



## Zoning Board of Appeals

500 W. Winchester Rd. Unit 101  
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# Zoning Text Amendment Information

## Lake County Planning, Building and Development Department

500 W. Winchester Rd. • Unit 101 • Libertyville, Illinois 60048-1331  
Telephone (847) 377-2600 • Email: [LCPermits@lakecountyil.gov](mailto:LCPermits@lakecountyil.gov) • Fax (847) 984-5744

Website: <http://www.lakecountyil.gov/185/Planning-Building-Development>

## Introduction

The information contained in this package is to help you become familiar with the various requirements that must be met before your zoning text amendment application can be accepted. The information will also prepare you to provide testimony and address any questions that might be raised at the public hearing.

Illinois Compiled Statutes, Chapter 55, Section 5/5-12001 et. seq. contain statutory provisions relating to zoning. Chapter 151: Unified Development Ordinance of the Lake County Code (UDO) <http://www.lakecountyil.gov/2051/Unified-Development-Ordinance> has been adopted pursuant to these provisions.

Once your application is accepted, the entire text amendment process generally takes about 3 to 4 months to complete. Careful and proper preparation of your application is essential and, in the long run, you will save considerable time and expense for both yourself and the County.

If you have any questions, please feel free to call the Lake County Planning, Building and Development Department at (847) 377-2600. If you wish to visit the office to discuss your application, please call ahead for an appointment.

## Before Filing the Application

You are strongly urged to meet with the Staff of the Planning, Building and Development Department before preparing your application. The Staff will advise you on the correct form to use, how to complete the application, explain the procedures involved and attempt to identify potential problems that might be encountered. You should also obtain a copy of the UDO, available from the Planning, Building and Development Department and become familiar with the applicable standards and requirements. If you have any questions concerning an interpretation of any provisions of the UDO, you should consult the staff of the Planning, Building and Development Department at (847) 377-2600.

## Filing the Application

The application and the correct filing fee must be submitted in proper form before your application will be accepted for processing.

- **The Application:** The application must be prepared in essentially the same format as the attached sample application. The application must address how the request for text amendment meets the Text Amendment Approval Criteria contained in the UDO.

- **Application Fee:** The application fee in the amount of \$1500 shall be paid at the time of filing the application. The cost of publishing a legal notice of the public hearing is billed separately and is in addition to the application fee.
- **Disclosure:** Whenever applicable, the following disclosures must be made:

When an applicant is a land trust or trustee of a land trust, the application shall identify each beneficiary of such land trust by name and address and define each beneficiary's interest therein. All applications shall be verified by the trustee or by the applicant in his or her capacity as trustee.

When an applicant is a corporation, the petition shall include the correct names, addresses and percent interest of all stockholders or shareholders owning any interest in excess of 20 percent of all outstanding stock of such corporation. If the corporation has no shareholders, a statement to that effect shall be submitted.

## **The Public Hearing**

The public hearing is generally held approximately five weeks after an application is accepted and filed. The time of the hearing is scheduled by the ZBA. The public hearing is usually held in the Central Permit Facility, 500 W. Winchester Rd., Libertyville, Illinois. The attached procedure sheet outlines the procedure followed by the ZBA at the public hearing.

## **Text Amendment Approval Criteria**

The UDO section "Protest Petitions" (151.046(H)) contains criteria that must be met for obtaining a text amendment. Review the criteria and please address these criteria in your application. Also, be prepared to address these criteria in providing testimony at the public hearing. These criteria are:

- The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition;
- The proposed amendment is consistent with the purpose and intent of this Ordinance (UDO Section 151.005);
- The proposed amendment will not adversely affect health, safety, morals and general welfare of the public.

## **After the Public Hearing**

Once the public hearing is concluded, the ZBA may make its recommendation on the day of the hearing or they may take your application under advisement and make a

recommendation at their monthly review meeting which is held on the first Thursday of each month. The review meetings are open to the public however no additional evidence or testimony is accepted unless such was specifically requested at the public hearing. A concurring vote of four (4) members of the ZBA is required in order to recommend approval of a request for text amendment. The ZBA's recommendation will then be formalized, signed and transmitted to the Planning, Building, and Zoning (PB&Z) Committee of the County Board for review.

The PB&Z Committee meets on Monday mornings at the County Administration Building in Waukegan and these meetings are also open to the public. This Committee also makes a recommendation that, along with the recommendation of the ZBA, is presented to the full County Board at its next monthly meeting, held on the second Tuesday of each month. It is at this time that the County Board will usually take final action and either approve or deny the text amendment request. Text amendments may be passed at a County Board meeting by a simple majority of the elected County Board members, unless a written protest against the proposed text amendment is filed by a municipality or township, in which case such amendment shall not be passed except by the favorable vote of 3/4 of all the members of the County Board.

