



Agenda
Village of Glen Ellyn
Zoning Board of Appeals Meeting
Tuesday, August 12, 2025
7:00 PM
Civic Center, Galligan Room

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village at least 24 hours before the meeting.

- A. Call to Order**
- B. Public Comment**
- C. Approval of the Minutes**
 - 1) Review and Approval of the July 8, 2025, Zoning Board of Appeals Meeting Minutes.
- D. New Business**
 - 1) Public Hearing - 365 S. Kenilworth Avenue, Front Yard Setback Variation
- E. Other Business**
 - 1) Review and Approval of Rules of Procedure for the Glen Ellyn Zoning Board of Appeals.
- F. Chairperson's Statement**
- G. Trustee Liaison's Report**
- H. Staff Report**
- I. Adjournment**

Dear Petitioner(s) and Interested Citizens: Once a variation request has been heard by the Zoning Board of Appeals, the Board may make a recommendation and minutes of the hearing are prepared. The variation, along with the minutes, summary report and all related material, is submitted for consideration by the Village Board at a regularly scheduled Village Board meeting. To confirm exact times and dates for Village Board consideration of a project, please call 630-547-5241.



Glen Ellyn Zoning Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting 8/12/2025 7:00 PM
Department: Community Development
Department Head: Jennifer Henaghan
Category: Minutes
Prepared By: Daniel Harper

AGENDA ITEM (ID # 2025-663)

DOC ID: 2025-663

Review and Approval of the July 8, 2025, Zoning Board of Appeals Meeting Minutes.

Statement of the Issue:

Review and Approval of the July 8, 2025, Zoning Board of Appeals Meeting Minutes.

Analysis:

Review and Approval of the July 8, 2025, Zoning Board of Appeals Meeting Minutes.

Budget Impact:

Contribution to Strategic Plan

Action Requested:

Review and Approval of the July 8, 2025, Zoning Board of Appeals Meeting Minutes.

Attachments:

1. DRAFT July 8, 2025, Zoning Board of Appeals Minutes

DRAFT MINUTES
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, July 8 2025 at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Acting Chairperson Jones called the meeting to order at 7:00 PM. Acting Chairperson Jones explained the advisory nature of the Zoning Board of Appeals (ZBA) and its process for deliberation and recommendation. He described the Public Hearing protocols and announced that the meeting was being recorded.

Roll was called.

Present: Acting Chairperson Matthew Jones and Board Members, Todd Buckton, Peter Kelly, Noureen Lakhani, Chip Miller, Craig Pavlich and Christiane McKnight

Also in attendance: Daniel Harper, Planning Manager; Jennifer Henaghan, Community Development Director; Steve Szymanski, Village Trustee; Paul Stephanides, Village Attorney and Adriana Ohl Zamora, Recording Secretary.

B. Public Comment (non-agenda items)

None

C. Approval of Minutes

1. Review and Approval of the June 10, 2025, Zoning Board of Appeals meeting minutes

Motion to approve by Commissioner Kelly, Member McKnight Seconded the motion. Approval of the minutes was passed by a unanimous voice vote.

Member Miller moved to open the Public Hearing on 564 N Main St. Member McKnight seconded the motion and the motion passed by voice vote.

D. New Business

1. Public Hearing – 564 N. Main Street, Zoning Setback and Size Variations to Allow the Construction of a Patio, Pergola and Outdoor Kitchen.

Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, introduced the following variation request for 564 N. Main Street:

1. Section 10-5-5(B)(4)(3)(C) to allow the construction of a pergola to be twenty-six feet (26'-0") in length in lieu of the maximum allowed length of twenty feet (20'0").
2. Section 10-5-5 (B)(4)(3)(D) to allow the construction of pergola to be three hundred and seventy-seven square feet (377 sqft) in area in lieu of the maximum allowed two-hundred and fifty square feet (250 sqft).
3. Section 10-5-5(B)(4)(19) to allow the construction of a paver patio and other improvements that would have a total rear yard impervious surface coverage of 59.5% in lieu of the maximum allowed 50% impervious surface coverage allowed in the required rear yard.
4. Section 10-5-5(B)(4)(29) to allow the construction of recreation equipment (grill station) to be located ten feet (10'-0") from the property in lieu of the required distance of twelve feet and eight inches (12'-8') from the property line.

Daniel describes the property on 564 N. Main Street as a 127-foot and 3-inch (127'-3") wide reverse corner lot located at the northeast corner of N. Main Street and Cottage Avenue and the petitioner is American Gardens LLC representing Thomas and Mary MacDonald, the owners of the property located at 564 N. Main Street

Explained that the subject property and the properties to the north, east, and west are all zoned R2 - Residential District. 1st Presbyterian Church is located south of the property and is zoned R2 – Residential District.

Daniel also described the variations that are being asked for by the petition as below:

Variations from Section 10-5-5(B)(4)(3)(C) and Section 10-5-5 (B)(4)(3)(D) to allow the construction of a pergola to be twenty-six feet (26'-0") in length in lieu of the maximum allowed length of twenty feet (20'0") and three hundred and seventy-seven square feet (377 sqft) in area in lieu of the maximum allowed two-hundred and fifty square feet (250 sqft). The applicant is proposing to construct a 377-square-foot pergola in the rear yard of the property to act as an accessory shade structure to the existing backyard pool. The

proposed pergola will be located north of the existing detached garage. The proposed pergola is intended to replace the existing pergola on the property in a similar location in the rear yard.

A variation from Section 10-5-5(B)(4)(19) to allow the construction of a paver patio and other improvements that would have a total rear yard impervious surface coverage of 59.5% in lieu of the maximum allowed 50% impervious surface coverage allowed in the required rear yard. The applicant is proposing to remove an approximately 305-square-foot wood deck and replace the area with approximately 370-square feet of permeable pavers as an expansion of the existing paved pool deck area. The Zoning Code defines permeable paver products that are less than 50 percent permeable as impervious surfaces.

Section 10-5-5(B)(4)(19) of the Village code allows that 50% or less of the required rear yard may be an impervious surface in the R2 Residential Zoning District. When accounting for the existing detached garage area, concrete drive, swimming pool, existing concrete pool deck and the proposed new paved patio and grill station, the total impervious square footage being proposed by the applicant is 3,025 square feet or 59.5% of the total 2544 square feet of the required rear yard area.

A variation from Section 10-5-5(B)(4)(29) to allow the construction of recreational equipment (grill station) to be located ten feet (10'-0") from the property in lieu of the required distance of twelve feet and eight inches (12'-8") from the property line. The applicant is proposing to construct a grill station structure as part of the proposed new construction. The proposed grill station is located at the western edge of the proposed new construction, 10-feet from the western property line. Recreational equipment is required to be 10% of the lot width or 12'-8" from the rear lot line.

Member Questions

Commissioner Pavlich- I would like to cover a couple of elements unique to property. Referenced Code Section 10-5-5 (B)(4)(19); for all corner lots the size of rear lot, when you have a corner lot, special condition exists, there is a required rear lot which is how what is a rear lot defined when you have a confusing rear lot. Question I have is how much of surface would they gain if it was just a rear yard? Looks like principal structure is close to required rear yard lot line. I would like that clarified. Did we get a total lot coverage for overall lot not just required rear lot?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- Total lot coverage would only apply to existing home and framed garage, I don't have numbers at hand, but it would be below 20%.

Petitioner, Daniel Wanzon, American Gardens, LLC, sworn in- explained that to the point of Planning Manager Daniel Harper, they were looking at just under 10.93% of entire lot; under the 20% for structure including garage but not the patio.

Commissioner Pavlich- I noticed that the property is very large relative to the structure, a big house and very large property.

Chairperson McKnight- Did Village receive any comments in support or opposition to this?

Daniel Harper, Planning Manager for the Village of Glen Ellyn – The Village did not, however the applicant has submitted a signed petition from surrounding neighbors.

Commissioner Kelly- Is there another product that you could use to make the pavers non-imperveous, permeable, a different product you could use in its place?

Commissioner Lakhani- I had a similar question to the product, just trying to understand the product and the layering of it?

Commissioner Miller- Previous permits only shows a fence in 2022, you didn't find a record for permit for pool or pergola?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- I looked in our Onbase system which is our digitized record keeping system and it did not register it; I am assuming it did receive a permit, I just could not locate them in our record system. I don't have an explanation for that or the Pergola.

Miller- There have been additions to the house, you couldn't find that either?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- not when doing digital record search, only the fence permit came up.

Commissioner Miller- What is percentage of reverse corner lots to regular corner lots in the Village.

Daniel Harper, Planning Manager for the Village of Glen Ellyn -I can't offer you a percentage and I don't feel comfortable providing a ballpark number but I will provide a comment that it is not an uncommon occurrence to have reverse corner lots in the Village of Glen Ellyn, the Village staff did not have enough time to create that statistic.

