

SECTION 22

AMENDMENTS

22.1 AUTHORITY:

The Board of Trustees, by ordinance duly adopted, may amend the text of this Zoning Code or the Zoning Map after application therefor and a public hearing before the Planning and Zoning Commission.

22.2 APPLICATION:

Text amendments may be applied for by the Village Board, Planning and Zoning Commission, Village Staff or by any resident or owner of property within the Village. Zoning Map amendments may be applied for by the Village Board, Planning and Zoning Commission, or by the owner of the property being requested for amendment.

22.3 FEE:

Every application for an amendment shall be accompanied by a filing fee as established by the Board of Trustees.

22.4 PUBLIC HEARING:

The Planning and Zoning Commission shall hold a public hearing, pursuant to notice therefor as provided by the Illinois Municipal Code (65 ILCS 5/11-13-1, *et seq.*) and Section 21.6 of this Zoning Code. Within 45 days after the conclusion of the public hearing, the Planning and Zoning Commission shall forward its recommendation to the Board of Trustees, unless the application is withdrawn by the applicant.

22.5 FINDINGS OF FACT:

Before recommending any Zoning Map Amendment, the Planning and Zoning Commission shall first determine and record its findings based upon the following criteria:

1. Existing uses of property within the general area of property in question.

2. The zoning classification of property within the general area of the property in question.
3. The suitability of the property in question of the uses permitted under the existing zoning classification(s).
4. The trend of development, if any, in the general area of the property in question.
5. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.
6. Projected use of the property, as indicated in the Comprehensive Plan.

22.6 WRITTEN PROTEST:

In case of written protest against any proposed amendment of the regulations or districts, signed and acknowledged by the owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across any alley therefrom, or by the owners of 20 percent of the frontage directly opposite the frontage proposed to be altered, is filed with the Community Development Department, the amendment shall not be passed except by a favorable vote of two-thirds of the trustees then holding office. In such cases, a copy of the written protest shall be served by the protestor or protestors on the applicant for the proposed amendments and a copy upon the applicant's attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed amendment.

22.7 BOARD OF TRUSTEES ACTION:

The Board of Trustees, without further public hearing, may approve the requested amendment, may deny the requested amendment, or may refer the application back to the Planning and Zoning Commission for further consideration.