



ZONING BOARD OF APPEALS RULES OF NOTICE AND PETITION

- (1) Application to be submitted at least 30 days before a hearing date can be set.
 - a. One hard copy original of all materials.
 - b. Complete digital copy (emailed to clerk@vbhil.gov) of all submission materials. Village reserves the right to reject incomplete or piecemeal submissions.
 - c. Nine (9) reasonably sized legible hard copies of any large-scale materials (surveys, plats, plans, etc.)
- (2) The petition shall:
 - a. Be signed and notarized under oath by the legal owner(s) or by an individual with the written consent of the legal owner(s), which shall be provided separately. Evidence of legal ownership shall be provided with the petition;
 - b. Contain the following minimum information.
 - i. Names and addresses of all owners, including beneficiaries of land trusts of the property(ies) in question;
 - ii. Names, addresses and tax property index numbers (PINs) of all owners of the properties within 250 feet of the petitioner's property (only applicable to petitions for special uses; variances; and map amendments (rezoning) initiated by the property owner or by an individual with the written consent of the legal owner(s)).
 - iii. Draft of notice letter to be provided to properties as prescribed herein.
 - iv. A Plat of Survey reflecting all existing conditions as to any and all parcels subject to the petition (only applicable to petitions for special uses; variances; and map amendments (rezoning) initiated by the property owner or by an individual with the written consent of the legal owner(s)).
 - v. A specific description of the relief requested shall be detailed and shall identify the specific provision(s) of the Village Zoning Code implicated by the relief requested.
 - vi. Factual statements supporting the standards for the requested relief as provided in Chapter 10 of the Village Zoning Code, if applicable.
 - vii. Where improvements which will require a building permit are anticipated upon the Village's approval of the zoning relief requested, a site plan prepared by a licensed engineer or design professional detailing the improvements involved and where necessary, or in cases where they may be affected, detailing the improvements or uses of adjoining properties.
- (3) Special Uses involving artificial lakes, landfills or private landing fields for aircraft shall require soil boring data, elevation and/or topographical surveys, and engineering studies addressing existing and changed conditions for drainage, topography, vegetation, etc.
- (4) Notice Requirements:
 - a. As to petitions for special uses, variances, and map amendments (rezoning) initiated by the property owner or by an individual with the written consent of the legal owner(s):
 - i. the petitioner shall serve notice of the petition and hearing date upon the owners of all properties within 250 feet of petitioner's property and shall be made after the petitioner has been notified by the Village that a hearing date has been set and that the draft letter has been approved.
 - ii. A map depicting surrounding parcels in relation to the subject property(ies) indicating each parcel's address, PIN and property owner(s) shall be submitted by the applicant. If petitioner, directly or indirectly, owns or controls adjoining property, notice shall be given to the owner of the next adjoining property. Service of notice shall be either by
 - A. certified mail (return receipt requested) and regular mail or

B. via email with acknowledgement of receipt or

C. in person (via affidavit of service)

Notice of the petition and hearing date shall be served upon the owners, as aforesaid, not less than fifteen (15) days nor more than thirty (30) days before the hearing.

Petitioner shall submit the evidence of service of the notice to the Village Clerk at least two (2) business days prior to the hearing

- b. The petitioner shall be responsible for providing notice to state or federal agencies of their opportunity to provide comment on the purpose of the petition, as required under state or federal law.
 - c. If notice has not been made as required, Petitioner must notify the Village Clerk no less than 10 (10) business days prior to the hearing. If the hearing is canceled for any reason, it is the petitioner's responsibility to notify witness(es).
 - d. At least fifteen (15) days and not more than thirty (30) days prior to the hearing date, a two foot by three foot (2' x 3') notice sign shall be posted by the petitioner on the road or street frontage(s) of the property for which the petition has been filed. An example of the sign requirements is attached to these rules as [Exhibit A](#).
- (5) As to all zoning petitions requiring a public hearing, the Village shall cause publication of the petition and hearing to be made in a local newspaper at least fifteen (15) and not more than thirty (30) days prior to the hearing.
 - (6) No publication shall be made or hearing scheduled until the petitioner conforms to all of the above rules and the necessary filing fee is paid. The Zoning Fee Schedule is found in the Village's Posted Fee and Penalties Schedule.
 - (7) Failure to adhere to the foregoing notice requirements may result in the cancelation of a scheduled public hearing on a zoning relief petition.
 - (8) The decision of the Chairman shall be final in all matters concerning conformance to these rules.