Commissioner Miller- I will say that on my walk to the petitioner's home, there were 20 reverse corner lots, and 8 not reverse corner lots. Corner lot is an uncommon lot in this Village. Pavers, what do other municipalities in DuPage County interpret it, do you know?

Daniel Harper, Planning Manager for the Village of Glen Ellyn – I don't have a big breadth of knowledge of how neighboring communities interpreted permeable pavers but from my own personal professional experience, I do know that the Village of Bartlett interprets pervious pavers as a pervious surface. I don't want to speculate on any other community.

Commissioner Kelly- Do we have a list of products that are permeable vs. non permeable?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- we do not have a list, it's general Village policy that although permeable paver surfaces are better than traditional pavers, it's still not a like for like change regardless of the product.

Commissioner Miller- It looks like this pergola is bigger than the previous pergola and extends beyond the original deck and the stairway down; do they extend to the stairs?

Daniel Harper, Planning Manager for the Village of Glen Ellyn - yes it looks like they extend to the first or second stair.

Commissioner Buckton- Just clarification on pervious vs. impervious, regarding permeable pavers, when I was on Plan Commission, I believe, when the last amendments were made to the code, 2011 or 2012. At that time there was no allowance for permeable pavers, is that still the case today?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- We allow for permeable pavers as a product, but count them as an impervious surface

Chairperson Jones- For rear yard percentage of lot coverage does garage count? If there was no garage in the back, it would not count?

Daniel Harper, Planning Manager for the Village of Glen Ellyn -yes it does, what we count as impervious surface is driveway, garage, pool and patio including retaining walls.

Property owners, Thomas and Mary McDonald, homeowners were both sworn in.

Petitioner, Daniel Wanzon, American Gardens, LLC, sworn in- Daniel presented on the history of the request, provided petition with neighbor's signatures approving the request and were included in the record. Also handed out photos of area in question, that only currently has a couple of concrete steps and a deck that is rotting. We would like to eliminate that safety/ hazard risk. The current condition is not good for water flow; current grill station is falling apart and would like to move further away. Pergola is to help with the sun; it would also help in eliminating the view into the yard from the neighboring church. Pergola will be 2.5 feet above garage; and the solar panels are on top of garage to help with the pool and will screen the pergola from the street.

Mr. Wanzon moved on to address the 4 items/ variances on the project. He described that item number 4 had not come up, stated that the homeowners will be glad to move that in and eliminate the request reducing the width of the Pergola and the total square footage.

The evidence related to the zoning code standards were then described, in where Daniel provided the reason related to each standard. Detailed response to each standard were provided to Board Commissioners in their packet.

Petitioner Mary McDonald- explained that they purchased home Aug. 2021, it was on and off market for 3 years prior to purchase and it had been rented at some point. Significant addition put on to the home in 2004, some of upgrades that we have made to the home, we did apply for permit. The huge addition did not account for the number of fixtures into the home and we added a water line. In each instance where we have made these necessary repairs, our neighbors are happy we are taking care of home, as it was not taken care of previously. Prior owners shared that the deck had just been replaced, it's difficult to keep a wood deck which is why we looked at other options in terms of materials that we could use. Removing the steps is a safety concern for the children that we have and the ones we have visiting. We had considered turf, but turf doesn't count as permeable surface and that is where this permeable unilevel brick product comes in with addition of dry well.

Chairperson Jones- where the grill will be located, is that an additional 2 feet? Are you willing to cut back if that is what is needed?

Petitioner Mary McDonald- yes that is correct, having learned that we are bumping up on the setback rule, we are willing to do that if that means we are up to code.

Commissioner Pavlich- I noted that the house is very old, can you remind me when it was built? pool built in 2004- all approved and built in this condition prior to your ownership, correct?

Petitioner Mary McDonald- house built in 1890's; our understanding that pool is part of 2004 addition.

Commissioner McKnight- Will the pavers be leveled? What is practical difficulty or particular hardship as it relates to Pergola?

Petitioner Mary McDonald- That is just for the shade, relative to shade and look.

Petitioner, Daniel Wanzon, American Gardens, LLC- layout of space behind the garage and the rectangular shape became impractical and also considered view from the street.

Commissioner Kelly- Pulling out wooded stringers for recessed deck and they sit directly on dirt?

Petitioner, Daniel Wanzon, American Gardens, LLC - it's the old technique of paving which was kind of gravel, down to dust that is the current compaction.

Commissioner Kelly- there is no solid surface that I can think of that would be considered permeable, our code does not allow for any solid surface that would be considered permeable. Is that correct?

Daniel Harper, Planning Manager for the Village of Glen Ellyn - we do for wood decks so long as it does not have a compacted surface underneath.

Commissioner Pavlich- To zoning code as it is written today, is deck allowed to be replaced?

Daniel Harper, Planning Manager for the Village of Glen Ellyn - We would say that you have to remove any of the compacted gravel and then replace with deck.

Commissioner Kelly- so you scrape whatever fill is in there now and put in wood tracks and we are good right?

Daniel Harper, Planning Manager for the Village of Glen Ellyn - yes.

Petitioner, Daniel Wanzon, American Gardens, LLC -If we had to detail out the support system for that deck proper it is just not realistic, you would end up pouring concrete, and then put attachments to have deck out there, just not practical.

Commissioner Kelly- Clarification, in conforming with the 4th variation, how does that impact length of pergola? We would still be out of conformance by 14%?

Petitioner, Daniel Wanzon, American Gardens, LLC -variance 1 and 2 are still applicable.

Commissioner Lakhani- If you did go alternate route, does that also reduces the amount of paver surface?

Petitioner, Daniel Wanzon, American Gardens, LLC - yes, it does, from 338 sqft from 377 sqft.

Chairperson Jones- That is about 40 square feet in reduction?

Petitioner, Daniel Wanzon, American Gardens, LLC- yes.

Commissioner Miller- Daniel are you doing the actual math on this?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- I have a set of plans and I am going with it; it sounds like this has been contemplated by a landscape plan and I am going with his numbers. If we are talking about scaling back the pergola, sounds like those numbers have already been done by the landscaping architect and I am going to go with that number.

Commissioner Miller- there is a lot there, now you are building the Pergola and it's going to be higher so now you will be able to see the Pergola. One of the things that made it easier for me was that everything was going to be hidden but now you will be able to see the Pergola.

Petitioner Mary McDonald- The only thing that I will mention as well is that when you saw the orange that is now, the fence line helped to cover much of what is behind the garage was 8ft tall and was covered in vines, completely in disrepair. with today's code we can only put up a 6ft fence in its replacement, so the fence will absolutely go back up again as well as some landscaping.

Commissioner Miller- I struggle with extra size of the pergola, I understand why you need it; it would be easier if Pergola was back down to the size you are replacing. Would you say where the current deck is a safety hazard?

Petitioner Mary McDonald - absolutely, it is rotting with animals living underneath it, it's also sunken with the stairs, there are carpenter bees.

Commissioner Miller- is there a way that you guys can make that Pergola back to the size it was?

Petitioner Mary McDonald- length of it, you still would not be able to see it from the outside.

Daniel Harper, Planning Manager for the Village of Glen Ellyn – There is a maximum height of 10 feet for pergolas.

Petitioner Tom McDonald- I would like to clarify the height of the pergola you would not see it from the street because of the distance of garage and solar panels.

Petitioner Mary McDonald - you would not see new pergola or old pergola because of the solar panels.

Commissioner Miller- with regards to pavers is there any consideration in updating that with the upcoming code changes? What is general consensus right now in that update?

Daniel Harper, Planning Manager for the Village of Glen Ellyn – yes there is, I don't want to state a general consensus of where that might be going.

Commissioner Buckton- I have no questions

Commissioner Pavlich- for Daniel, any remedy that is approved by us will still have to go through civil engineering review for approval, has any approval been received?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- we will likely have approval from civil engineering, as it will not negatively affect drainage.

Chairperson Jones- Pergola can be 250 square feet, is there length and width max?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- Maximum length is 20 feet, there is no defined width but pergolas are limited to 250 sqft in area.

Seeing no further questions from the Board, Acting Chairman Jones asked a motion to close the public hearing.

Chairperson Jones asked if any additions were required for Findings of fact as presented.

Commissioner Pavlich- Yes, we discovered build date of house is 1891, addition of pool in 2004 civil engineering approval is presumed, heard from Dan Wanzon overall lot coverage is 10.9%

Commissioner Miller- 498 the house behind you did not sign this?

Petitioner Mary McDonald- the husband is having procedure today that is why, she told us verbally that she was not contesting anything.

Member Miller made a motion to close the public hearing and approve the Finding of Facts as presented. Member Pavlich seconded the motion and the motion passed by voice vote. Findings of fact accepted.

