject to the Freedom of Information Act after presentation to the District Board of Directors at their regularly scheduled meeting.

**Petitioner or Contact Person:** \_\_\_\_\_ **Date:** \_\_\_\_\_

#### FOR OFFICE USE ONLY

NRI # \_\_\_\_\_ Date Received: \_\_\_\_\_ Date Complete: \_\_\_\_\_ Fee: \_\_\_\_\_ Check # \_\_\_\_\_

THIS OPINION WILL BE ISSUED ON A NONDISCRIMINATORY BASIS WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE, DISABILITY, POLITICAL BELIEFS, SEXUAL ORIENTATION OR MARITAL OR FAMILY STATUS.

## KANKAKEE SWCD FEE

SCHEDULE FOR NRI  
EFFECTIVE JULY 1, 2005

## REPORTS

ACRE	Fee	ACRE	Fee	ACRE	Fee	ACRE	Fee
1	400	46	1015	91	1690	136	2365
2	400	47	1030	92	1705	137	2380
3	400	48	1045	93	1720	138	2395
4	400	49	1060	94	1735	139	2410
5	400	50	1075	95	1750	140	2425
6	415	51	1090	96	1765	141	2440
7	430	52	1105	97	1780	142	2455
8	445	53	1120	98	1795	143	2470
9	460	54	1135	99	1810	144	2485
10	475	55	1150	100	1825	145	2500
11	490	56	1165	101	1840	146	2515
12	505	57	1180	102	1855	147	2530
13	520	58	1195	103	1870	148	2545
14	535	59	1210	104	1885	149	2560
15	550	60	1225	105	1900	150	2575
16	565	61	1240	106	1915	151	2590
17	580	62	1255	107	1930	152	2605
18	595	63	1270	108	1945	153	2620
19	610	64	1285	109	1960	154	2635
20	625	65	1300	110	1975	155	2650
21	640	66	1315	111	1990	156	2665
22	655	67	1330	112	2005	157	2680
23	670	68	1345	113	2020	158	2695
24	685	69	1360	114	2035	159	2710
25	700	70	1375	115	2050	160	2725
26	715	71	1390	116	2065	161	2740
27	730	72	1405	117	2080	162	2755
28	745	73	1420	118	2095	163	2770
29	760	74	1435	119	2110	164	2785
30	775	75	1450	120	2125	165	2800
31	790	76	1465	121	2140	166	2815
32	805	77	1480	122	2155	167	2830
33	820	78	1495	123	2170	168	2845
34	835	79	1510	124	2185	169	2860
35	850	80	1525	125	2200	170	2875
36	865	81	1540	126	2215	171	2890
37	880	82	1555	127	2230	172	2905
38	895	83	1570	128	2245	173	2920
39	910	84	1585	129	2260	174	2935
40	925	85	1600	130	2275	175	2950
41	940	86	1615	131	2290	176	2965
42	955	87	1630	132	2305	177	2980
43	970	88	1645	133	2320	178	2995
44	985	89	1660	134	2335	179	3010
45	1000	90	1675	135	2350	180	3025

\$15/ ACRE FOR EACH ADDITIONAL ACRE OR PART THEREOF

All Kankakee County SWCD programs and services are available without regard to race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation or marital or family status.

## ATTACHMENT "B" EcoCAT



### WHAT?

All Rezoning, Special Use Permit and Variance applications (Variances as deemed necessary by the Planning Director) are now required to submit an Illinois Department of Natural Resources Ecological Compliance Assessment Tool ([EcoCAT](#)) results report at the time of filing the request.

### WHY?

This must be completed to comply with the Illinois Endangered Species Protection Act [520 ILCS 10/11 (b)] and the Illinois Natural Preservation Act [525 ILCS 30/17]. These laws require state agencies and units of local governments to consider the potential adverse effects of proposed actions on the Illinois endangered species and sites listed on the Illinois Natural Areas Inventory.

### HOW EcoCAT WORKS:

[EcoCAT](#), will provide a report to determine if your proposed action is in the vicinity of any protected natural resources. In 2006, IDNR implemented [EcoCAT](#), an internet based system designed to facilitate the consultation process. [EcoCAT](#) uses databases, Geographical Information System mapping, and a set of programmed decision rules to determine if you proposed action may be in the vicinity of protected natural resources.

[EcoCAT](#) asks a series of General Information questions that you must answer to ensure that your project receives the appropriate review and is assigned to the correct staff member.

After completion of the inquiry you will receive a printer-friendly [EcoCAT](#) Results Report that either:

- Terminate consultation if no resources are in the vicinity; or
- Lists resources in the vicinity and identifies the staff member who will review the action. After review, staff will either:
  - Terminate consultation because adverse effects are unlikely;
  - Request additional information, or
  - Recommend methods to minimize potential adverse effects.

The report is then utilized by decision makers in assisting with the evaluation of the proposed project/request.

### HOW TO OBTAIN AN EcoCAT REPORT:

The report is offered through the Illinois Department of Natural Resources. You may request an EcoCAT report or find additional information about the process at the Illinois Department of Natural Resources website at <http://dhrecocat.state.il.us/ecopublic/>