

Guide to The Zoning Board of Appeals

Stephenson County Zoning Department
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295 W. Lamm Rd.
Freeport, IL 61032
815-599-0344

Hours 8:00 am to 4:00 pm Monday through Friday
Closed 12:30 to 1:00

The Zoning Board of Appeals (ZBA) consists of five area citizens and two alternate members, organized under the zoning ordinance to hear several types of zoning issues. While the Zoning Board of Appeals does not make the final decision on the request, with the exception of variances which can be granted or denied that evening, they do send a recommendation to the County Board at which time the County Board will make the final decision. Any member of the public has an equal right to attend these meetings and voice their opinion.

Special Use / Conditional Use - Request for a certain special use of land for a use not necessarily allowed in that zoning (i.e. non-farm dwelling in A-1 district, gift shop in E-3 zoning district).

Variances - Request for a variation from what is allowed in certain districts (i.e., setback from the road, number of residences on a lot).

Rezoning / Map Amendments - Request for a parcel to be zoned from one classification to another. (i.e., A-1 parcel of land that the owner wished to place a business on. Owner may choose to have it rezoned to M-1).

Prior to the hearing all adjacent landowners will be notified by certified mail as to what is proposed for the parcel of land and given the opportunity to file a written objection to the proposed request and give testimony at the hearing.

When the application is filed, the Zoning Department will take care of all notification of adjacent landowners, preparing and delivering the legal ad for publication, making sure all paperwork is mailed to the County Board, the Zoning Board of Appeals, and any other agencies required to receive copies. Staff reports and aerial photos will be mailed in these packages so the ZBA and the County Board can be certain where the property is located. The applicant will receive copies of all correspondence sent to County Board Members and the ZBA:

- Application
- Aerial Photo
- Land Evaluation Site Assessment (L.E.S.A.)
- Staff Report

THE COST:

The cost is as follows:

\$275 To the Stephenson County Treasurer. This covers the cost of the hearing.

\$260 To the Zoning Trust Fund. This will cover:

- Postage to mail certified letters to adjacent landowners
- Secretary/Recorder at the meeting
- Legal ad
- Stephenson County Sheriff Reserve for security

\$100 To the Stephenson Soil & Water for a L.E.S.A. Report (Land Evaluation Site Assessment) this is generally used for applicants requesting a rezoning or use in the agricultural districts of A-1 or A-2.

THE HEARING:

The time and date of the hearing is set at the previous meeting by the Zoning Board of Appeals Chairman. When the meeting convenes, the chairman will ask that the roll be called to assure that a quorum is present. The minutes from the previous meeting will be approved. The first hearing of the evening will be announced. The applicant or his/her designated representative will be sworn in and asked to state what and why they are requesting the zoning change or variance. Several questions will be asked by members of the ZBA and after answering the questions put to the applicant, he/she will return to his/her seat. The chairman will then ask if anyone else would like to present evidence either for or against the request. If a member of the audience does wish to present evidence, they will then be sworn in, and their evidence heard. If there is no one else who would like to testify the portion of the hearing is, then closed to the public and the ZBA then discusses the matter further. A motion is made on whether to recommend granting or denying of the request and roll is called again at which time the members of the ZBA will state their vote. This information is then forwarded to the County Board, the States Attorney, the Highway Department, Conservation Department, and the County Clerks Office.

The County Board, at their next meeting will then vote on the application using the recommendation of the ZBA. After the vote of the County Board, you will be notified by mail/email as to the decision of the County Board. Or if you wish you may call into this office the following day and be told of the decision.