Deliberation

Commissioner Buckton- great house, I knew the previous owners. Having said that, 22 years ago we don't know if it was permitted, we don't know if there was a permit or not. Someone put up a grill and pergola and didn't need a variance for this and as far as I am concerned you shouldn't have one now. I will vote no.

Commissioner Miller- I am struggling with this one, there are some risks currently. I can find a way to yes with the concessions that you have made, I am a reluctant yes.

Commissioner Lakhani- I do struggle with this, I agree with everything Chip said, I would be ok with it, my vote is yes.

Commissioner Kelly- conceptually I am good, I wish there was another product that you could use, it's permeable now, so it was what it was, the numbers seem a little bit high, if I re-adjust from the 10 feet from property line to the required then it's a 14% deviation for number 1 and 26% deviation for 2 and a 16% deviation for 3. No adverse impact, 51% yes, 49% no.

Commissioner Miller- it's not just hardships but also unique circumstances, they bought it as unique property not knowing the hardships. We can't cheapen them; this is a unique circumstance. There is not another house that I can think of that is like this.

Commissioner Kelly- given that the deck and recessed area is a safety hazard, safety issue that needs to be addressed, if it can be done without requiring relief from code, I am a 51 to 49 percent in favor.

Commissioner McKnight- we are operating under section 10-10-10 E of the code that says board of appeals should not recommend variations unless there is a practical difficulty or particular hardship. I think that standard is met with the paver patio request, it's an issue. It obviously needs to be repaired, not practical to expect you to invest in a wood deck that you would have to constantly replace. I could see how that would fit within the code. I don't think the grill station does, so I would not vote in favor of recommending approval if you left it as it was. On one and two which relate to the Pergola, I don't see how that's a practical hardship.

Commissioner Pavlich- when it comes to pervious surface 10-1-2, what is zoning interest in how much impervious surface is place on a lot if civil engineering drainage and other concerns of the community are met, I think in that case given that we would have civil engineering approval, its totally acceptable. As long as it's not going to drain water into your neighbor, you are ok. With the grill, yes, we should move it in 10 inches, for the pergola, I don't think that additional sq footage overwhelms. I am a yes, as long as moving the grill

Chairperson Jones- according to building dept. you only have a fence variation, we don't know how you have a pool, patio, garage or deck that is completely unsafe. I walked on it and they moved a lot. I am ok in general with the recommendation of the board, with project as it is. Moving of grill in, would put it in line with what we have done in the past and I would be in favor of approving the other three sections. Question for Board, does everyone want section 4 scratched out?

Daniel Harper, Planning Manager for the Village of Glen Ellyn – Overall Recommendation can be to approve items 1,2 and 3 with a recommendation of denial of item 4.

Member Miller made a motion to close the deliberations and approve the Finding of Facts as presented. Member Pavlich seconded the motion and the motion passed by voice vote.

A Motion to approve the following variation for items 1 and 2 was made by Member McKnight that the Zoning Board of Appeals recommend approval of the application of Thomas and Mary McDonald of the following variations requested pursuant to section 10-10-10 of Glen Ellyn Zoning Code. A variation of section 10-5-5 (B) (4) (3) (C) to all for the construction of Pergola to be 23 feet and 4 inches in length in lieu of maximum allowed length of 20 feet, and a variation to section 10-5-5 (B) (4) (D) to allow the construction of the Pergola to be 338 square feet in lieu of maximum allowed 250sq. feet on property located on 564 N Main Street, Glen Ellyn Seconded by Commissioner Pavlich. **The motion passed with five (5) votes yes and two (2) votes no. Members McKnight and Buckton voting no.**

A Motion to approve the following variation for items 1 and 2 was made by Member McKnight that the Zoning Board of Appeals recommend approval of the application of Thomas and Mary McDonald of the following variations requested pursuant to section 10-5-5 (B) (4) (19) of Glen Ellyn Zoning Code to allow construction of paver patio and other improvements that would have a total rear yard impervious surface coverage of 59.5 percent in lieu of maximum allowed 50% impervious surface coverage allowed in the required rear lot on property located on 564 N Main Street, Glen Ellyn, Seconded by Miller. **The motion passed with six (6) votes yes and one (1) vote no. Member Buckton voting no.**

A Motion to recommend denial of the application of Thomas and Mary McDonald of the following variations requested pursuant to section 10-5-5 (B) (4) (29) of Glen Ellyn Zoning Code to allow construction of grill station to be located 10 feet from the property line in lieu of required distance of 12 feet 8 inches from property line on property located on 564 N Main Street, Glen Ellyn, Seconded by Member Miller. **The motion passed unanimously with seven (7) votes yes**

E. Other Business

1. Zoning Board of Appeals Member Presentation by Community Development Director Henaghan and Village Attorney Stephanides

Community Development Director Henaghan presented on role of ZBA and rules and procedures. Explained what zoning is.

Paul Stephanides, explained the role of the members of the ZBA. Referred to 10-10-4, consists of 7 members, 3-year term for each member. Duties were explained to Board Members.

Director Heneghan described what a variation is which is an ordinance granting specific relief from the requirements of this title. Went on to discuss the standards for variations, Section 10-10-12(E) and also Section 10-10-12 (F). Additionally discussed the additional standards to be considered which are:

- Hardship
- Not generally applicable
- Not based upon financial gain
- Not created by applicant
- Not detrimental or injurious
- Variation will not result in negative consequences
- Variation requested is the minimum variation possible
- Does not compromise PUD

Director Heneghan discussed each additional standard to consider and provided examples to the board members.

Mr. Stephanides then described that the ZBA makes recommendation and explained that there is no right to variation under the law and thus the courts defer to legislative judgement, and then a rational basis will be requested. Courts will focus on whether there was a showing of a hardship. Variations run with the land, so they are there with current owner and future owners. Public hearings are required.

Director Heneghan then described the Village Board Action from Public hearing at ZBA, to Village Board Discussion and then Village Board action. Noted that non-unanimous recommendations appear as separate agenda items for discussion.

Mr. Stephanides then moved on to discuss Due Process, discussed that applicants, members of public all have right to due process and due process should be impartial. Ex parte communications are improper, asking board members not to engage in conversations about variations. Site visits are fine, reminded board members not to engage with discussion regarding the variation request.

Mr. Stephanides then discussed the ZBA Rules of Procedure which included the General Provisions, Members and Duties, Meetings, Public Hearings and Amendment to Rules

F. Chairperson's Statement

No statement was provided by Acting Chairperson Jones.

G. Trustee Liaison Report

Trustee Steve Szymanski, reported the following and thanked all the Board Members for their work and dedication:

- Lead services; The Federal Government has determined that all lead should be removed from all water lines, public and private, we have 10 years to replace all lead lines. Recently passed new tax on water bill for \$6.00 to help cover. Still trying to determine how big this project is, it could be up to 1,000 or more or maybe less, we have a big campaign to try to determine how many exist. Still deciding who will pay for the projects, some Villages are paying for private end, some are paying for all of it.
- Train Station, still in design phase, about 90% complete. Issues are cost and grants available. This also includes Phase 4 of street scape project.

H. Staff Report

Planning Manager Daniel Harper- Stated the following:

- May ZBA meeting for 551 Geneva Rd. to allow for garage for historical society- approved by village board
- 265 S. Ott St. approved to allow for attached garage.
- 603 N. Park Blvd. Lot coverage and side yard setback approved
- 680 Grand which has recommendation for Denial, will be on July 28th Village Board agenda
- Glenbard West High School proposed addition given recommendation of approval 5-2 vote, on next week for Village Board to make determination on variation requests.
- Special use permit for drive through restaurant at what used to be Tide Laundromat, restaurant called Chicken Salad Chic

- Train station in horizon and needs zoning, will have to go through Plan Commission.

Chairman Jones- Five corners, Historical Society, was that approved as written?

Daniel Harper, Planning Manager for the Village of Glen Ellyn- I believe so, yes.

I. Adjournment

Member Miller made a motion to adjourn the meeting. Member McKnight seconded the motion. Meeting adjourned at 9:46PM

Respectfully submitted,
Adriana Ohl-Zamora



**Glen Ellyn Zoning Board
of Appeals**
535 Duane Street
Glen Ellyn, IL 60137

Meeting 8/12/2025 7:00 PM
Department: Community Development
Department Head: Jennifer Henaghan
Category: Public Hearing
Prepared By: Daniel Harper

**AGENDA ITEM (ID
2025-664)**

DOC ID: 2025-664

Public Hearing - 365 S. Kenilworth Avenue, Front Yard Setback Variation

Statement of the Issue:

The Petitioner, Nicholas Crifase is representing Patrick Lopardo and Jenna Lindman, the owners of the property at 365 S. Kenilworth Avenue. He has applied for a zoning variation to allow the construction of a second-story addition to an existing non-conforming single-family home that would be forty-one feet (41'-0") from the front property line in lieu of the required front yard setback of fifty feet (50'-0").

