

## **I. Zoning Board of Appeals**

The Lake County Zoning Board of Appeals (ZBA) fulfills the functions of both Zoning Board of Appeals and Regional Planning Commission and is established under the statutory provisions of the County's Code, 55 ILCS 5/5-12001 et. Seq. and 55 ILCS 5/5-14001 et. Seq. It consists of seven (7) members and two (2) alternate members. Terms, vacancies, and successors to the members are appointed by the County Board in accordance with the State Statutes.

A. **Responsibilities**: The ZBA shall have the following responsibilities:

1. The ZBA shall consider and render decisions on applications for major and minor variations from any requirement of the Lake County Unified Development Ordinance;
2. The ZBA shall consider and render decisions on requests for administrative appeals;
3. The ZBA shall consider and make recommendations to the County Board on application for map amendments (rezoning);
4. The ZBA shall consider and make recommendations to the County Board on applications for text amendments;
5. The ZBA has the authority to approve or deny delegated Conditional Use Permit applications.
6. The ZBA shall consider and make recommendations to the County Board on applications for non-delegated Conditional Use Permits;
7. The ZBA is responsible for conducting research, planning, and policy studies, particularly for issues having regional impacts, in cooperation with local governments, adjacent counties, and regional and state agencies.
8. The ZBA is responsible for recommending a Regional Framework Plan and amendments thereto, for adoption by the County Board;
9. The ZBA shall consider and act on any other matter for which any County Ordinance or code requires action by the ZBA; and
10. The ZBA shall keep minutes of its proceedings; showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision, or determination of the ZBA shall immediately be filed in the office of the ZBA and shall be a public record.

- B. **Membership**: The Zoning Board of Appeals membership shall be in accordance with State Statute and shall consist of seven members with two alternates. Members shall possess skills in zoning practices and long-range planning and must demonstrate a familiarity with the nature of Lake County and its diverse population. To achieve equitable geographic representation of the entire County, membership on the Zoning Board of Appeals shall be limited to no more than one resident per township. Each member shall be appointed for a five-year term, and members shall serve after the end of their term until the County Board has appointed a successor.
- C. **Chairman and Vice-Chairman**: The Chairman and Vice-Chairman are appointed by the County Board from among the members of the ZBA. The Chairman and Vice-Chairman shall serve terms as specified by the County Board or until their successors have been appointed and qualified.

The Chairman, or in ~~his or her~~ their absence or incapacity, the Vice-Chairman, shall preside at all meetings and public hearings of the ZBA, shall decide all points of order or procedure, shall administer oaths, may sign subpoenas compelling attendance of witnesses, and shall perform such other duties as may be assigned by custom, these Rules, or by Parliamentary procedure.

In case of the absence of both the Chairman and Vice-Chairman, the member having the greatest seniority on the Board shall serve as acting Chairman.

- D. **Recording Secretary**: The Director of the Department of Planning, Building and Development shall assign a Recording Secretary to staff the ZBA.

As Staff to the ZBA, the Recording Secretary will meet with applicants in order to provide guidance on how to prepare the application, and explain the zoning process and procedures of the ZBA. Upon receipt of any application, the Recording Secretary shall review it to ensure that the application format is substantially in conformance with the sample application provided by the ZBA office and inform the applicant to submit required supporting documents at the proper time.

At the public hearing, the Recording Secretary shall electronically transcribe and/or record video of the proceedings of the hearing and take necessary written notes to later prepare a brief summary of the testimony of the public hearing. The Recording Secretary shall, to the best of ~~his/her~~ their ability, provide any guidance to the ZBA or to the public, or answer any questions from the ZBA or from the public, if requested by the ZBA.

The Recording Secretary shall prepare the report of the ZBA, including findings of the ZBA, for any application that has been considered by the ZBA and if otherwise required, forward it to the ~~Planning, Building and Zoning Public Works, Planning and Transportation~~ Committee and the County Board.

At the review meeting or any special meeting of the ZBA, the Recording Secretary shall take written minutes of all proceedings. Such minutes shall include the vote of each member on upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions.