**Again, the entire process generally takes from three to four months to complete, from the date the application is filed.**

**NOTE: This is a guide to be used in the preparation of the original documents.**

**APPLICATION FOR TEXT AMENDMENT**

TO THE HONORABLE CHAIRMAN AND  
MEMBERS OF THE ZONING BOARD OF APPEALS  
COUNTY OF LAKE  
STATE OF ILLINOIS

NOW COME \_\_\_\_\_ and represent that they have standing to bring this application before the Board pursuant to the provisions of the UDO.

That the text of Chapter 151: Unified Development Ordinance of the Lake County, Illinois Code of Ordinances, Section \_\_\_\_\_, states as follows:

**(State current language of the Ordinance sought to be amended)**

That the applicants propose to amend this text to read as follows:

**(State the proposed language)**

That the applicants feel that their request for a text amendment is justified in that

\_\_\_\_\_  
\_\_\_\_\_

**(Make a statement as to why you believe the current text is in error or what changing conditions warrant the text change, and a statement of any factors which exist which you believe makes the requested text amendment desirable)**

That the applicants have read and are familiar with each of the criterion for text amendment contained in the UDO and believe this request for text amendment does meet each and all of these criteria in the following manner:

**(Address each criterion. Make a brief statement as to how the particular conditions of this request meet each of the criteria. See page 2 for the criteria)**

WHEREFORE, your applicants pray that your Honorable Body, pursuant to your rules and regulations, will hold a public hearing as provided for by Statute and as a result of said hearing, recommend to the County Board of this County, that the County Unified Development Ordinance be amended to modify the text as requested herein.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Names and Addresses

State of Illinois        )  
                                  )  
County of Lake         )

I, \_\_\_\_\_, a Notary Public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_, personally known to me is (are) the persons(s) who executed the foregoing instrument bearing the date of \_\_\_\_\_ and appeared before me this day in person and acknowledged that he/she/they signed, sealed and delivered the same instrument for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_.

(Seal)

My Commission expires \_\_\_\_\_

**Note: It is solely the responsibility of the applicants to make sure that all information submitted is accurate as the information will be used for publication of the legal notice required by the statutes. The County disclaims all responsibility if any of the information submitted by applicants is inaccurate.**

**A filing fee of \$1500 shall accompany the application. You will be billed separately for the cost of publishing a legal notice.**

## LAKE COUNTY ZONING BOARD OF APPEALS

### PROCEDURE OF PUBLIC HEARING

1. **CALL MEETING TO ORDER.**
2. **ROLL CALL AND DETERMINATION OF QUORUM.**
3. **PLEDGE OF ALLEGIANCE** (if flag is present).
4. **PRELIMINARIES BY CHAIRMAN:** State purpose of hearing, acknowledge publication and posting of the property, oath to those who are to testify; explain procedure to be followed for the remainder of the hearing.
5. **COMMENTS RECEIVED FROM THE COUNTY DEPARTMENTS ARE ACKNOWLEDGED.**
6. **PRESENTATION OF EVIDENCE BY THE PETITIONER OR DESIGNATED REPRESENTATIVES.**
  - Opening statement.
  - Testimony by the petitioner's witnesses.
  - Questioning of each witness by the Members of the Zoning Board of Appeals.
  - Questioning of each witness by any person attending this hearing.

**(NOTE: This is an opportunity only to question the witnesses, not to make statements or offer personal testimony)**

  - Close of petitioner's evidence.
7. **PRESENTATION OF EVIDENCE BY THE OBJECTORS OR THEIR REPRESENTATIVES**
  - Opening statement.
  - Testimony by the objector's witnesses.
  - Questioning of each witness by the Members of the Zoning Board.
  - Questioning of each witness by any person attending this hearing.

**(NOTE: This is an opportunity only to question the witnesses, not to make statements or offer personal testimony)**

  - Close of objector's evidence.
8. **PRESENTATION OF STATEMENTS BY ANY PERSON ATTENDING THE HEARING**
9. **CLOSING STATEMENT BY THE PETITIONER OR DESIGNATED REPRESENTATIVE, IF DESIRED**
10. **CLOSING OF TESTIMONY**
11. **STATEMENT BY THE CHAIRMAN AS TO THE RIGHTS OF OBJECTORS AND INSTRUCTIONS FOR FILING OBJECTIONS**
12. **ZONING BOARD OF APPEALS RECOMMENDATION**
13. **ADJOURNMENT**