Analysis:

REQUEST: The petitioners request approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-4-6(D)(1) – to allow the construction of a second-story addition to an existing non-conforming single-family home to be forty-one feet (41'-0") from the front property line in lieu of the required front yard setback of fifty feet (50'-0").

ZONING/USE: The subject property is zoned R0 - Residential District and improved with a single-family home.

PUBLIC NOTICE: Notice of the public hearing was published in the July 28, 2025, edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

ZONING HISTORY:

Year	Ordinance No.	Type
1999	4689	Annexation – Zoned R0 Residential

PERMIT HISTORY:

Year	Permit No.	Type
2022	20221486	Bathroom Renovation
2009	20090839	Village Water Connection

PROPOSED: The applicant is proposing the construction of an approximately 240-square-foot second-story addition to the existing home on the property. The proposed addition will be within the existing footprint of the existing home and is proposed to have a front yard setback of 41 feet.

ANALYSIS: In order to proceed with the project as proposed, the petitioner will need to be granted the following variations from the Zoning Code:

1. Section 10-4-6(D)(1) – to allow the construction of a second-story addition to a single-family home with an existing non-conforming front yard setback of approximately forty-one feet (41'-0") in lieu of the required front yard setback of fifty feet (50'-0").

The existing house was constructed in 1965 under DuPage County's zoning regulations with a front yard setback of approximately 41 feet. The property was annexed into the Village in 1999, along with 20 other properties in the Lambert Farms Subdivision, with an R0 Zoning designation which requires a 50-foot front yard setback. The properties surrounding this home all have the same (approximately) 40-foot front yard setback. It is likely that the homes were constructed this way to accommodate a septic field in the rear of the homes (since there was no municipal water or sanitary mains for the properties to connect to at the time the homes were constructed).

The proposed second-story addition is designed to be constructed within the existing footprint of the home and would be setback 41-feet from the front property line. Because this is a proposed addition to a non-conforming condition of the property, the variation would be required for construction at the 41-foot setback dimension.

Budget Impact:

Contribution to Strategic Plan

Action Requested:

The ZBA should consider the testimony presented during the public hearing and review the written evidence presented as part of the petitioners' application packet. The ZBA should make findings of fact and determine if practical difficulty or a particular hardship exists for the requested variation and if the essential character of the neighborhood is maintained.

The ZBA may choose to make a recommendation to the Village Board for the approval, approval with conditions, or denial of the request per Section 10-10-12 of the Glen Ellyn Zoning Code.

Attachments:

1. Variance Application
2. Zoning Map
3. Aerial Map
4. Plat of Survey
5. Construction Plans

Glen Ellyn Project Summary

Project Name:	Web Project	Status Information:	
Project Number:	2025-0021	Status	Date
Type:	Zoning Variation	Application Submitted	7/10/2025
Location:	365 S Kenilworth Ave	Completeness Review	7/18/2025
Applicant:	Nicholas Crifase 277 Woodstock Avenue GLEN ELLYN, IL 60137-4862 [REDACTED]		
Owner:	P & J Lindman Lopardo		
Description:	Second floor room addition to enlarge the main bedroom and closet.		

Contacts:

Name	Address	Phone

Fees:

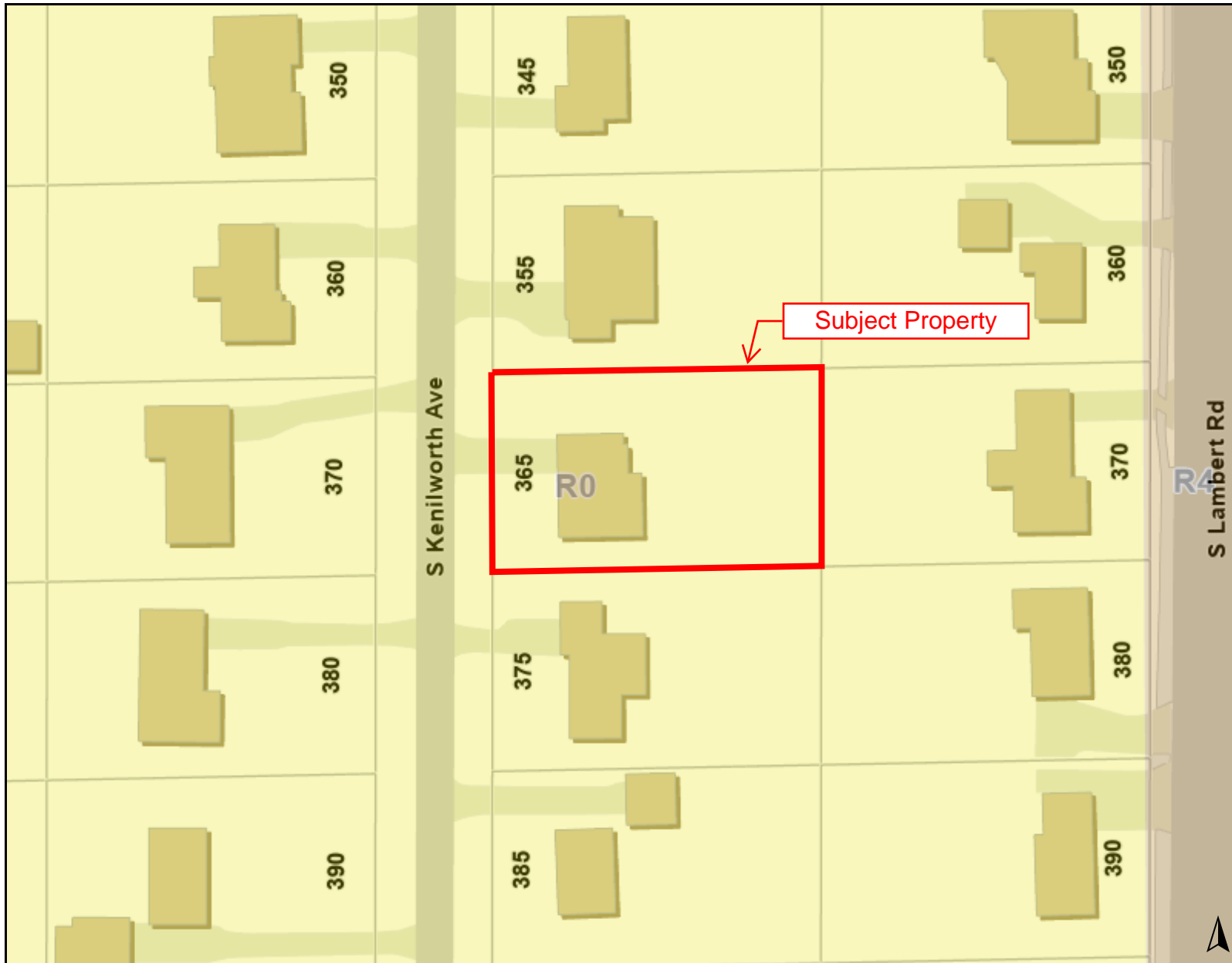
Type	Amount	Paid
Zoning Variation	\$685.00	Paid: Yes
Depo-Zoning Variation	\$1,000.00	Paid: Yes

Details:

Property	Value
Zoning Variation	Yes
Property Interest of Applicant	Owner Representative
Is the property in question the subject of a land trust agreement?	No
Is the property in question the subject of Ownership by a Corporation?	No
For a Zoning Variation, is it Residential or Commercial?	Residential
Affiliation with Property	Applicant
Name	Nicholas Crifase
Address	277 Woodstock Avenue
City, State, Zip	GLEN ELLYN
Phone	[REDACTED]
Email	[REDACTED]
Standard #1	The addition proposed lies completely withing the foundation and structural walls, it does not involve any excavation or construction of living space any closer to the street or utility easements.
Standard #2	The addition is above the garage, therefore the only means of meeting the existing zoning would be to jack the home off its current foundation. Then excavate, pour a new foundation further back, and relocate the home on a new foundation.

