



## Request for Zoning Action-

Dear Petitioner:

The City of Monticello Planning and Zoning Board is vested with the authority to make determinations in various zoning requests. This application is a multi-purpose form for petitioners to request a variance, conditional use permit, rezoning of a parcel, or other zoning matter requiring Board input and/or approval.

### **Petitioner Requirements-**

- Return the completed application with the appropriate supporting documents, where applicable (site maps, conceptual designs, renderings, etc.)
- A \$300.00 non-refundable application fee. This fee covers staff time and advertising costs, certified mailings (where applicable) as well as potential legal counsel. If you are denied your request, the fee will not be refunded.
- The City of Monticello requests the presence of the applicant, or their representative, at all city meetings pertaining to the requested text amendment. The public hearing before the Planning & Zoning Board will be scheduled for the next applicable Planning & Zoning Board Meeting. Planning & Zoning Board Meetings are held the third Monday of the month at the Municipal Building, 210 N. Hamilton Street, Monticello, IL 61856.
- The petitioner is required to successfully prove the accuracy of information provided and needed for their request. Illinois State Statute and Monticello City Ordinance require certain standards be proven in order for a variance, conditional use permit, rezoning or text amendment to be approved. These standards are attached to the following page.

### **Additional Information-**

- Notice of the hearing will be published (as required by state statute and city ordinance) in the local paper (Piatt County Journal Republican) and on the City of Monticello's website, [www.cityofmonticello.net](http://www.cityofmonticello.net), at least 15 days prior, but no more than 30 days, before the hearing.
- For variances and conditional use permit requests, notices will be sent by certified mail (as required by state statute and city ordinance) to all adjacent property owners at least 15 days prior, but no more than 30 days, before the hearing.
- The recommendation of the Planning & Zoning Board will go in front of the Monticello City Council. The City Council has the final authority to approve or deny the request for any zoning action.



## Request for Zoning Action-

### **Types of Petitioner Requests-**

#### **Variance-**

A variance is permission from the City of Monticello to vary from a certain provision of the Zoning Ordinance. In order for the Planning & Zoning Board and City Council to consider a variance request, the petitioner must provide evidence of a practical difficulty or particular hardship. State law requires that such evidence: (1) Special circumstances or conditions such as exceptional narrowness, topography, or siting, fully described in following application to the land for which the variation is sought, and that those conditions do not apply generally in the district; (2) For reasons fully set forth in the application following, the circumstances or conditions are such that the strict application of the provisions of these regulations would deprive the owner of any reasonable use of the land; (3) The variation requested is the minimum adjustment necessary for the reasonable use of the land; (4) The request for variation is in harmony with the general purposes and intents of these regulations, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with other City regulations. A variance shall be permitted only if the evidence, in the judgement of the Planning & Zoning Board, sustains each of these three conditions.

#### **Conditional Use Permit-**

A conditional use permit is one that requires special permission to exist, typically associated with a land uses. State law and local ordinance require the petitioner to provide evidence that substantiates certain conditions: That the proposal (1) will not be detrimental to, or endanger the public health, safety, morals or general welfare of the community and neighborhood; (2) the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; (3) the establishment of the conditional use permit will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; (4) Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided; (5) Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and (6) The conditional use shall in all other respects conform to the applicable regulations of the district in which it is located

#### **Rezoning-**

Rezoning is when City Council authorizes the change of a zoning classification for a particular property or set of properties. One major consideration is whether the new zoning class would create “spot zoning,” which is when new zoning class would create a small, isolated district that is not contiguous to other, similar districts. For example, the creation of an individual residentially zoned lot in an otherwise industrial district would be spot zoning and not permitted.

#### **Text Amendment-**

A Text Amendment to the Zoning Ordinance is intended to be utilized to correct an error or omission, add clarification to the existing requirements, or reflect a change of policy. Text Amendments are to be in the public interest and are not to serve solely the interest of the applicant. The applicant must show that there is a need and justification for the proposed amendment.



**Request for Zoning Action-**

**Applicant Information-**

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

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

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

If you are represented by legal counsel or a contractor/builder, please provide the name, phone number, and mailing address. \_\_\_\_\_

**Type of Zoning Action Requested:**

- Variance       Conditional Use Permit
- Rezoning       Text Amendment

Address of Property for Zoning Action: \_\_\_\_\_

Legal Description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Current Zoning Designation:**

- Urban Residential - RD                       Business - B
- Single-Family Residential - RE1            Planned Commercial/Industrial - IC
- Multi-Family - RM                             General Industrial - I1
- Suburban Residential - RS                   Conservation - RC
- Rural - RU

The undersigned applicant agrees to abide by the provisions of the City of Monticello Zoning Ordinance and Subdivision regulations, as well as the decision of the Monticello Planning & Zoning Board and City Council. I understand that I do have the right to appeal such decisions to a court of competent jurisdiction, should I so chose.

\_\_\_\_\_  
 Applicant  
 (Must be subject property owner, have legal standing,  
 or provide written permission from the property owner).

\_\_\_\_\_  
 Date

Verification

STATE OF ILLINOIS      )  
   ) SS  
 COUNTY OF PIATT      )

I, \_\_\_\_\_, hereby swear (or affirm) that the statements contained in this application are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
 Signature of Applicant

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

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

(notary seal)



Request for Zoning Action-

**Conditional Use Approval .** Complete this page and submit with your application if you are requesting a Conditional Use).

Describe the Conditional Use you are seeking approval for:

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Conditional Use Justification: In order for the Planning & Zoning Board to consider the Conditional Use approval, the petitioner must provide several elements to the satisfaction of the Board and the Council. Please answer the following questions below, using additional paper if needed. You will be required to present your request to the Planning & Zoning Board regarding these matters.

1. Will the use be harmonious with and in accordance with the general objectives of the comprehensive plan and this ordinance? If so, please explain.

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2. Will the use be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity? If so, please explain.

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3. Will the use change the essential character of the general vicinity? If not, please explain.

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4. Will the use be hazardous or disturbing to existing or future neighborhood uses? If not, please explain.

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5. Will the use cause substantial injury to the value of other property in the neighborhood in which it is located? If not, please explain.

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