
ZONING APPLICATION

Village of Winnebago



Phone: (815) 335-2020 ■ Fax: (815) 415-8491
108 W. Main Street, Winnebago, Illinois 61088

It is recommended that a pre-application conference be held to ensure that all applicable information is provided, and the application is filled out correctly. Please call 815-335-2020 to schedule a pre-application conference. Delays in obtaining a public hearing date may result from incomplete or errant applications.

PROCEDURE CHECKLIST FOR APPLICANT USE

- ☐ Prospective applicant obtains application packet from Village Office. Blank applications may be faxed or mailed upon request or downloaded off the Winnebago Village website at <http://www.villageofwinnebago.com>. All pages of the application packet should be read thoroughly at this time. If necessary, Village Office personnel will explain procedures and fees involved.
- ☐ Pre-Application Conference: It is recommended that the applicant contact the Village Office to schedule a time to review the application to ensure that it is complete and includes all applicable materials.
- ☐ Applicant submits completed zoning application, along with site plan, written statement (when applicable), other required materials and the appropriate fee. Zoning Board will review submitted materials for completeness. Applications are then scheduled for a public hearing before the Zoning Board of Appeals.
- ☐ Applicant must contact the Soil and Water Conservation District (SWCD) office directly and make proper application for Zoning Letter and/or Natural Resource Information (NRI) Report. If necessary, SWCD personnel will explain procedures and fees involved. Zoning applications are not complete until SWCD Natural Resource Information (NRI) Reports are properly applied for. Zoning requests will not be scheduled for a public hearing unless a completed NRI Report is forthcoming.
- ☐ The "Endangered Species Act" entitles the Illinois Department of Natural Resources (IDNR) to review zoning, special use, and Variance applications for their impact on endangered or protected species. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the IDNR, at 5224 South Second Street, Springfield, IL 62701-1787. Additional information can be obtained about this process via the internet address: <http://dnrecocat.state.il.us/ecopublic/>. If you have any questions or comments about endangered species consultation process, you can send an email to DNR.EcoCAT@illinois.gov
- ☐ The "National Historic Preservation Act" entitles the Illinois Historic Preservation Agency to review zoning, special use, and Variance applications for their impact on cultural or historical resources. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the Illinois Historic Preservation Agency at (1-217-782-4836).
- ☐ A Notice of Public Hearing is printed in the local newspaper no less than 15 days, nor more than 30 days before the date of public hearing. See fee schedule for applicable fee (Page 4).
- ☐ When applicable, the subject property is posted with a notice sign prepared by Village Office personnel summarizing pertinent case information and the scheduled Zoning Board of Appeals hearing date no less than 15 days before the public hearing.
- ☐ Property owners surrounding the subject property are notified by mail, approximately 15 days before the date of public hearing, provided by Village Office staff summarizing pertinent case information and the scheduled Zoning Board of Appeals hearing date. Other appropriate agencies are also notified at this time. Note that adjoining property owners may legally protest map and text amendments, which may necessitate a super majority vote of the Village Board to approve a petition.
- ☐ Village Office staff review application and submit written staff report to the Zoning Board of Appeals and to the Village Board. Applicant is mailed a copy of this written staff report provided by Village Office staff, usually about 1 week before the date of public hearing.

- ☐ Zoning Board of Appeals (ZBA) conducts a Public Hearing, normally on their regularly scheduled meeting date. The applicant or an authorized agent must appear to present pertinent information and provide testimony under oath. No less than 4 copies of any handouts or exhibits should be made available for ZBA members and staff. One copy will be kept and added to the file as an exhibit(s). Be aware that delays may occur as public hearings can extend to additional Board meetings and may include multiple or returning speakers. The Board deliberates and provides its recommendation based on findings of fact. Unsupportive ZBA recommendations can affect the voting considerations of the Village Board.
- ☐ Zoning Board of Appeals public hearing minutes are transcribed and distributed to Village Board members, usually about 1 week after the close of public hearing. Copies of minutes are available to applicants' following approval of said minutes by the Zoning Board of Appeals. The minutes of the Zoning Board of Appeals public hearing are normally approved the following month.
- ☐ Pertinent case information and ZBA recommendation is presented to Village Board for its consideration, layover, and decision, usually within 4 weeks after the ZBA provides its recommendation.
- ☐ Individual ordinances for each approved application are signed, certified, and processed through the Village Clerk. A Completed ordinance copy accompanies the applicant's notification of the Village Board decision.

