

**VILLAGE OF BOURBONNAIS
PLANNING COMMISSION/ZONING BOARD OF APPEALS
SPECIAL USE PERMIT 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 Special Use	\$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. The PC/ZBA may recommend any conditions placed upon the special use 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 SPECIAL USE PERMIT

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:

Special Use Requested:
1. A request for special use # _____ in a _____ zoning district.
2. Reason for special use: _____

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: _____
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Findings of Fact for Special Use Permit

The Plan Commission/Zoning Board of appeals is required to make findings of fact when considering a special use permit, as well as placing any applicable conditions. 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. 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:

- 2. 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:

- 3. 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:

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

- 5. 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:

- 6. 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 Commission

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