The Recording Secretary shall receive and direct all correspondence of the ZBA and supervise the clerical work of the ZBA. In addition, the Recording Secretary shall perform such duties of the ZBA as are properly delegated to the Recording Secretary.

- E. **Schedule**: The Planning, Building and Development Department shall schedule any required hearings and other meetings for each month in accordance with the Illinois Open Meetings Act or other applicable executive orders.
  - F. **Quorum**: Pursuant to Section 7(e) of the Illinois Open Meetings Act, a public meeting can be held by audio or video conference without a physical quorum. A quorum shall consist of four (4) members of the ZBA. If a quorum is not present, those members present in attendance may continue the hearing or meeting to a date certain, and after waiting at least thirty (30) minutes after the scheduled starting time of the hearing or meeting.
  - G. **Attendance**: Pursuant to Section 7(e) of the Illinois Open Meetings Act, a public meeting can be held by audio or video conference without a physical quorum. All members are expected to attend all meetings and public hearings scheduled by the ZBA, whether said meetings and hearings are held via audio/video conference or in person. If any member is unable to attend a scheduled meeting or a public hearing, he/she shall notify the Planning, Building and Development Department office at least 24 hours prior to the scheduled hearing or meeting.
- Whenever a member of the Board or alternate fails to attend three regular meetings or hearings during the course of a twelve month period without notification previously given to the Planning, Building and Development Department office, it shall be the discretion of the Chair~~man~~ to submit to the Chair~~man~~ of the County Board a written memorandum of the attendance record of such member.
- H. **Absence of Members**: A member who ~~was not present at~~ did not attend the public hearing, either in person or via audio/videoconference, may vote on a matter before the ZBA, provided such member has viewed the video recording, heard the audio recording, or read the transcript of the public hearing, reviewed the evidence presented at the hearing, and otherwise thoroughly familiarized ~~himself/herself~~ their self with the matter under consideration.
  - I. **Disqualification of Members**: No member of the ZBA shall sit in a hearing or vote on any matter in which he/she shall have personal or financial conflict of interest.
  - J. **Voting of Members**: All matters upon which the ZBA is required to act shall be dispensed with by roll call vote. In the event a ZBA member does not respond to a call

to a vote when their name is announced, the member shall be counted as an abstention from the vote. A concurring vote of 4 members of the ZBA is required to pass any matter before the ZBA. When an alternate member attends in place of a regular member the initial hearing on a particular case, and all subsequent continuations and review meetings concerning that case, the alternate member shall have the voting right of the regular member replaced.

## **II. Public Hearings**

A. **Matters Requiring Public Hearings**: A public hearing before the ZBA is required on all petitions for an amendment (text or map) to the Unified Development Ordinance, a conditional use permit, a major or minor variation, or an administrative appeal. Petitions for conditional use permits, variations and administrative appeals shall require services of a Court Reporter. The cost of a Court Reporter shall be paid by Applicant or Appellant and one copy of transcript shall be provided to the ZBA office.

### **B. Notice of Hearing**

1. The notice of any public hearing shall be published in accordance with the Illinois Statutes.
2. The ZBA shall mail a notice of the hearing to the petitioner(s) or to ~~his~~ their attorney or agent at least fifteen (15) days before the date of the hearing.
3. Notice of each hearing shall be sent to the following, as applicable:
  - a. County Board Member(s) from the District in which the property described in the petition is located.
  - b. Township Clerk of the township in which the property described in the petition is located.
  - c. The Highway Commissioner of the township in which the property described in the petition is located.
  - d. All municipalities within 1-1/2 miles of the property described in the petition.
  - e. High School and Grade School Districts in which the property described in the petition is located.
  - f. Park District in which the property described in the petition is located.
  - g. Fire Protection District in which the property described in the petition is located.
  - h. Water and/or Sanitary District in which the property described in the petition is located.

- i. Illinois Department of Transportation.
  - j. Illinois Department of Natural Resources.
  - k. Federal Aviation Administration (FAA) and/or Federal Communications Commission (FCC).
4. The following County Departments and agencies, as applicable, shall be notified and these departments and agencies shall, if they choose, submit comments to the ZBA, which comments should be received at least seven (7) days prior to the scheduled public hearing: The Department of Planning, Building and Development, the Building and Engineering Division, the Health Department, the Division of Transportation and the Public Works Department. The Stormwater Management Commission, the Forest Preserve District, and the Soil and Water Conservation District shall be notified as applicable.