Standard #6	This is a modest addition/remodel to enlarge the living space, the homeowners simply desire a larger bedroom and more closet space.
Standard #4	As mentioned in standard #2, the only means of meeting code would be to physical relocate the entire structure deeper on the lot. That would cost hundreds of thousands of dollars in excavation, concrete, and professional structure home moving costs.
Standard #5	Any modification made to this home, including simply making cosmetic changes, results in the need for a zoning variation.
Standard #3	The additional 240 square feet of living space will not alter the character as it will blend in seamlessly with the existing second story, the only thing that will change is the upstairs will be slightly wider, but still within the existing first floor roof.
Standard #7	This project started as a simple addition, as we went through the permit process, we learned that the neighborhood zoning was changed and that most all homes in the area are existing, non-conforming.
Standard #8	The addition will add value to the neighborhood and community as it will improve the appearance aesthetically, make the home more comfortable from a space perspective, and a larger asset to the area.
Standard #9	This improvement will have no effect on neighboring homes, it does not overshadow or block any adjacent properties.
Standard #10	This addition will not increase hazards of any kind, in fact it will decrease them as we are upgrading materials used to modern day standards.
Standard #11	It's a 240 square foot bedroom addition, it has no consequences of public health, safety, comfort, morals, or the general welfare of the Village.
Standard #12	This improvement will not diminish property values, in fact it will improve property values within the neighborhood
Standard #13	This addition has no impact on traffic, it will not change driving congestion in any way.
Standard #14	We are enlarging the main bedroom; the structure will beautify and enhance the neighborhood only.
Standard #15	We are adding no additional constraints to any of the utilities associated with this home, therefore it will not require any public expenditures.
Standard #16	We are only expanding a small portion of the second floor on the existing property,
Narrative Statement	According to Jordan Frahm from the Village of Glen Ellyn. the property is located in a subdivision that was re-zoned after the home was built. The setback was changed from 35 feet to 50 feet, so now the home is existing, non-conforming by definition.
Legal Description of the Property	LOT 12 IN BLOCK 7 IN ARTHUR T. MC INTOSH AND COMPANY'S LAMBERT ROAD FARMS, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE NORTH 194.04 FEET THEREOF AND EXCEPT THE NORTH 12 ACRES OF THAT PART OF THE SAID WEST 1/2 OF THE SOUTHEAST 1/4, LYING SOUTH OF THE NORTH 194.04 FEET THEREOF, ACCORDING TO THE PLAT THERE THEREOF REOCRDED NOVEMBER 18, 1955, AS DOCUMENT 781095, IN DU PAGE COUNTY, ILLINOIS.
Lot Size (Dimensions)	185.7x112
Lot Area (Sq. Ft.)	20720
Present Use of the Property	Residential home
Estimated Date to Begin Construction or Use	8/31/2025
Apply Zoning Variation Fee	Yes
Apply Deposit-Zoning Variation	Yes
Refundee Name	Nicholas Crifase
Refundee Address	277 Woodstock Avenue
In Historic District	No
HPC Significant Property	No
Park District	Glen Ellyn Park District
Elementary School District	GLEN ELLYN COMMUNITY CONSOLIDATED SCHOOL DISTRICT 89
Fire District	623
Secondary School District	GLENBARD TOWNSHIP HIGH SCHOOL DISTRICT 87



Zoning District Full	Single Family Residential District
Zoning District (Abbreviated)	R0
In Flood District	Yes
Parcel	05224160050000
Status	Existing
Lot Area (sq ft)	20,780.00
Lot Acres	0.48
Parcel	05224160050000
Type Standard	Front Yard
Parcel	05224160050000
Type Standard	Left Side Yard
Parcel	05224160050000
Type Standard	Right Side Yard
Parcel	05224160050000
Type Standard	Rear Yard
Parcel	05224160050000
Type Standard	Height
Parcel	05224160050000
Type Standard	Lot Area
Parcel	05224160050000
Type Standard	Lot Depth
Parcel	05224160050000
Type Standard	Coverage
Parcel	05224160050000
Type Standard	Frontage
Parcel	05224160050000
Type Standard	Floor Area Ratio

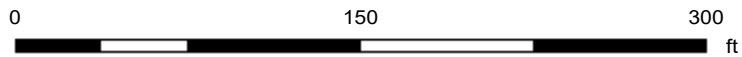


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Zoning and Development

Zoning

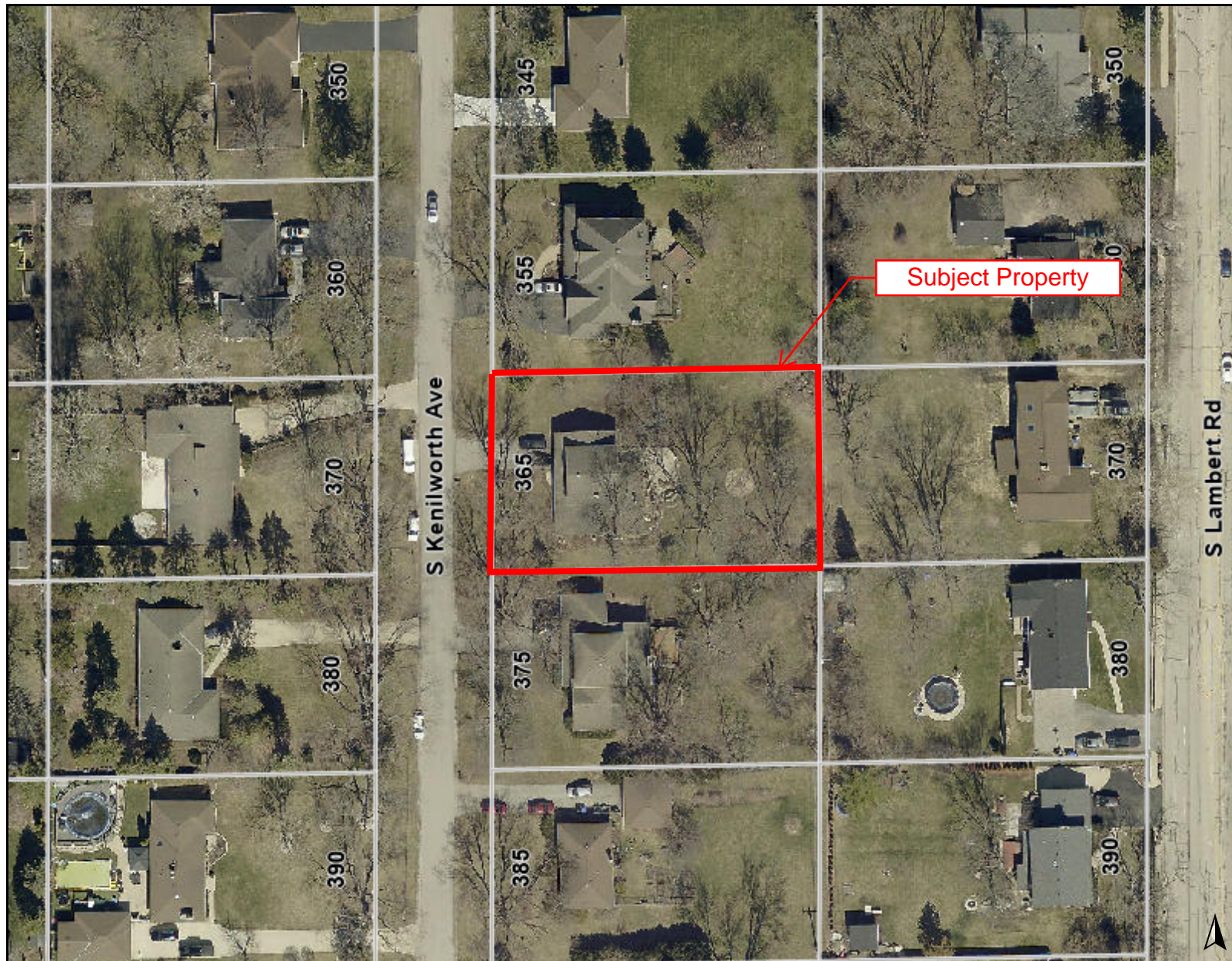
-  R0: Single Family Residential District
-  R4: Multi-Family Residential District



Print Date: 8/5/2025

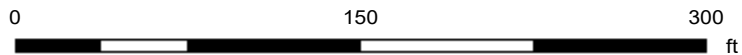
Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



