



# MADISON COUNTY

## BUILDING & ZONING

Madison County Building & Zoning  
157 N Main Street Suite 254  
Edwardsville, IL 62025  
Phone: (618) 296-4468  
Email: [zoning@co.madison.il.us](mailto:zoning@co.madison.il.us)

## REZONING, SPECIAL USE PERMIT, BULK/AREA VARIANCE, OR APPEAL OF AN ADMINISTRATIVE DECISION

All rezoning (Zoning Map and Text Amendments), Variances, and Special Use Permits require a public hearing before the Zoning Board of Appeals (ZBA). The ZBA then produces a findings of fact and makes a recommendation to the Madison County Board. Recommendations of the Zoning Board of Appeals are presented to the Building and Zoning Committee of the County Board. This Committee meets the first and third Thursday of each month. The County Board can either approve or deny the request. The County Board's decision is final unless an appeal is made through the courts. Ordinance requirements stipulate that a notice must be placed in the local newspaper at least fifteen (15) days before the hearing. All adjoining property owners must be notified by mail at least ten (10) days prior to the hearing. The Zoning Board of Appeals usually makes its findings and recommendation on the day of the hearing. The County Board holds regularly scheduled meetings on the third Wednesday of each month.

### Fee Schedule (paid by applicant):

Agricultural District	\$300.00
Residential District plus \$5 per Acre	\$325.00
Business District plus \$40 per Acre	\$325.00
Manufacturing District plus \$40 per Acre	\$325.00
Special Use Permit	\$300.00
Bulk/Area Variance	\$300.00
Sanitary Landfill or Solid Waste Disposal	
Site or Surface or Shafting Mining plus \$40 per Acre	\$750.00
Mobile Home Parks/Courts plus \$40 per Acre (Includes Over-Night Campgrounds and Modular Parks)	\$750.00
Fill Permits	\$75.00
Minor Bulk/Area Variance	\$100.00



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### ZONING HEARING APPLICATION

#### **Please note:**

Appeals of Administrative Decisions also require a public hearing and follow the same procedure as all zoning actions. The Zoning Board of Appeals makes the finding of fact and either grants or rejects the rezoning (Zoning Map or Text Amendment), Variance, or Special Use Permit, and finds in favor the applicant or the administrator. Any further appeal must be taken through the courts. A notice must be placed in the newspaper not less than fifteen (15) days before the hearing is scheduled. All adjoining property owners of the subject property must be notified by mail at least ten (10) days before the hearing. The Zoning Board of Appeals meets when it has cases to hear. If you have any further questions, please do not hesitate to contact the Planning and Development Department at (618)296-4468.

#### **Instructions:**

Applications for a zoning hearing can be filed Monday through Friday 8:30 am to 4:00 pm. Applications will not be processed until all of the required information has been submitted. It is up to the discernment of the Administrator and designated staff as to which meeting date(s) the case will be presented before the Zoning Board of Appeals. All cases before the Zoning Board of Appeals are scheduled on as needed basis. Prior consultation with Building & Zoning Department office staff is strongly encouraged prior to completing the application for land use change. Applications are accepted on a first come, first served basis. The Zoning Board of Appeals meets once it has a docket of cases to hear.

#### **Responsibilities**

1. Madison County Building & Zoning staff will process the legal notice requirements including providing proper notice to the newspaper, notifying adjacent property owners, and preparing the official posting notice for the site.
2. Applicants for a Land Use change are responsible for providing a completed application, paying all appropriate fees, and meeting requirements.
3. Provide for the proper on-site notice requirement, and be present at the Zoning Board of Appeals Hearing to present your case.

#### **Please Include the Following Information with your Application:**

1. A current plat, site plan, survey, or other professional illustration that illustrates existing building and structures, adjoining roadways with their names, natural features such as flood plain, wetlands, lakes, ponds, etc.
2. A detailed written statement explaining the reason for the request (the narrative statement should address the standards of review listed on page 3)
3. Four-Six photos of the property involved in the proposed zoning change
4. Legal Description and Warranty Deed including recorded easements and known utilities on property
5. Completed application with the appropriate signatures
6. Application fee submitted as listed on the attached fee schedule
7. NRI report or letter from the Soil and Water Conservation District, if applicable
8. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc.)