C. **Place of Hearing:** Pursuant to Section 7(e) of the Illinois Open Meetings Act, a public meeting can be held by audio or video conference without a physical quorum. Instruction on how to participate via audio/video conference in the public meeting will be provided in the public hearing notice, on the Planning, Building and Development website, and in the posted agenda. When feasible, the public hearing shall may be held in the township affected by the terms of the petition, with the following exceptions:

- 1. Hearings for consideration of a text or general amendments to the Unified Development Ordinance shall be held in the Central Permit Facility (Libertyville, Illinois) or other County building with more adequate facilities for such hearings.
- 2. Hearings for consideration of a petition which affects more than one township, may be held in the Central Permit Facility.
- 3. A hearing for an administrative appeal shall be held at the Central Permit Facility, or other building within the County with adequate facilities.
- 4. Hearings on rezonings and conditional use permits may be held in the Central Permit Facility or other County building with adequate facilities when the Chairman determines that the township lacks adequate facilities, unless specifically requested in writing by the owner of an affected property that the hearing be conducted in the township in which the property is located, in which case the public hearing shall be held in the township in which the property is located.
- 5. Hearings on variations will be held in the Central Permit Facility or other County building with adequate facilities for such hearings. However, if the owner of any property affected by a variation requests in writing that the public hearing be conducted in the township in which the property is located, the public hearing shall be held in the township in which the property is located.

- D. **Time of Hearing**: All scheduled hearings and meetings of the ZBA shall be held during the daytime hours, either at 9:00 a.m. or, 1:00 p.m., or at such other time as may be scheduled by the Chairman.
- E. **Conduct of Public Hearing**: Any individual may appear in person, by agent, or attorney to provide testimony at any public hearing, whether held in a physical location or via audio/video conference. The Chairman, in coordination with Planning, Building and Development Department, shall see that the proceedings of a public hearing, whether held in a physical location or by audio/video conference, 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, in coordination with the ZBA Recording Secretary or other Planning Department staff member who is assisting the Chair with technical procedure. 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 12:00 p.m. for a morning meeting or hearing, or 4:00 p.m. for an afternoon meeting or hearing.

The order of proceedings at a public hearing, except administrative appeals, 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.
  - 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~~ THEIR 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. Public Comment qualifies as testimony at the hearing. Each individual wishing to comment or provide an oral statement shall complete and submit to the Chair~~man~~, via the ZBA Recording Secretary, a Public Comment Request Form. The form should be submitted ~~prior to the time for Public Comment~~ start of the public hearing. Public Comment shall be subject to the following rules and procedures:
- a. The Chair shall not be required to allow every person who wishes to address the Board to do so where the comments are repetitive of prior comments. Any person who is not allowed to make remarks during Public Comment shall be permitted to submit written Comments to the Board Secretary.
  - b. Each person will be permitted to speak one time only, unless the Chair determines that allowing a speaker to address the Board again will contribute new information directly relevant to a subject matter listed on the agenda.



- c. Each person speaking shall be permitted to speak for no more than three (3) minutes.
  - d. All comments must be civil in nature. Any person who engages in threatening, slanderous, or disorderly behavior when addressing the Board may be deemed out of order by the Chair and ~~his or her~~ their time to address the Board at said meeting shall end.
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~~ THEIR 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 Building and Development Department office.
- F. **Postponement of Hearing:** If the petitioner desires the postponement of a public hearing for which notice has already been published, he/she shall so inform the Recording Secretary of the ZBA at least five (5) working days prior to the hearing date, giving the reason for postponement. The Recording Secretary shall immediately inform the Chair~~man~~ who shall determine if the request for postponement should be granted. If the postponement is approved by the Chair~~man~~, the Recording Secretary shall inform all members of the ZBA of the postponement. The Recording Secretary shall try to provide such notice of postponement as may be practicable to persons to whom notice of hearing has been sent. When a hearing is postponed at the request



of the petitioner, the petitioner must pay the cost of re-publication of the notice of hearing, as well as any other additional costs incurred as a result of the postponement. The postponed hearing shall be rescheduled to the next month's agenda unless specific time extension is requested by the applicant and approved by the ZBA. No more than three (3) postponements shall be permitted if a public hearing has already been held by the ZBA.