PLANNING & ZONING APPLICATION

Applicant Information

Name: MICHAEL SWARTZ + JAIMIE SWARTZ
 Address: 212 S SEWARD STREET
 Phone: 815 - 289 - 9040
 Email: mpswartz0419@gmail.com

Owner Information

Name: MICHAEL SWARTZ + JAIMIE SWARTZ
 Address: 212 S. SEWARD STREET
 Phone: 815 - 289 - 9040
 Email: mpswartz0419@gmail.com

Action Requested

☐ Zoning Map Amendment (Zoning Change) ☐ Planned Residential Development (PRD)
☐ Special Use Permit ☐ Appeal
☐ Variance ☒ Text Amendment

Detail of Request: ^{4/14/25} I WOULD LIKE TO PUT UP A 6' WOOD PRIVACY FENCE AROUND
^{MPS} MY ENT YARD. INCLUDING ON MY EAST REAR YARD 8' FROM THE ALLY AND ON MY
SOUTH SIDE YARD 22' FROM WINNEBAGO STREET.

Legal Description: (attach a separate sheet if necessary) ^{MPS 4/14/25} ORDINANCE 6.13.03 # 10 a,b,c,d ~~ST~~ MENTIONS THE
FACT THAT I AM UNABLE TO PUT A FENCE AS PREVIOUSLY MENTION. THIS IS DUE TO
THE FENCE NOT BEING 50% OPEN, IS MORE THAN 4' TALL AND IS CLOSER THAN 16' FROM ALLY.

PIN Number(s): 1409352005

Current Zoning District: _____

Lot Size: .48 acres, or ^{MPS 4/14/25} 20,603.88 29,777.45 square feet

Adjacent Properties (provide as a separate sheet if necessary)

NORTH:

PIN Number(s): 1409352004

Property Owner(s): JODY FAY

Mailing Address(s): ^{mps 4/1/25}
~~208 S SEWARD STREET~~ 208 S SEWARD ST. PO BOX 462 WINNEBAGO, IL 61088

Land Use: RESIDENTIAL

EAST:

PIN Number(s): ALLY BETWEEN PROPERTIES NOT SHARING LOT LINE

Property Owner(s): _____

Mailing Address(s): _____

Land Use: _____

SOUTH:

PIN Number(s): WINNEBAGO STREET BETWEEN PROPERTIES NOT SHARING LOT LINE

Property Owner(s): _____

Mailing Address(s): _____

Land Use: _____

WEST:

PIN Number(s): SEWARD STREET BETWEEN PROPERTIES NOT SHARING LOT LINE

Property Owner(s): _____

Mailing Address(s): _____

Land Use: _____

REQUIRED APPLICATION MATERIALS

The following materials must be submitted to the Planning and Zoning Department before a Public Hearing can be scheduled. Incomplete applications cannot be processed.

-
- ☐ Application Form (Original Form, pages 7, 8, & 9)
 - ☐ Application Fee (See Fee Schedule, page 4)
 - ☐ Legal Description

Project Drawings:

- ☐ Preliminary or Final Site Plan (1 copy). Include project data [i.e., building area, land area, setbacks, coverage, parking and landscaping calculations, etc.]. The information required will vary depending on the type of request being made. However, all site plans should be drawn to scale and be accurate to the best of the petitioner's ability.
- ☐ Preliminary or Final Engineering
- ☐ Floor Plans
- ☐ Building Elevations
- ☐ Landscape Plan (indicate species, plant location, quantity, size, spacing, and easement/utility locations)
- ☐ Sign elevations

Other Documents:

- ☐ A detailed written statement explaining the reason for the request.

The Zoning Board of Appeals and Village Board base their decisions on the standards listed below. It is in the best interest of the applicant to base their presentation on the applicable set of standards when presenting their petition.

- ☐ Applicant should respond to the following statements while presenting his or her request to the Zoning Board of Appeals, along with an additional written statement detailing the nature of the proposed use if this application is for a **SPECIAL USE PERMIT**, pursuant to Unified Development Ordinance Article 14.03:
 - a. The proposed use at the specified location is consistent with the goals, objectives, and policies of the Comprehensive Plan;
 - b. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations and complies with requirements of the Article;
 - c. The proposed Special Use is not materially detrimental to the public health, safety, comfort, and general welfare, and will not result in material damage or prejudice to other property in the vicinity;
 - d. The proposed use is compatible with, and preserves or enhances, the character and integrity of adjacent development, and includes improvements necessary to mitigate adverse development-related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;
 - e. The proposed use does not generate pedestrian and vehicular traffic that will be hazardous to the existing and anticipated traffic in the neighborhood;
 - f. The proposed Special Use complies with all fire, health, building, plumbing, electrical, and stormwater drainage regulations of the Village, County, State and Federal agencies; and

g. Adequate utilities exist to service the proposed Special Use.

