

PETITION FOR NONCONFORMING USE & STRUCTURE PERMIT

PETITIONER(S): _____, state(s) as follows;

1. That in accordance with Section 7-7 through 7-7.5 of Ordinance #3818 of the City of Granite City, Illinois the Petitioners/Parties In Interest as owners of record of the hereinafter-described property request a **NONCONFORMING USE AND STRUCTURE PERMIT** _____

and has filed said petition with the Zoning Administrator in accordance with said Ordinance.

2. That said **NONCONFORMING USE & STRUCTURE** petition be referred by the Plan Commission after investigation, report, and recommendation to the City Council, in accordance with requirements of said Ordinance.

3. That said Commission shall hold a public hearing on said petition as required by Ordinance. The notice of time and place of hearing shall be published at petitioner's expense in a newspaper published in the city of Granite City, Illinois, not more than (30) days nor less than (15) days before such hearing. Sec. 7-7.2

4. That, in accordance with said Ordinance, Petitioner(s), request the following described property be granted a **NONCONFORMING USE & STRUCTURE PERMIT**:

For use as _____
Rather than its present use

5. That said **NONCONFORMING USE & STRUCTURE PERMIT** be issued for the following reason(s): _____

(if additional space is needed - attach 8 1/2 x 11 sheets to petition)

UNDER AUTHORITY of Section 7-7.5 **REQUIREMENT FOR AUTHORIZATION**, shall be issued allowing the nonconforming uses to resume in the nonconforming structure subject to the following conditions:

- a) The nonconforming structure has substantial economic life; and
- b) The nonconforming structure cannot be reasonably adapted for occupancy by a conforming use; and
- c) The proposed nonconforming use will not be unduly harmful to surrounding properties and is not more nonconforming than previous nonconforming use of the structure.
- d) The restrictions will be reviewed 6 months from granting a Special or Non Conforming Use.

NONCONFORMITY EXEMPTION PERMITS may include such conditions or restrictions as may be deemed reasonably required to meet the objectives and/or criteria described as set forth below:

- a) Provisions for the protection of adjacent property,
- b) The expiration of such exemption after a specified period of time,
- c) Off-street parking and loading, and
- d) Any other criteria as may be deemed necessary to secure the general objectives of the Ordinance, and reduce injury to the value of the property in the neighborhood.

BY _____

PETITIONER _____

Receipt of \$ _____ for filing fee and \$ _____ for postage is hereby acknowledged.

Dated this _____ day of _____, 19____.

ZONING ADMINISTRATOR/OR SECRETARY, PLAN COMMISSION

ZONE _____ WARD _____

NOTICE OF PUBLIC HEARING FOR NONCONFORMING USE & STRUCTURE PERMIT

NOTICE IS HEREBY GIVEN TO ALL PARTIES CONCERNED that pursuant to Section 9-5 of Ordinance #3818 of the City of Granite City, Illinois, the City Plan Commission will hold a public hearing in Council Chambers, 2000 Edison, City Hall of said City of Granite City, Illinois at the hour of 7:00 p.m. on THURSDAY the _____ day of _____ 19____ at which meeting it will consider a petition to amend Zoning Ordinance #3818 (being the zoning ordinance of said city), as same affects the following-described real estate, to wit:

(Legal Description - lot or Block, subdivision)

Said proposal will change said real estate immediately above-described

from its present use _____

to proposed use _____.

PROPERTY ZONED: _____

PETITIONER: _____

ZONING ADMINISTRATOR
CITY OF GRANITE CITY, IL

NOTE FOR PETITIONER: IT IS THE RESPONSIBILITY of the petitioner to have this notice published -- no more than 30 days before the meeting and no less than 15 days before the date of the meeting. PUBLICATION IS MANDATORY.

PUBLISH ON ONE (1) OF THE FOLLOWING DATES TO COMPLY WITH THE ABOVE

REQUIREMENTS _____

YOUR MEETING DATE IS: _____

INITIAL CERTIFICATE OF ZONING COMPLIANCE REQUIREMENTS
NONCONFORMITY EXEMPTION - REQUIREMENTS

APPLICANT _____

OWNER/OPERATOR _____

PROPOSED USE:

(type of activity, manner of operation, number of occupants or employees, etc.)

EXISTING USE:

UNDER AUTHORITY OF SECTION 7-8, no NONCONFORMITY EXEMPTION shall be granted unless the exemption:

1. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;
2. Will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; and,
3. Will not substantially alter the essential character of the district in which it is to be located; and,
4. Should be able or necessary to extract reasonable value from the use of the property.

NONCONFORMITY EXEMPTION PERMITS MAY INCLUDE SUCH CONDITIONS OR RESTRICTIONS AS MAY BE DEEMED REASONABLY REQUIRED TO MEET THE FOLLOWING OBJECTIVES AND/OR CRITERIA:

- a) Provisions for protection of adjacent property.
- b) The expiration of such exemption after a specified period of time.
- c) Off-street parking and loading, and
- d) Any other criteria as may be deemed necessary to secure the general objectives of the Ordinance, and reduce injury to the value of property in the neighborhood.
- e) The restrictions will be reviewed 6 months from granting any Special or Non Conforming use.

CONDITIONS: _____

ATTACH SITE PLAN REQUIREMENTS FOR ALL NONCONFORMITY EXEMPTION PERMIT APPLICATIONS.

Section 7-7 ALLOWING NONCONFORMING USES TO RESUME IN NONCONFORMING
STRUCTURES

A nonconforming use of a structure may, on appeal to the Commission and the City Council of the City of Granite City, be allowed to resume activity in a legal, nonconforming structure, notwithstanding the provisions of Section 7-4(e) for discontinuance of use.

7-7.1 FILING:

Every proposal to amend this ordinance shall be filed with the Administrator on a prescribed form. The Administrator shall promptly transmit said proposal, together with any comments or recommendations he may wish to make, to the Plan Commission for a public hearing.

7-7.2 PUBLIC HEARING, NOTICE:

The Plan Commission shall hold a public hearing on every application for a Nonconforming Use & Structure Permit within a reasonable time after said application has been submitted to them. At the hearing any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposed amendment shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:

- a) by publication in a newspaper published within this municipality; and,
- b) by registered mail to all parties within 300 feet of the property for which the Nonconforming Use & Structure Permit is requested.

7-7.3 ADVISORY REPORT, FINDINGS OF FACT:

Within a reasonable time after the public hearing, the Plan Commission shall submit their advisory report to the Council. The report shall state the Plan Commission's recommendations regarding adoption of the proposed Nonconforming Use & Structure Permit, and their reasons therefor. The Plan Commission shall include in their advisory report findings of fact as they relate to Section 7-7.5 (Requirement For Authorization).

7-7.4 ACTION BY COUNCIL:

The Council shall act on every proposed Nonconforming Use & Structure Permit at their next regularly scheduled meeting following submission of the Plan Commission advisory report.

Without further public hearing, the Council may pass any approved Nonconforming Use & Structure Permit or may refer it back to the Plan Commission for further consideration, by simple majority vote of all the members then holding office.

7-7.5 REQUIREMENT FOR AUTHORIZATION:

A Nonconforming Use & Structure Permit shall be issued allowing the nonconforming uses to resume in the nonconforming structure subject to the following conditions:

- (a) The nonconforming structure has substantial economic life; and
- (b) The nonconforming structure cannot be reasonably adapted for occupancy by a conforming use; and
- © The proposed nonconforming use will not be unduly harmful to surrounding properties and is not more nonconforming than previous nonconforming use of the structure.

Dumpster requirements - see Art. 5, Sect. 5-16