

LEGAL PROTEST FORM

Please read the following notice regarding legal protests carefully. If you have any questions, please contact the Planning & Zoning Department. This notification does not relieve the protestor of any responsibility for correctly sending notice, nor does the County assume any liability for protests wrongly served. As with any legal action, you may wish to consult an attorney.

PROCEDURE FOR FILING LEGAL PROTESTS

1. Review the frequently asked questions regarding legal protests on page 2 of this document to ensure that you are eligible to file a legal protest.
2. Fill out the Protest Form on page 3 in its entirety. **Incomplete forms will not be considered valid.** If you need assistance obtaining any of the information required, contact the Planning & Zoning Department.
3. File the completed form with the Ogle County Clerk's Office and a copy with the Planning & Zoning Department no later than 24 hours prior to the Ogle County Board meeting at which the subject petition is to be acted upon.
4. Serve a copy of the written protest on the applicant for the proposed change and a copy upon the applicant's attorney, if any, by Certified Mail Return Receipt Requested at the address of such applicant and attorney shown in the application for the proposed amendment as required by Section 55 ILCS 5/5-12014(b) of the *Illinois Compiled Statutes*.
5. Submit evidence that step number 4 above has been completed to the Planning & Zoning Department by providing a copy of the Certified Mail Return Receipt indicating that the notification has been mailed and received. Legal protests will not be considered valid until such evidence is provided.

FREQUENTLY ASKED QUESTIONS REGARDING LEGAL PROTESTS

What type of petition can legal protests be filed against?

Legal protests can be filed against proposed text amendments and map amendments. Legal protests have no bearing on Special Use Permits and Variations. To speak in opposition to a Special Use permit or a Variation, a representative should attend the public hearing where the petition will be heard to voice their objection on the record.

What is a text amendment?

A text amendment means an alteration to the text of a zoning ordinance which affects the whole county.

What is a map amendment?

A map amendment means an alteration to the map of a zoning ordinance, which affects an individual parcel or parcels of land.

Why file a legal protest?

Normally, a simple majority vote of the County Board (13 out of 24 members) is required to approve a zoning petition. If properly filed, legal protests can require a super-majority vote of the County Board (18 out of 24 members) to approve a petition.

Who can file legal protests?

For amendments of regulations and districts, Section 55 ILCS 5/5 12014 of the *Illinois Compiled Statutes* allows the following entities to file written objection with the County Clerk:

- Any landowner in Ogle County may file a legal protest against a Text Amendment. However, 5% of all the landowners in the County must file in order to require a super-majority vote from the County Board to approve the petition.
- The owner or owners of at least 20% of the property to be rezoned may file a legal protest to a Map Amendment. Such protest would require a super-majority vote from the County Board to approve the petition in question.
- The owner or owners of land immediately touching, or immediately across a street, alley, or public right-of-way of the property may file legal protests against a Map Amendment. If such landowners border at least 20% of the property in question, a super-majority vote is required from the County Board to approve the petition in question.
- Any incorporated municipality within 1½ miles of the property in question may file a legal protest against a Map Amendments by form of a Resolution; furthermore, any incorporated municipality within Ogle County may file a legal protest against a Text Amendment. If any municipality files a legal protest, a super-majority vote is required from the County Board to approve the petition in question.
- Any Township with a Planning Commission in which the unincorporated property lies may file legal protests against Map & Text Amendments within 30 days after the Zoning Board of Appeals public hearing. If any township files a legal protest, a super-majority vote is required from the County Board to approve the petition in question.

When and where can a legal protest be filed?

Legal protests for proposed text amendments or map amendments must be filed either by hand or by mail delivery, not by facsimile machine, with the Ogle County Clerk's Office and the Planning & Zoning Department not less than 24 hours prior to the County Board meeting where action will be taken on the petition in question.

PROTEST FORM

TO: Ogle County Board
c/o Ogle County Clerk
Ogle County Courthouse
105 S. 5th Street — Suite 104
Oregon, IL 61061

The undersigned hereby protest(s) and object(s) to the zoning application filed with the Ogle County Zoning Board of Appeals by:

Name of zoning petition applicant(s): _____

Petition Number (i.e. 00-00AM): _____

My address is: _____

My PIN is: ____ - ____ - ____ - ____ - ____
(10-digit property identification number located on tax bill)

My property is located (direction) _____ of the subject property of the zoning application.

My property (check appropriate box below and fill in the blank):

- Immediately touches the perimeter of the subject property of the zoning application for a distance of _____ feet.
- Is immediately across a street, alley, or public right-of-way from the perimeter of the subject property of the zoning application for a distance of _____ feet.
- Neither of the above.

The undersigned is an owner* of the following described real property, located in Ogle County, Illinois (write legal description below, or attach as separate sheet):

Signed: _____ Date: _____

Print Name: _____

***Note:** If you are not the recorded titleholder in the Recorder's Office, please furnish documentation of your ownership interest in the property.