- G. **Failure of Applicant to Appear at Public Hearings:** If the petitioner or ~~his/her~~ their representative fails to appear promptly (within 30 minutes of the time of the scheduled hearing, whether held physically or by audio/video conference), the ZBA may deny the petition for lack of prosecution.
- H. **Withdrawal of Petition after Public Hearing:** If the petitioner decides to withdraw ~~his/her~~ their petition at any time after the public hearing and before final action has been taken by the appropriate Board, the petitioner may reinstate the petition only by refiling the petition and paying all required fees.
- I. **Interested Party Cross-Examination Appearance Form.** The Interested Party Cross-Examination Appearance Form shall be completed and provided to the Chair~~man~~ via the ZBA Recording Secretary, by no later than the start of the public hearing by each individual that desires to conduct cross examination at the public hearing. *Completion of this form is not necessary for individuals that desire only to make statements or comments at the public hearing.* The Interested Party Cross-Examination Appearance Form should be filled out only by those who desire to conduct cross examination and who have some special interest in the public hearing (such as, without limitation, having property within 250 feet of the subject property, or having property that shares facilities with the subject property that may be impacted). The ZBA requests that parties with similar interests and/or concerns attempt to coordinate their participation in the hearing so that the number of individuals who desire to conduct cross-examination is maintained at a reasonable level.
- J. **Recognized Organization Presentation Request Form.** The Recognized Organization Presentation Request Form shall be completed and provided to the Chair~~man~~ via the ZBA Recording Secretary, by no later than the start of the public hearing by any bona fide and recognized organization with some special interest in the public hearing (such as, without limitation, a municipality or unit of local government in proximity to the subject property or that provides services to the subject property, a homeowners association having property within 250 feet of the subject property, or a duly registered 501(c)(3) special interest group with local participation) that wishes to present evidence and that represents the interests of multiple individuals with similar interests that wish to coordinate their participation in the hearings. Presentations by recognized organizations, including any opening statements, shall be limited to a maximum of 30 minutes. *Completion of this form is not necessary for individuals that desire only to make statements or comments at the public hearing.*

- K. **Public Comment Request Form.** Any individual wishing to comment or make a statement at the public hearing, but not wishing to conduct cross-examination of witnesses, should complete and submit to the Chair~~man~~ via the ZBA Recording Secretary by no later than the start of the public hearing a Public Comment Request Form. Individual public comment and statements shall be limited to a maximum of 3 minutes.
- L. **Waiver of Time Limits and Request Forms.** If warranted by the circumstances, the ZBA Chair~~man~~ may waive the time requirements included in Sections E, J and K and the request form requirement included in Section K.

### III. **Appeals**

Whenever there is an appeal to the ZBA to review any order, requirement, decision, or determination of any administrative official, in accordance with statute, the following procedure shall be followed:

- A. **Notice of Appeal:** The person appealing must, within thirty (30) days from the date of administrative action which he/she is appealing, file a notice to appeal with the administrative official whose action he/she is appealing and with the ZBA. A filing fee as prescribed by the County Board in its Fee Schedule shall be paid at the time the notice of appeal is filed. The official from whose action the appeal is taken shall transmit to the ZBA all the papers constituting the record of said action.
- B. **Time of Hearing:** Upon receipt of the notice of appeal, the ZBA shall set a reasonable time for the hearing of the notice of said appeal. Due notice of the time and place or audio/video conference platform of the hearing shall be given to the parties within a reasonable time before the date of hearing.
- C. **Conduct of Hearing:** Any party may appear in person or by agent or representative. The order of procedure in an appeals hearing is 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 CHAIR~~MAN~~: State purpose of hearing, acknowledge legal publication, and explain procedure to be followed for the remainder of the hearing.
  5. ACKNOWLEDGEMENT OF COMMENTS RECEIVED FROM THE COUNTY DEPARTMENTS, OTHER AGENCIES AND PUBLIC.
  6. PUBLIC COMMENT OR STATEMENT BY ANY INDIVIDUAL ATTENDING THE HEARING. Public Comment does not qualify as testimony at the hearing and thus

shall not be subject to judicial review. Each individual wishing to comment or provide an oral statement shall complete and submit to the Chairman via the ZBA Recording Secretary, a Public Comment Request Form. The form should be submitted prior to the time for Public Comment. Public Comment shall be subject to the following rules and procedures:

