

LAKE COUNTY, ILLINOIS
ZONING BOARD OF APPEALS

RULES FOR CONDUCT OF PUBLIC HEARING

Any individual may appear in person, by agent or attorney to provide testimony at any public hearing. The Chairman shall see that the proceedings of a public hearing are conducted in an orderly manner and may disallow repetitious or irrelevant questions from the members of the ZBA or any member of the public. Each member of the ZBA, prior to speaking, shall be recognized by the Chairman. A ZBA member, after being recognized by the Chairman, should only ask questions and not make any comments or statements beyond questioning. The Chairman may terminate and continue any meeting or hearing which appears likely to extend beyond 12 p.m. for a morning meeting or hearing, or 5 p.m. for an afternoon meeting or hearing.

The order of proceedings at a public hearing shall be as follows:

1. CALL MEETING TO ORDER.
2. ROLL - CALL AND DETERMINATION OF QUORUM.
3. PLEDGE OF ALLEGIANCE (if flag is present).
4. PRELIMINARIES BY CHAIRMAN.
 - a. State the purpose of the hearing.
 - b. Explain the procedure of the hearing.
 - c. Identification of those individuals who have completed and submitted an Interested Party Cross-Examination Appearance Form.
 - d. Identification of those organizations that have completed and submitted a Recognized Organization Presentation Request Form.
 - e. Identification of those individuals that have completed and submitted a Public Comment Request Form.
 - f. Administer oath to those who will testify, ask questions, or make comments.
 - g. Call for staff presentation of the case.
5. STAFF PRESENTATION.
 - a. State the type of case (Variation, Conditional Use Permit, Rezoning).
 - b. Identify petitioner, give property address, and add general information.
 - c. State the specific request.
 - d. Acknowledge the publication of the legal notice.
 - e. Identify County departments, other agencies, and municipalities that have provided comments regarding the case.

THE RULES CONTINUE ON THE REVERSE SIDE

- f. State the following:
 1. If the Board does not reach a decision on the day of the hearing the case will be continued. Supporters and objectors should be prepared to attend additional meetings.
 2. The Board may require or recommend conditions, depending on the type of case. The discussion of possible conditions, including comments from the petitioner and others in attendance, will take place before the Board closes testimony.
6. PRESENTATION OF EVIDENCE BY THE PETITIONER OR HIS / HER REPRESENTATIVE.
 - a. Opening statement.
 - b. Testimony by the petitioner or petitioner's representatives / witnesses.
 - c. Questioning of each witness by the members of the ZBA.
 - d. Questioning of each witness by those individuals that have submitted an Interested Party Cross-Examination Appearance Form.
 - e. Close of petitioner's evidence.
7. PRESENTATION OF EVIDENCE BY A RECOGNIZED ORGANIZATION OBJECTOR.
 - a. Opening statement.
 - b. Testimony by the organization objector or objector's representatives / witnesses. (opening statement and testimony by a Recognized Organization Objector is limited to a maximum of 30 minutes)
 - c. Questioning of each witness by the members of the ZBA.
 - d. Questioning of each witness by the petitioner or petitioner's representatives.
 - e. Questioning of each witness by those individuals that have submitted an Interested Party Cross-Examination Appearance Form.
 - f. Close of objector's evidence.
8. PUBLIC COMMENT OR STATEMENT BY ANY INDIVIDUAL ATTENDING THE HEARING (Each individual wishing to comment or provide an oral statement shall complete and submit to the Chairman a Public Comment Request Form. Each individual may speak only once and shall be limited to no more than 5 minutes).
9. CLOSING STATEMENT BY A RECOGNIZED ORGANIZATION OBJECTOR.(Closing statement by a Recognized Organization Objector shall be limited to a maximum of 5 minutes.)
10. CLOSING STATEMENT BY THE PETITIONER OR HIS / HER REPRESENTATIVE (if desired).

11. ZBA DISCUSSION OF CONDITIONS FOR CONDITIONAL USE PERMIT AND VARIATION CASES.

- a. Discussion of proposed conditions amongst Members.
- b. Response by petitioners.
- c. Response by others in attendance.

12. CLOSING STATEMENT BY STAFF.

13. CLOSING OF TESTIMONY.

14. STATEMENT REGARDING THE RIGHTS OF OBJECTORS AND INSTRUCTIONS FOR FILING OBJECTIONS (if applicable).

15. ZBA DETERMINATION – The ZBA may make its decision or recommendation on the petition immediately after the public hearing or may take the matter under advisement and consider it at a continued hearing or subsequent review meeting. The Board's decision or recommendation shall be written and filed in the office of the ZBA together with findings of fact, and except for variations, conditional use permits for which the ZBA has final decision authority, and administrative appeals, shall be submitted to the County Board in accordance with the County Board rules.

16. ADJOURNMENT – A record of each hearing shall be filed in the Planning Department office.