- ☐ Applicant should respond to the following statements while presenting his or her request to the Zoning Board of Appeals, along with an additional written statement describing the specific nature of the proposed variation and the practical difficulty and perceived hardship resulting from a strict and literal interpretation of a specified regulation of this chapter if this application is a request for a **VARIANCE**, pursuant to Unified Development Ordinance Article 15.03 et seq.

15.03 (3) Variances & Findings of Fact

- a. That there are special circumstances, applying to the land or buildings for which the variance is sought, which circumstances are peculiar to such land or buildings and do not apply generally to land or buildings in the vicinity;
- b. That said circumstances are such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of such land or buildings;
- c. That the variance as granted by the Zoning Board of Appeals is the minimum variance that will accomplish the reasonable use of land or building in question;
- d. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- e. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.
- f. The extraordinary or exceptional conditions of the property, requiring the request for the variance, were not caused by the petitioner.
- g. The proposed variance will alleviate a peculiar, exceptional, or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.
- h. The denial of the proposed variance will deprive the petitioner the use of his/her property in a manner equivalent to the use permitted to be made by the owners of property in the immediate area.
- i. The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested

- ☐ Applicant should respond to the following statements while presenting his or her request to the Zoning Board of Appeals for a **ZONING DISTRICT CHANGE / ZONING MAP AMENDMENT**, pursuant to Unified Development Ordinance 18.04.

- a. Legal owners of the property(s) to be rezoned. If the property is held in an Illinois Land Trust, a Statement of Beneficial Interest is also required;
- b. Legal Description of the property(s) to be rezoned;
- c. Common street address of property(s) to be rezoned;
- d. Size of property (in square feet or acres);
- e. Current zoning of property;
- f. Requested zoning of property;
- g. Narrative description of the reasons for requested rezoning;
- h. Estimated impact of rezoning on surrounding neighborhood;
- i. Vicinity map showing the area to be rezoned

It is recommended that you notify your township of the Map or Text Amendment, Special Use Permit, or Variance you are applying for. Please complete the form on the following page, and mail it, along with a site plat, to the Township Supervisor for the Township in which the subject property is located.

TOWNSHIP SUPERVISORS

Burritt Township

Burritt Township Supervisor 2568
N. Weldon Rd.
Winnebago, IL 61088

Durand Township

Durand Township Supervisor 209
E. South St.
Box 474
Durand, IL 61024

Rockford Township

Rockford Township Supervisor
2615 Green Apple Lane
Rockford, IL 61107

Pecatonica Township

Pecatonica
Township Supervisor 328 E. 9th St.
Pecatonica, IL 61063

Seward Township

Seward Township Supervisor
4130 S. Pecatonica Rd.
Winnebago, IL 61088

Winnebago Township

Winnebago Township Supervisor
7952 Towermont Dr.
Rockford, IL 61102

TOWNSHIP NOTIFICATION OF VILLAGE OF WINNEBAGO ZONING PETITION

I, _____ (Name of Applicant) am petitioning the Village Of Winnebago
for a:

☐ Zoning Map Amendment from District # _____ To District # _____

☐ Special Use Permit For _____

_____, in District # _____

☐ Variance In _____ from

A distance/size of _____ to _____, in District of _____

the subject property is located at: _____

(street address)

the P.I.N. Number(s) is: _____

the size of the property is _____ acres, or _____ sq. ft.

Proposed use for the subject property: _____

Contact Information:

Name: _____

Phone Number: _____

Email Address: _____

Address: _____

Signature: _____ **Date:** _____

Please attach a copy of your site plan

CONTACT INFORMATION: _____

PHONE NUMBER: _____ FAX: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

WINNEBAGO COUNTY SOIL AND WATER CONSERVATION DISTRICT

4833 Owen Center Rd.
Rockford, IL 61101-6007

P: (815) 965-2392, Ext. 3
Website: www.winnebago-swcd.org

Open Mon-Fri 8am-4:30pm

Required Information for Natural Resource Inventory Reports and Zoning Letters.

Incomplete applications will not be processed.

Date: _____ (Office use) REPORT # _____

Zoning application filed with: (The report will be sent to the office indicated below by the SWCD Office)

☐ Rockford ☐ Loves Park ☐ Machesney Park ☐ Cherry Valley ☐ Village of Winnebago

Location of subject property: _____
(Street address)

PIN #: _____ - _____ - _____ - _____ Total Acres: _____ Current Zoning: _____

Project or Subdivision Name: _____

Contact Information for Applicant/Petitioner:

(The SWCD Office will send a copy of the report to this listed applicant)

Name: _____

Address: _____

Phone #: (____) _____ - _____

Email: _____

Contact Information for owner

☐ Check if a copy is to be mailed to the owner

Name: _____

Address: _____

Contact person (if different than applicant):

Name: _____ Phone: (____) _____ - _____

Company (if applicable): _____

Address: _____ Email: _____

Type of Request: (Check the one that applies and describe the request in detail)