Legend

Notes



Print Date: 8/5/2025

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



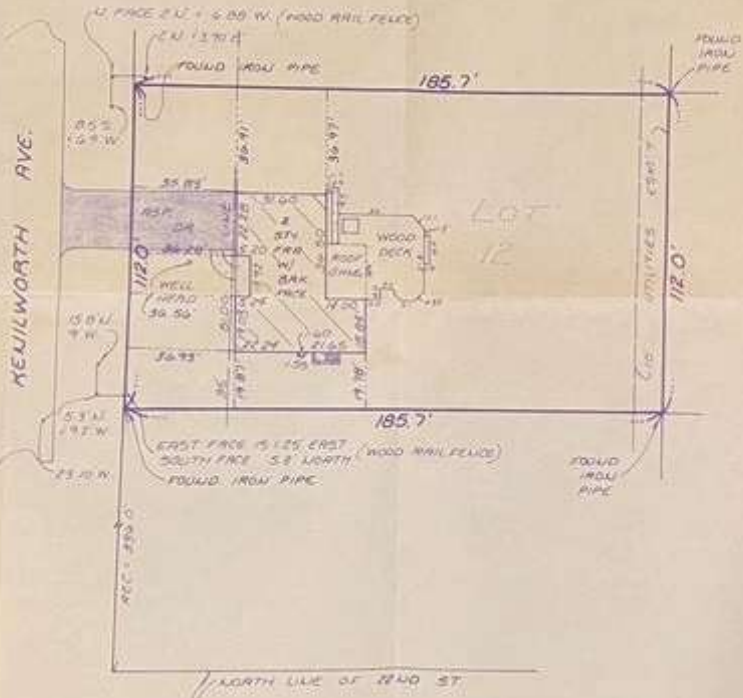
Plat of Survey

by
GENTILE and ASSOCIATES, INC.
registered land surveyors

204 S. CHERRY BLVD.
CHICAGO, ILLINOIS 60604
PHONE: (312) 751-4242
FAX: (312) 751-4244

LOT 12 IN BLOCK 7 IN ARTISTS 2-C OFFICE AND COMPANY'S LAMBERT ROAD PARK, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 28 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE NORTH 1/4, 24 FEET THEREOF AND EXCEPT THE NORTH 1/2 ACRES OF THAT PART OF THE SAID WEST 1/2 OF THE SOUTHWEST 1/4, Lying SOUTH OF THE NORTH 1/4, 24 FEET THEREOF, ACCORDING TO THE PLAT THEREOF RECORDED WITNESSED 14, 1952, AS DOCUMENT 251295, IN DADE COUNTY, ILLINOIS.

PROPERTY COMMONLY KNOWN AS: 1 & 211 PENILWORTH AVE., OLIVE BLUFF, IL.



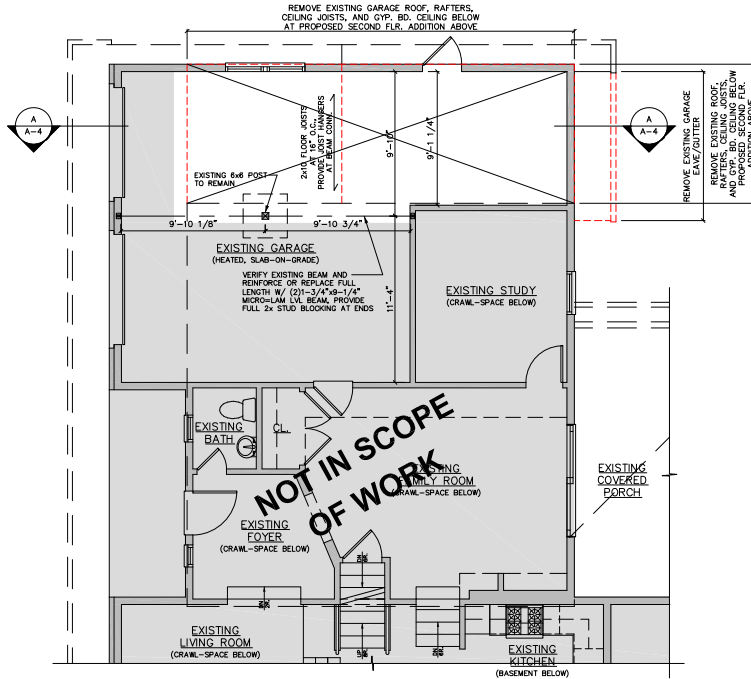
Scale: 1" = 40' Horizontal
Directions are marked in feet and DECIMAL PARTS THEREOF
Checked by: SCHWABECK
Witnessed by: WV
Surveyed by: F.N. - L.B.

STATE OF ILLINOIS, ss.
COUNTY OF DADE, ss.
WE, GENTILE AND ASSOCIATES, INC., HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE, AT AND UNDER THE DIRECTION OF THE PROPERTY OWNER, ABOVE, AND THAT THE PLAT HEREIN PRESENTS A CORRECT REPRESENTATION OF SAID SURVEY.

July 6 A.D. 1992
Joseph P. Gentile
REGISTERED LAND SURVEYOR NO. 2365

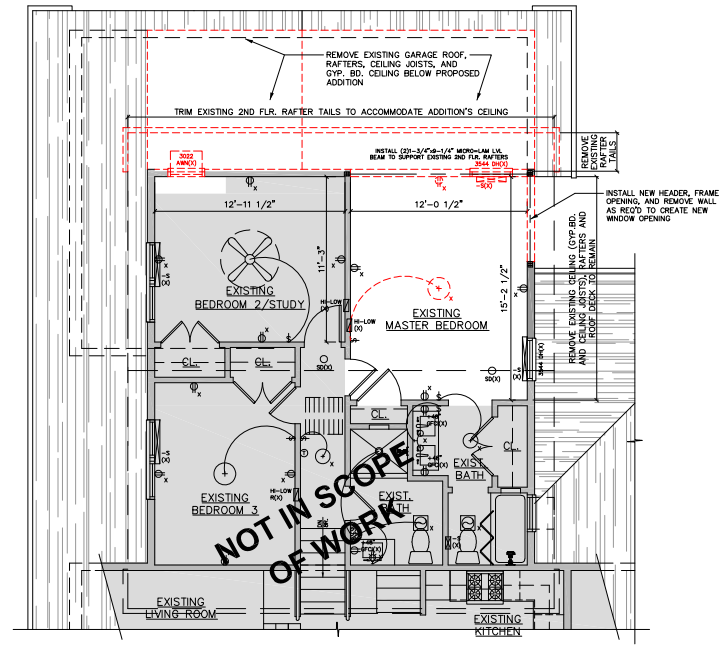
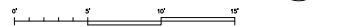
*COMPARE ALL POINTS BEFORE BUILDING BY LASH AND AT ONCE RESOLVE ANY DISCREPANCY. FOR BUILDING LINE AND OTHER RESTRICTIONS, SEE TYPICAL SECTION AREA FOR THIS RESTRICTED CONTRACT AND CONSTRUCTION.

Order No. 92-1034



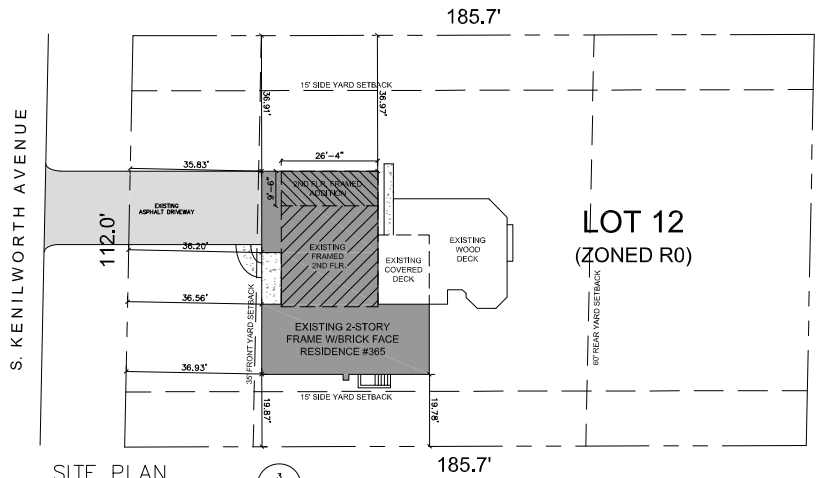
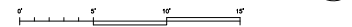
FIRST FLOOR DEMO/
FRAMING PLAN

SCALE: 1/4" = 1'-0"



SECOND FLOOR
DEMOLITION PLAN

SCALE: 1/4" = 1'-0"

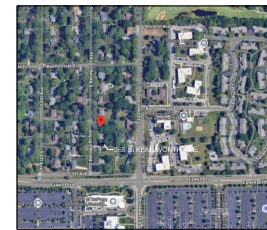


SITE PLAN

SCALE: 1/16" = 1'-0"



LOCATION MAP:



DRAWING LIST:

- A-1 DEMOLITION, FRAMING, AND SITE PLANS
- A-2 SECOND FLOOR PLAN, SCHEDULES & NOTES
- A-3 ROOF PLAN AND ELEVATIONS
- A-4 BUILDING SECTION

RESIDENTIAL APPLICABLE CODES:

- 2018 INTERNATIONAL BUILDING CODE & AMENDMENTS
- 2018 INTERNATIONAL RESIDENTIAL BUILDING CODE & AMENDMENTS
- 2018 INTERNATIONAL FIRE CODE & AMENDMENTS
- 2018 INTERNATIONAL MECHANICAL CODE & AMENDMENTS
- 2018 INTERNATIONAL FUEL GAS CODE & AMENDMENTS
- 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE & AMENDMENTS
- 2017 NATIONAL ELECTRICAL CODE
- 2019 DUPAGE COUNTY COUNTYWIDE STORM WATER FLOODPLAIN ORDINANCE
- 2014 ILLINOIS STATE PLUMBING CODE & AMENDMENTS
- 2018 INTERNATIONAL ENERGY CODE & AMENDMENTS
- 2018 ILLINOIS ACCESSIBILITY CODE
- GLEN ELLYN VILLAGE CODE & ZONING ORDINANCE

