



ZONING BOARD OF APPEALS RULES OF NOTICE AND PETITION

- (1) One hard copy original, 8 hard copies of any large-scale materials (surveys, plats, plans, etc.) and a digital copy (emailed to clerk@vbhil.gov) of all submissions shall be provided when the petition is filed, at least 30 days before hearing date.
- (2) The petition shall:
 - A. be signed 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 in question;
 - ii. Names, addresses and tax property index numbers of all owners of the properties within 250 feet of the petitioner's property;
 - iii. The legal description and local address of the property involved; if the petition relates to more than one lot, all legal descriptions must be given;
 - v. A specific description of the relief requested shall be detailed; and
 - v. Factual statements supporting the requested relief as they pertain to the requirements of the specific sections of the Zoning Ordinance;
 - vi. A plat of survey which shall detail 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.
- (3) Notice Requirements:
 - a. The petitioner shall serve notice of the petition and hearing date upon the owners of all properties within 250 feet of petitioner's property. The petitioner shall ascertain the owners of such properties by obtaining a copy of the applicable tax map. A copy of the tax map and such records shall be submitted by the petitioner. 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 certified mail, return receipt requested and regular mail, or via email with acknowledgement of receipt, or in person, and shall be made after the hearing date has been set by the ZBA. 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 at least two (2) business days prior to the hearing. Petitioner shall submit the cancelled certified mail receipts and an affidavit of regular mailing notice by U.S. Mail in the time set forth herein or of personal notice to adjacent property owners.
 - b. The petitioner shall be responsible to provide notice to state or federal agencies of their opportunity to provide comment on the purpose of the petition.
 - c. If notice has not been made as required, Petitioner must notify the Village Clerk no less than 2 business days prior to hearing. If the hearing is canceled for any reason, it is the petitioner's responsibility to notify his/her witnesses.
 - 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](#).
- (4) 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.
- (5) No publication shall be made or hearing scheduled until the petitioner conforms to all of the above rules and the necessary filing fee is deposited. The filing fee schedule is attached as [Exhibit B](#) and made a part of these rules.
- (6) The decision of the Chairman shall be final in all matters concerning conformance to these rules.