- a. The total time available for Public Comment during any meeting shall be limited to 45 minutes unless the Chair waives the rule. The Chair shall not be required to allow every person who wishes to address the Board to do so where the comments are repetitive of prior comments. Any person who is not allowed to make remarks during Public Comment shall be permitted to submit written Comments to the Board Secretary.
- b. Each person will be permitted to speak one time only.
- c. Each person speaking shall be permitted to speak for no more than three (3) minutes.
- d. All comments must be civil in nature. Any person who engages in threatening, slanderous or disorderly behavior when addressing the Board may be deemed out of order by the Chair and ~~his or her~~ their time to address the Board at said meeting shall end.

7. ~~ADMISITRATION~~ ADMINISTRATION OF OATH: The Chair will administer the oath of those who wish to testify.

8. PRESENTATION OF EVIDENCE BY THE APPELLANT OR ~~HIS/HER~~ THEIR REPRESENTATIVE.

- a. Opening Statement.
- b. Testimony by the appellant and/or ~~his/her~~ their representatives/witnesses.
- c. Questioning of each witness by the members of the ZBA.
- d. Questioning of each witness by the administrative official and/or his/her ~~their~~ representative.
- e. Questioning of each witness by any person attending the hearing.
- f. Close of appellant's evidence.

9. PRESENTATION OF EVIDENCE OF THE ADMINISTRATIVE OFFICIAL.

- a. Opening statement.
- b. Testimony by the administrative official and/or ~~his/her~~ their representatives and/or witnesses.
- c. Questioning of each witness by the members of the ZBA.
- d. Questioning of each witness by the appellant and/or ~~his/her~~ their representative.
- e. Questioning of each witness by any person attending the hearing.
- f. Close of administrative official's evidence.

10. PRESENTATION OF EVIDENCE BY INTERESTED PARTICIPANTS ATTENDING THE HEARING.

- a. Presentation of statements, testimony, or evidence by any witness.
- b. Questioning of each witness by the members of the ZBA.

- c. Questioning of each witness by the appellant, administrative official, or other persons attending the hearing.

11. REBUTTAL BY APPELLANT.

12. CLOSING STATEMENT BY THE APPELLANT OR ~~HIS/HER~~ THEIR REPRESENTATIVE, IF DESIRED.

13. CLOSING STATEMENT BY THE ADMINISTRATIVE OFFICIAL OR ~~HIS/HER~~ THEIR REPRESENTATIVE, IF DESIRED.

14. CLOSING OF TESTIMONY.

15. ZBA DECISION - The ZBA may make its decision on an appeal immediately or may take the matter under advisement and consider it at a subsequent review meeting. The ZBA may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as in its opinion ought to be done. The decision of the ZBA shall be in writing. The basis for the determination of the appeal and a detailed summary of the findings of fact upon which the determination is made shall be recorded in the decision and shall constitute a part of the record thereof.

16. ADJOURNMENT.

#### IV. Review Meeting

The primary purpose of a review meeting is to review and decide or make recommendations to the County Board of previously heard and yet pending cases. A review meeting may also be held to discuss any appropriate issue or item unrelated to a specific case which may come before the ZBA.

A review meeting is generally held on the first Thursday of each month at 9:00 a.m., or at such other time as the Chair~~man~~ may designate, at the Lake County Central Permit Facility, 500 W. Winchester Road, Libertyville, IL or via audio/video conference. Additional review meetings may be called by the Chair~~man~~ or by any three (3) members of the ZBA, provided that at least 48 hours' notice is given to each member prior to such meeting.