I HEREBY CERTIFY THAT THESE DRAWINGS WERE PREPARED UNDER MY SUPERVISION AND THAT THEY COMPLY TO THE BEST OF MY KNOWLEDGE WITH THE BUILDING AND ZONING ORDINANCES OF GLEN ELLYN, ILLINOIS. ARCHITECTURAL REGISTRATION NO: 001-013369



Randy B. Pruyn, NCARB, ALA
 NCARB Certified Member/Association of Licensed Architects
 407 S. Edison Avenue
 Glen Ellyn, Illinois 60135
 Phone: (630) 212-4688
 Email: randyp@rbp.com
 Website: www.randyp.com

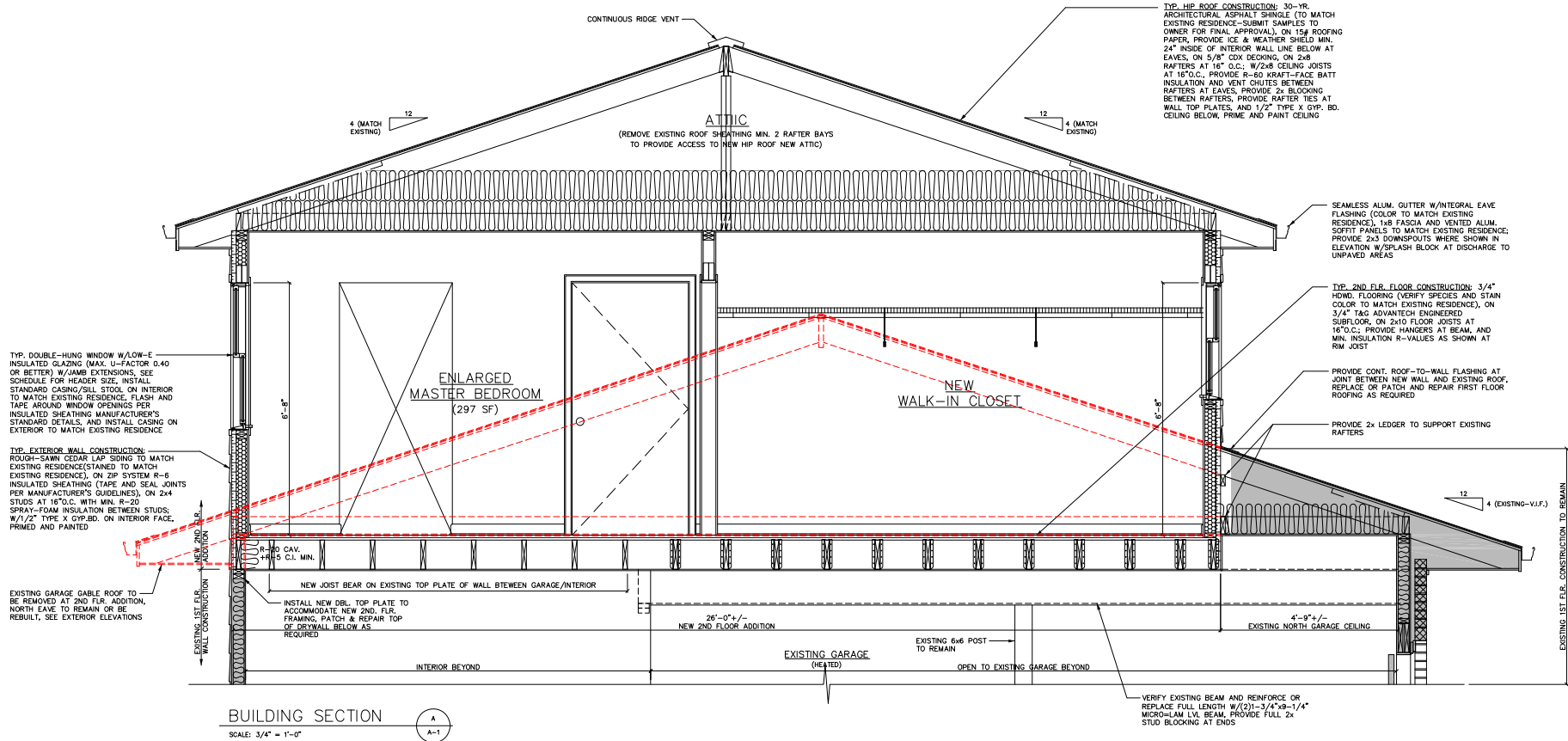
NO.	DATE	REVISION DESCRIPTION
0	4-9-25	ISSUED FOR BIDDING & PERMIT

LINDMAN-LOPARDO RESIDENCE
 SECOND FLOOR BEDROOM ADDITION
 365 S. KENILWORTH AVENUE
 GLEN ELLYN, ILLINOIS

DEMOLITION, FRAMING, AND SITE PLANS

SCALE: 1/4" = 1'-0"
 DRAWN: RBP 3-19-25
 CHECK: RBP 4-9-25
 APP'D: RBP
 FILE: Lindman-Lopardo_24.rvt

PROJECT NO: 2505
 SHEET NO: A-1



BUILDING SECTION
SCALE: 3/4" = 1'-0"

TYP. H/P ROOF CONSTRUCTION: 30-YR. ARCHITECTURAL ASPHALT SHINGLE (TO MATCH EXISTING RESIDENCE—SURMIT SAMPLES TO OWNER FOR FINAL APPROVAL), ON 15# ROOFING PAPER, PROVIDE ICE & WEATHER SHIELD MIN. 24" INSIDE OF INTERIOR WALL LINE BELOW AT EAVES, ON 5/8" CDX DECKING, ON 2x8 RAFTERS AT 16" O.C., W/2x8 CEILING JOISTS AT 16" O.C., PROVIDE R-60 KRAFT-FACE BATT INSULATION AND VENT CHUTES BETWEEN RAFTERS AT EAVES, PROVIDE 2x BLOCKING BETWEEN RAFTERS, PROVIDE RAFTER TIES AT WALL TOP PLATES, AND 1/2" TYPE X C.V.P. BO. CEILING BELOW, PRIME AND PAINT CEILING.

TYP. DOUBLE-HUNG WINDOW W/LOW-E INSULATED GLAZING (MAX. U-FACTOR 0.40 OR BETTER) W/JAMB EXTENSIONS, SEE SCHEDULE FOR HEADER SIZE, INSTALL STANDARD CASING/SILL STOOD ON INTERIOR TO MATCH EXISTING RESIDENCE, FLASH AND TAPE AROUND WINDOW OPENINGS PER INSULATED SHEATHING MANUFACTURER'S STANDARD DETAILS, AND INSTALL CASING ON EXTERIOR TO MATCH EXISTING RESIDENCE.

TYP. EXTERIOR WALL CONSTRUCTION: ROUGH-SAWN CEDAR LAP SIDING TO MATCH EXISTING RESIDENCE (STAINED TO MATCH EXISTING RESIDENCE), ON DIP SYSTEM R-6 INSULATED SHEATHING (TAPE AND SEAL JOINTS PER MANUFACTURER'S GUIDELINES), ON 2x4 STUDS AT 16" O.C. WITH MIN. R-20 SPRAY-FOAM INSULATION BETWEEN STUDS, W/1/2" TYPE X C.V.P. BO. ON INTERIOR FACE, PRIME AND PAINTED.

