

**VILLAGE OF BOURBONNAIS  
PLANNING COMMISSION/ZONING BOARD OF APPEALS  
REZONING APPLICATION & PROCEDURE**

**Procedure**

1. Discuss request prior to filing application with either the Building Commissioner and/or the Community & Economic Development Director.
2. Completely fill out application and submit, along with the proper filing fee, to the Village of Bourbonnais Building Department. If you would like to have the application reviewed by a staff member prior to submittal, please call for an appointment.
3. Items to be submitted with application shall include:
  - a. Plat of survey of the property in question
  - b. Any supporting documentation, such as pictures, drawings, etc.
  - c. If the applicant(s) is not the legal owner of record, written proof of authority, by legal owner, shall be submitted
4. The applicant shall complete a payment acknowledgement form agreeing to pay for any and all professional fees incurred by the Village in the process of reviewing the applicant's petition.
5. Upon receipt of application and filing fee, the applicant will be given the date, time, and place of the public hearing date. **It is the responsibility of the applicant** to perform the following:
  - a. Obtain all property owners within one hundred and fifty feet (150') of the subject property, exclusive of any public right-of-way. Said property owner information shall be obtained from the County Assessment Office, 189 East Court Street, Kankakee, IL, 815-937-2945.
  - b. Notification shall be sent by certified, return-receipt mail, to the applicable property owners not less than fifteen (15) days prior to the date of the public hearing. Said notice shall include the legal description of said property, common address and/or location of said property, names of petitioners, a brief statement describing the proposed special use request, and the date, time, and location of the public hearing to be held by the Planning Commission/Zoning Board of Appeals.
  - c. The petitioner shall provide to the Village, not less than seven (7) days prior to the scheduled hearing, all return receipts from said mailing.

If any of the foregoing requirements providing for mailed notice and publication are not complied within the time frames set forth, the public hearing shall be cancelled and the applicant shall be required to pay an additional filing fees if the hearing is to be rescheduled.

6. Upon receipt of a completely filled out application, written proof of authority (if needed) and the required filing fee, the Village shall cause the requisite hearing notice to be published, not less than fifteen (15) days nor more than thirty (30) days prior to the date of the hearing. This notice shall contain the particular location for which the request is being made, as well as a statement as to the action being requested. Notice shall contain a legal description and street address, or if none, such information so as to reasonably locate the property.
7. At least fifteen (15) days prior to the requisite public hearing, the applicant shall file with the Building Commissioner such evidence in support of the application as may be required.

8. Submission requirements shall be determined by the Village of Bourbonnais dependent upon the nature of the action requested. However, at a minimum, the petitioner shall submit 16 copies of the application and all supporting documentation at least seven (7) days prior to the hearing date.
9. After hearing all testimony, evidence, and preparation of findings of fact, the Planning Commission/Zoning Board of Appeals shall make a recommendation to either approve or deny the application. Said recommendation shall be reviewed by the Village Board, within 45 days, and make a final decision. The final decision shall be in writing and mailed to the owner/petitioner by first class mail through the U.S. Postal Service.

**FEES**

Petition for Rezoning	\$250.00
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**HEARING PROCEDURE**

1. The meeting is called to order and roll call is taken. If a quorum is present, the hearing may proceed.
2. The chairman calls the first case and asks the Village staff if legal notice was placed in the newspaper in accordance with law. Once verified by staff, the chairman asks for evidence that notice was given to property owners by the petitioner, within 150 feet of the subject site.
3. Anyone who is going to provide testimony, whether it be in favor of or against the case shall be sworn in.
4. The petitioner, who must be present, presents their case, including any evidence, testimony, and/or witnesses.
5. The PC/ZBA then may ask questions of the petitioner and witnesses.
6. After PC/ZBA questioning, the public has an opportunity to ONLY ask questions of the petitioner and witnesses.
7. The chairman then asks the public if anyone would like to speak either in favor of or against the petition. Anyone wishing to be heard shall come forward, state their name, and then make their comments.
8. The PC/ZBA then asks questions of the public, if any. Then the petitioner has an opportunity to ask questions of those who spoke.
9. The chairman then closes the public comment portion of the hearing and begins discussion on the case.
10. The PC/ZBA shall then make findings of fact based upon testimony given. Said findings are then approved by the PC/ZBA along with a recommendation to the Village Board of Trustees to approve or deny said request.
11. The recommendation is then forwarded to the Village Board.

VILLAGE OF BOURBONNAIS  
600 Main Street NW  
Bourbonnais, Illinois 60914  
Phone: 815-937-3570 Fax: 815-937-3467

BOURBONNAIS PLANNING COMMISSION/ZONING BOARD OF APPEALS  
APPLICATION FOR REZONING

Office Use Only			
Date Filed: _____	Case No: _____	Fee Paid: _____	
Publish Date: _____		Hearing Date: _____	
By: _____	Fiscal Year: _____	Month: _____	Day: _____

Petitioner(s) \_\_\_\_\_  
Petitioner's Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

If petitioner is different than owner, please list name and address of owner(s)

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

NOTE: If the owner is a corporation, trust, partnership, and/or LLC, the names and addresses of all officers and directors and of all stockholder/shareholders owning in excess of 20% shall be submitted with and attached to this application.

Petitioner's Attorney: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Common Address of Subject Property: \_\_\_\_\_  
Parcel Identification Number (PIN): \_\_\_\_\_ Current Zoning or Property: \_\_\_\_\_  
Detailed legal description of property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please describe the present use of the property, and list all improvements:  
\_\_\_\_\_  
\_\_\_\_\_

Rezoning Requested:  
1. A request for a rezoning from \_\_\_\_\_ to \_\_\_\_\_.  
2. Reason for rezoning: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list the name and addresses of all adjoining property owners, within one hundred and fifty feet (150') of the subject property, exclusive of any public rights-of-way, as appearing from the tax records of the Kankakee County Assessor's Office. Also list the current use or zoning of each property (Add additional sheets if necessary):

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Current Use/Zoning: \_\_\_\_\_  
PIN: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Current Use/Zoning: \_\_\_\_\_  
PIN: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Current Use/Zoning: \_\_\_\_\_  
PIN: \_\_\_\_\_

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Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Current Use/Zoning: \_\_\_\_\_  
PIN: \_\_\_\_\_

### Findings of Fact for Rezoning

The Plan Commission/Zoning Board of appeals is required to make findings of fact when considering a rezoning. The findings shall be based upon the evidence presented to it in each specific case, upon, among others, the following matters. Please answer, in detail, how you believe the following findings of fact are met:

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

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2. How is the proposed rezoning amendment consistent with the goals, objectives and policies of the Village of Bourbonnais Comprehensive Plan:

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3. 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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4. 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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5. 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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6. Is the subject property suitable for the permitted uses under the existing zoning classification:

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7. Is the subject property suitable for the permitted uses under the proposed zoning classification:

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8. 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 questions was placed in its present zoning classification:

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9. Explain how the proposed rezoning/amendment is in the public interest:

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The Undersigned Petitioner(s) having been duly sworn under oath, hereby affirm that the forgoing information is true and correct to the best of his/her knowledge.

The undersigned further acknowledges that they shall be financially responsible for any review costs as may be incurred by the Village in consideration of the application.

Petitioner's Signature: \_\_\_\_\_  
Petitioner's Signature: \_\_\_\_\_  
Petitioner's Signature: \_\_\_\_\_

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