A review meeting may also be requested by any petitioner or ~~his/her~~ their representative to review and consider their case. Such a request shall be submitted to the Planning, Building and Development Department office in writing and the Chair~~man~~ shall decide on such request. When a review meeting is scheduled at the request of a petitioner or ~~his/her~~ their representative, all costs of the meeting shall be paid by the petitioner.

- A. **Conduct of a Review Meeting**: All review meetings are open to the public. However, if the hearing on any case has been adjourned or if the testimony has been closed, no new unsolicited evidence or testimony shall be accepted nor shall any person other than members of the ZBA be permitted to speak unless that person is recognized by the Chair~~man~~ and is directly responding to a specific question or request of the ZBA.
- B. **Cancellation of a Review Meeting**: Whenever there is no business to be considered at a regular review meeting, or when the Chair~~man~~ has determined that a quorum will not be present, the Chair~~man~~ may cancel such meeting by notice to each member at least 48 hours prior to the time set for such meeting.
- C. **Order of Business at Review Meetings**: The order of Business shall be:
1. CALL MEETING TO ORDER.
  2. ROLL CALL AND DETERMINATION OF QUORUM.
  3. PLEDGE OF ALLEGIANCE (if flag is present).
  4. SUBMISSION OF MINUTES OF PREVIOUS REVIEW MEETING FOR APPROVAL.
  5. DISCUSSION OF ~~ADDED~~ ADDENDA TO AGENDA ~~ITEMS~~.
  6. ACTION ON DEFERRED MATTERS.
  7. OTHER BUSINESS.
  8. ADJOURNMENT.

## **V. Effect of Rules**

These rules are intended to apply in the absence of any other State or County requirement governing the procedure of the ZBA but in no way abrogate any requirement of the Illinois Statutes or of any County Ordinance. All points of order not otherwise covered shall be decided by the Chair~~man~~, subject to appeal to the members of the full ZBA present. Roberts Rules of Order (most recent edition) shall govern the procedures where they do not conflict with these Rules, the County Ordinance, or the Illinois Statutes.

## **VI. Amendment and Suspension of Rules**

Amendments to these Rules may be made by the ZBA at any regularly called meeting or hearing upon the affirmative vote of five (5) members. The suspension of any rule of procedure may be ordered at any meeting by a vote of two-thirds (2/3) of the ZBA members present.

**LAKE COUNTY ZONING BOARD OF APPEALS  
INTERESTED PARTY CROSS-EXAMINATION APPEARANCE FORM**

Any interested person that desires to appear at the Lake County Zoning Board of Appeals' public hearing *and conduct cross-examination of witnesses* shall complete and submit this cross-examination appearance form with the Chair~~man~~ of the ZBA via the ZBA Recording Secretary, prior to the start of the public hearing.

**NOTE: IT IS NOT NECESSARY TO COMPLETE THIS FORM TO MAKE PUBLIC COMMENTS OR STATEMENTS AT THE PUBLIC HEARING WITHOUT CONDUCTING CROSS EXAMINATION. THIS FORM IS ONLY FOR THOSE SPECIFICALLY INTERESTED PARTIES WHO ALSO DESIRE TO CONDUCT CROSS EXAMINATION DURING THE HEARINGS.**

Please provide the following information:

**NAME:**

---

**ADDRESS:**

---

**TELEPHONE NUMBER:**

---

**PUBLIC HEARING MATTER:**

---

**PLEASE PROVIDE A BRIEF EXPLANATION OF YOUR SPECIAL INTEREST IN THE PUBLIC HEARING (such as, without limitation, your property is within 250 feet of the subject property, or your property shares facilities with the subject property that may be impacted).**

---

---

---

---

---

**PLEASE DESCRIBE THE GENERAL NATURE OF THE QUESTIONS YOU DESIRE TO POSE AT THE PUBLIC HEARING:**

---

---

---

**LAKE COUNTY ZONING BOARD OF APPEALS  
RECOGNIZED ORGANIZATION PRESENTATION REQUEST FORM**

Any bona fide and recognized organization with some special interest in the public hearing that wishes to present evidence and that represents the interests of multiple individuals with similar interests that wish to coordinate their participation in the hearings shall complete and submit this form to the Chair~~man~~ of the ZBA, via the ZBA Recording Secretary, prior to the start of the public hearing. Presentations by recognized organizations, including any opening statements, shall be limited to a maximum of 30 minutes.