### **Standard of Review for Zoning Amendments**

*Per §93.178, Section (F), Items 1-7 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall consider the following items when reviewing a Zoning Map Amendment:*

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Is the application necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, will a special use permit/map amendment make the use more compatible with its surroundings;
5. Is the application so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
6. Will the application cause injury to the value or other property in the neighborhood in which it is located; and,
7. Will the special use be detrimental to the essential character of the district in which it is located?

### **Standard of Review for Special Use Permits**

*As per §93.178, Section (F), Items (1-7), below are the seven (7) consideration items listed in the Zoning Ordinance that the Zoning Board of Appeals shall take into account while reviewing a SUP request:*

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Whether the application is necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, whether a special use permit would make the use more compatible with its surroundings;
5. Whether the application is designed, located, and proposed to be operated in a manner that protects the public health, safety, and welfare;
6. Whether the application will cause injury to the value of other property in the neighborhood in which it is located; and,
7. Whether the special use would be detrimental to the essential character of the district in which it is located.

### **Standard of Review for Variances**

*Per §93.177, Section (I), Items 1-4 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall ensure that the following conditions are met when considering a Variance request:*

1. That there are special circumstances or conditions as fully described in the findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to the land or buildings in the surrounding area, and that circumstances or conditions are such that strict application of this Zoning Code would deprive the applicant of a reasonable permitted use of the land or building; and,
2. That, for reasons fully set forth in the findings, the granting of the variance is necessary for the reasonable use of land or buildings, and that the variance is the minimum variance that will accomplish this purpose; and,
3. That the granting of this variance would be in harmony with the general purpose and intent of this Zoning Code, and will not be injurious to the surrounding area or otherwise detrimental to the character and use of adjoining buildings and those in the vicinity, the Board, in making its findings, shall take into account whether the condition of the subject premises is peculiar to the lot or tract described in the petition or is merely part of the general condition of the area.
4. No Variance shall be approved that constitutes a variation in use not permitted in the district.



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### ZONING HEARING APPLICATION

#### Project Information

File Number: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

Address/General Location of the property: \_\_\_\_\_

Parcel I.D. Number: \_\_\_\_\_ Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract \_\_\_\_\_

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

#### Contact Information

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

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

Daytime Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

Property Owner Name: \_\_\_\_\_

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

Daytime Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

Project Manager/Representative: In order to reduce confusion, planning staff request that one contact person be designated to discuss issues concerning this petition.

Project Manager/Representative Name: \_\_\_\_\_

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

Daytime Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Type of Zoning Request (fill in what applies)**

**Variance:**

Minor Bulk Variance: Yes \_\_\_\_ No \_\_\_\_

Proposed Bulk Variance(s): \_\_\_\_\_

**Special Use Permit:**

Proposed Special Use Permit(s): \_\_\_\_\_

**Zoning Map Amendment (Rezoning)**

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Size of parcel involved in the zoning change: \_\_\_\_\_

Describe existing use of property: \_\_\_\_\_

Describe proposed use of property: \_\_\_\_\_

Flood Zone: Yes \_\_\_\_ No \_\_\_\_ If yes, which zone? \_\_\_\_\_ Panel Number: \_\_\_\_\_

**Declaration**

I, the applicant, of the above legally described property on which the zoning change is proposed, has provided answers to the questions herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a zoning change on said property. By virtue of my application for a zoning change, I do hereby declare that the appropriate appointed and elected officials responsible for the review of my application are given permission to visit and inspect the property proposed for a zoning change in order to determine the suitability of the request.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Staff Signature

\_\_\_\_\_  
Date

**Office Use Only:**

Intake Clerk: \_\_\_\_\_ Fee Amount: \$ \_\_\_\_\_ Payment Type: \_\_\_\_\_

ZBA Date: \_\_\_\_\_ P&D Date: \_\_\_\_\_ County Board Date: \_\_\_\_\_

# Plot Plan

**Please show the following items on the plot plan below:**

- North arrow
- Sketch of property with exact dimensions
- Location of roadways (public and private)
- Location of all existing and proposed structures (show distance to property lines and between structures)
- Utility locations, including water line and overhead or underground electric lines
- Location of sewer treatment systems and lateral lines for lots without public sewers
- Supplemental information or details relevant to the zoning petition