EXISTING GARAGE GABLE ROOF TO BE REMOVED AT 2ND FLR. ADDITION, NORTH EAVE TO REMAIN OR BE REBUILT, SEE EXTERIOR ELEVATIONS

SEAMLESS ALUM. GUTTER W/INTEGRAL EAVE FLASHING (COLOR TO MATCH EXISTING RESIDENCE), 1x8 FASCIA AND VENTED ALUM. SOFFIT PANELS TO MATCH EXISTING RESIDENCE, PROVIDE 2x3 DOWNSPOUTS WHERE SHOWN IN ELEVATION W/SPASH BLOCK AT DISCHARGE TO UNPAVED AREAS

TYP. 2ND FLR. FLOOR CONSTRUCTION: 3/4" H/W.D. FLOORING (VERIFY SPECIES AND STAIN COLOR TO MATCH EXISTING RESIDENCE), ON 3/4" TAG ADVANTECH ENGINEERED SUBFLOOR, ON 2x10 FLOOR JOISTS AT 16" O.C. PROVIDE HANGERS AT BEAM, AND MIN. INSULATION R-VALUES AS SHOWN AT RIM JOIST

PROVIDE CONT. ROOF-TO-WALL FLASHING AT JOINT BETWEEN NEW WALL AND EXISTING ROOF, REPLACE OR PATCH AND REPAIR FIRST FLOOR ROOFING AS REQUIRED

PROVIDE 2x LEDGER TO SUPPORT EXISTING RAFTERS

VERIFY EXISTING BEAM AND REINFORCE OR REPLACE FULL LENGTH W/2)1-3/4"x8-1/4" MICRO-LAM LVL BEAM, PROVIDE FULL 2x STUD BLOCKING AT ENDS

Randy B. Pruyn, NCARB, ALA
 NCARB Certified Member/Association of Licensed Architects
 407 S. Edson Avenue
 Corvallis, Illinois
 Phone: (815) 272-4688
 email: randyp@rbpr.com
 website: www.randypruyn.com

LINDMAN-LOPORDO RESIDENCE
 SECOND FLOOR BEDROOM ADDITION
 398 S. NEWELL/NORTH AVENUE
 CORVALLIS, ILLINOIS

BUILDING SECTION

SCALE: 1/4" = 1'-0"	DATE: 4-9-25
DRAWN: RBP 3-26-25	ISSUED FOR RECORD & PERMIT
CHECKED: RBP 4-3-25	REVISION DESCRIPTION
APPROVED: [Signature]	0
FILE: Lindman-Lopardo 2/24	1

PROJECT NO: 2505
 SHEET NO: A-4





Glen Ellyn Zoning Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting 8/12/2025 7:00 PM
Department: Community Development
Department Head:
Category: Policy
Prepared By: Paul Stephanides

AGENDA ITEM (ID # 2025-665)

DOC ID: 2025-665

Review and Approval of Rules of Procedure for the Glen Ellyn Zoning Board of Appeals.

Statement of the Issue:

Review and Approval of Rules of Procedure for the Glen Ellyn Zoning Board of Appeals.

Analysis:

Review and Approval of Rules of Procedure for the Glen Ellyn Zoning Board of Appeals.

Budget Impact:

Contribution to Strategic Plan

Action Requested:

Review and Approval of Rules of Procedure for the Glen Ellyn Zoning Board of Appeals.

Attachments:

1. ZBA Draft Rules

**ZONING BOARD OF APPEALS
OF THE VILLAGE OF GLEN ELLYN, ILLINOIS**



RULES OF PROCEDURE

ADOPTED ON _____, 2025

1. GENERAL PROVISIONS

1.1. The Rules of Procedure adopted herein (“Rules”) by the Zoning Board of Appeals (“ZBA”) shall govern the ZBA’s meetings and public hearings. In the event any Rule herein conflicts with a requirement of state law, the Glen Ellyn Village Code or Glen Ellyn Zoning Code (collectively referred to as “other requirement”), the other requirement shall govern and control.

1.2. These Rules are adopted as a supplement to the applicable provisions of the Illinois Compiled Statutes, the Glen Ellyn Village Code (“Village Code”), the Glen Ellyn Zoning Code (“Zoning Code”), and any ordinances, resolutions, or rules adopted by the Village Board as they relate to the ZBA.

1.3. These Rules are adopted pursuant to the authority granted by Section 2-14-4 (“Meetings”) of the Village Code.

2. MEMBERS AND DUTIES

2.1. The ZBA Chair is appointed by the Village President with the advice and consent of the Board of Trustees. The Chair shall preside at all meetings and hearings of the ZBA, shall administer oaths to witnesses or authorize the administration of oaths, and shall decide all points of order or procedure.

2.2. In case of the absence or disability of the Chair, an Acting Chair shall be nominated by the ZBA and a motion shall be adopted to appoint the Acting Chair. The Acting Chair shall perform all the duties and exercise all the powers of the Chair.

2.3. A quorum for a meeting of the ZBA shall be four (4) members who are physically present for a meeting. Electronic attendance at a meeting shall be governed by the Village Code.

2.4. Any ZBA member who has a proprietary interest, or other conflict of interest, in any matter before the ZBA shall not vote thereon and shall remove themselves from any meeting or hearing at which said matter is under consideration. If more than three (3) ZBA members remove themselves from a hearing, the Board shall refer the matter to the Village President and Board of Trustees for direction.

2.5. Any person appearing before the ZBA is prohibited from communicating with the ZBA’s members about matters before the ZBA outside of ZBA meetings. If a member receives such an *ex parte* communication, it must be made part of the public record by the member who received the communication. Failure to adhere to this Rule by any person appearing before the ZBA may result in the member who received the *ex parte* communication having to recuse themselves from a hearing or result in the dismissal of an application.

3. MEETINGS

- 3.1. Regular ZBA meetings shall be held on the second Monday of every month at 7:00 P.M., or such other days and/or times as determined by the ZBA, in the Galligan Board Room of the Civic Center or other noticed place, unless such day shall be a recognized holiday. Any regular meeting may be cancelled by the ZBA if any case or matter is not ready to proceed, or if a quorum of the ZBA is not available for a regular meeting.
- 3.2. A quorum shall consist of four members of the seven (7) member ZBA.
- 3.4. All ZBA meetings shall comply with the Open Meetings Act. All ZBA meetings shall be open to the public, and no official action shall be taken except during a public meeting.
- 3.5. The latest edition of Robert's Rules of Order shall govern the ZBA's meetings except when in conflict with the Village Code or any applicable Village ordinances, rules adopted by the Village Board, these Rules, or State law.
- 3.6. The order of agenda items may be modified by the Chair with the consent of the ZBA.
- 3.7. The Rules for Public Comment adopted by the Village President and Board of Trustees on _____, 2025 ("Rules for Public Comment"), as amended, shall govern the ZBA.

4. PUBLIC HEARINGS

- 4.1. Notice of public hearings shall be given in accordance with the Village Zoning Code and State law.
- 4.2. The Chair shall request a motion to open a public hearing which shall be voted upon by a voice vote.
- 4.3. *Continuances:* If a public hearing is to be continued, a motion to continue the hearing to a date certain shall be made which shall be voted upon by a voice vote. All continuances shall be to a date certain and no further notice shall be required. One continuance will be granted to a petitioner, if requested. Further continuances will be at the ZBA's discretion. If after the presentation of the petitioner's application, other interested parties wish to have the hearing continued so that they might prepare evidence or testimony of their own concerning or in response to the petitioner's application, the ZBA may grant a continuance.
- 4.4. At the conclusion of a public hearing, a motion to close the public hearing shall be made which shall be voted upon by a voice vote.
- 4.5. A record of a public hearing must be maintained in the form of minutes.

4.6. The petitioner, or the petitioner's authorized representative, must be present at the public hearing. Whenever a petitioner or the petitioner's representative fails to appear, the ZBA may choose to dismiss the application. Dismissal for a failure to appear is not a determination on the merits and shall not bar the filing of a new application.

4.7. Each person speaking at a public hearing shall be sworn in as a witness and shall identify themselves and provide their address. A speaker may choose to decline to provide their address.

4.8. Petitioners or objectors may present witnesses for direct questions. The ZBA may limit the number of witnesses whose testimony is cumulative or not relevant to a matter before the ZBA.

4.9. Cross-examination of witnesses shall be permitted, provided that the Chair may limit redundant questions and make other limitations based on relevancy. The examination of a witness shall not be used by a questioner to offer testimony or evidence of the questioner.

4.10. The Chair may require a preliminary statement of the nature of the evidence proposed to be elicited from a witness.

4.11. All questions or statements from the floor must be directed to the Chair.

4.12. Public comment and testimony shall take place in accordance with the Village's Rules for Public Comment.

4.13. Upon the close of a public hearing, the ZBA shall deliberate on an application and shall vote to either recommend to the Village Board that an application be approved or denied by a majority vote of those members in attendance. The ZBA must conduct its deliberations and vote in a public session.

4.14. Upon the adoption of a motion to either recommend approval or denial of an application, the ZBA shall adopt written findings of fact and a recommendation based upon the ZBA's adopted motion by a majority vote of those members in attendance.

4.15. ZBA members who are absent for one or more hearing sessions as applicable may vote on the ZBA's recommendation and the adoption of written findings of fact and recommendation if they affirm that they have either listened to the audio of the proceedings and reviewed the evidentiary materials or read the draft meeting minutes and reviewed the evidentiary materials.

4.16. If a petitioner wishes a court reporter to be present at a hearing, the petitioner must engage the court reporter at the petitioner's cost. The Village shall audio record hearings.

5. AMENDMENT TO RULES

5.1. These Rules may be amended by a vote of four (4) members of the ZBA at any regular meeting of the ZBA.