**NOTE: IT IS NOT NECESSARY TO COMPLETE THIS FORM TO MAKE PUBLIC COMMENTS OR STATEMENTS AT THE PUBLIC HEARING. THIS FORM IS ONLY FOR THOSE RECOGNIZED ORGANIZATIONS THAT WISH TO MAKE A PUBLIC PRESENTATION DURING THE HEARINGS.**

Please provide the following information:

**NAME AND ADDRESS OF ORGANIZATION:**

---

**NAME AND ADDRESS OF ORGANIZATION REPRESENTATIVE COORDINATING PRESENTATION**

---

---

**NATURE OF ORGANIZATION:**

---

**PUBLIC HEARING MATTER:**

---

**PLEASE PROVIDE A BRIEF EXPLANATION OF YOUR ORGANIZATION'S SPECIAL INTEREST IN THE PUBLIC HEARING:**

---

---

---

**PLEASE DESCRIBE THE GENERAL NATURE OF THE PRESENTATION YOU DESIRE TO MAKE AT THE PUBLIC HEARING AND THE MEANS OF PRESENTATION (i.e. Powerpoint or written statement, handouts, posterboards):**

---

---

---



**LAKE COUNTY ZONING BOARD OF APPEALS  
PUBLIC COMMENT REQUEST FORM FOR HEARINGS OTHER THAN  
ADMINISTRATIVE APPEALS**

Any individual that wishes to make a public statement or comment concerning the matter that is the subject of the public hearing should complete and submit this form to the Chair~~man~~ of the ZBA via the ZBA Recording Secretary, prior to the start of the public hearing. Public Comment shall be subject to the following rules and procedures:

1. Each person speaking shall be permitted to speak for no more than three (3) minutes.
2. Where the comments are repetitive of prior comments, the Chair shall not be required to allow every person who wishes to address the Board to do so. Any person who is not allowed to make remarks during Public Comment shall be permitted to submit written Comments to the Board Secretary.
3. Each person will be permitted to speak one time only, unless the Chair determines the speaker would contribute new information directly relevant to the subject matter being considered.
4. All comments must be civil in nature.

Please provide the following information:

**YOUR NAME:**

---

**PUBLIC HEARING MATTER THAT YOU WISH TO SPEAK ABOUT:**

---

**PLEASE DESCRIBE THE GENERAL NATURE OF YOUR INTENDED COMMENT OR STATEMENT:**

---

---

---

---

---

**LAKE COUNTY ZONING BOARD OF APPEALS  
ADMINISTRATIVE APPEALS PUBLIC COMMENT FORM**

Any individual that wishes to make a public statement or comment concerning the matter that is the subject of the public hearing should complete and submit this form to the ~~Chairman~~ of the ZBA via the ZBA Recording Secretary, prior to the start of the public hearing. Public Comment shall be subject to the following rules and procedures:

1. Each person speaking shall be permitted to speak for no more than three (3) minutes. The total time available for Public Comment during any meeting shall be limited to 45 minutes, but the Chair may act to extend the time.
2. Where the comments are repetitive of prior comments, the Chair shall not be required to allow every person who wishes to address the Board to do so. Any person who is not allowed to make remarks during Public Comment shall be permitted to submit written Comments to the Board Secretary.
3. Each person will be permitted to speak one time only.
4. All comments must be civil in nature.

Please provide the following information:

**YOUR NAME:**

---

**PUBLIC HEARING MATTER THAT YOU WISH TO SPEAK ABOUT:**

---

**PLEASE DESCRIBE THE GENERAL NATURE OF YOUR INTENDED COMMENT OR STATEMENT:**

---

---

---

---

---

Dated this 28th day of October, 1977.

Last amended 7/11/03

Last amended 8/6/04

Last amended 4/01/05

Last amended 9/01/05

Last amended 3/01/07

Last amended 5/01/08

Last amended 02/02/12

Last amended 07/12/12

Last amended 03/25/13

Last amended 09/15/14

Last amended 03/19/15

Last amended 09/17/2020