☐ Change in Zoning from _____ to _____

☐ Variance: _____

☐ Special Use Permit: _____

☐ Other: _____

DRAFT 1/28/2025 – TEST USE BY PARK HILLS CHURCH

Existing Land Use: (vacant, agriculture, residential, etc.) _____

Proposed Land Use: _____

Date of Public Hearing: _____

Water Supply

☐ Well ☐ Community Water

Wastewater Treatment:

☐ Septic ☐ Sanitary Sewer

Proposed Land Use Will Include:

☐ Septic Tank Filter Fields ☐ Dwellings Without Basement ☐ Small Commercial Buildings

☐ Dwelling With Basements ☐ Other (describe in detail) _____

I (we) understand the filing of this application allows an authorized representative of the Winnebago County Soil and Water Conservation District to visit and conduct any necessary on-site investigations on the site which is described above. It is also understood that through this request I am giving the Soil and Water Conservation District permission to provide NRCS Wetland Inventory Information on my land in regards to the Natural Resource Information Report. I understand that this report becomes public knowledge once accepted by the District Board of Directors. Completions of this report may require 30 days as allowed under State Law.

(Petitioner)

(Date)

This report is used as a guide in making land use decisions and does not preclude further refinement of soil type boundary lines during more detailed on-site investigations. Interpretations are based on criteria established by the National Soils Handbook (USDA-Natural Resource Conservation Service) and are subject to change by this office and appropriate county agencies.

FEES:

- Zoning Letter
☐ \$75.00
- N.R.I. Reports
(zoning request involving AG Zoned land or vacant land)
☐ \$400.00 (0-5 acres) +\$20.00/acre over 5

*Winnebago County SWCD fee determinations are final.
Reports will not be completed without payment.*

PAYMENT (we accept any of the following):

- Cash
- Check (made payable to): Winnebago County SWCD
- Credit card (Illinois E-Pay through the SWCD website at www.winnebagoawcd.org).

A returned check fee of \$25.00 will be charged for each returned check

If you have any questions regarding this form please call (815) 965-2392, extension 3.

FILING DEADLINE

Any person who petitions any municipality or county agency in the District for variation or amendment from that municipality's or county's zoning ordinance or who proposed to subdivide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the District no less than 10 days prior to the regularly scheduled meeting of the District.

The Winnebago County Soil and Water Conservation District is an equal opportunity employer. All programs and services are offered without regard to race, color, national origin, religion, sex, age, marital status, or handicap.

DRAFT 1/28/2025 – TEST USE BY PARK HILLS CHURCH

LEGAL NOTICE AFFIDAVIT

I, below signed, hereby understand that in order for my zoning request to be heard, notice of the hearing which it will be heard at must be published in a newspaper of general circulation that is published in the County pursuant to State Law, and as a result, publication fees will incur which I hereby agree to pay the incurred fees.

Sign name

Date

Print Name

Driver license number for biller (paper)

Phone number for biller account

Address of where bill from paper shall be sent
(Street)

Address of where bill from paper shall be sent
(City, State, Zip Code)

FEE SCHEDULE

LAND USE (ZONING DEVELOPMENT) APPLICATIONS

**Zoning Map Amendment
(Zoning Change):**

*** \$400.00** plus, **\$10.00** per acre or part of,
plus consultant fees

Special Use Permit:

*** \$450.00** plus, **\$20.00** per acre or part of,
plus applicable professional fees

Variance:

*** \$350.00**, plus applicable professional
fees

Planned Residential Development (PRD):

*** \$450.00** plus, **\$20.00** per acre or part of,
plus applicable professional fees

Appeal:

\$250.00 plus applicable professional fees

**Text Amendment /
Future Land Use Plan Amendment**

\$400.00 plus applicable professional fees

ADDITIONAL FEES:

Any fees born because of a report and/or publication required by State Law for the above noted zoning procedures shall be the responsibility of the Applicant.

The above noted fees are *NOT* inclusive of any other fees that may result from other required permits (i.e. building permit, zoning clearance (permit), sign permit, health permit, etc.).

Based on the complexity of the application and subsequent review required, in addition to the listed fees below, at the village's sole discretion applicants may be responsible for additional professional fees incurred by the village during the application process, including but not limited to engineering, legal, or planning review fees.

Notice For All Petitions:

*** When work is commenced prior to obtaining the required "Land Use (Zoning Development) Application(s)", the established fees shall be increased by 50%. The payment of such fee shall not relieve any person from fully complying with the requirements of the Village Unified Development Ordinance, nor from the penalties prescribed within the Unified Development Ordinance, as stated in Article 4.04 and any other applicable portions of the Unified Development Ordinance.**