



# Welcome to the Zoning Board of Appeals Meeting

Reinhard Schneider, Chair

Brad Falkof

Didier Glattard

Christine Norrick

Ryrie Pellaton

Bob Surman

Maria Urban

As of November 11, 2020

# **The Zoning Board of Appeals**

The Zoning Board of Appeals (Zoning Board) is a recommending body reporting to the Village Board of Trustees (Village Board). All members are Wilmette residents appointed by the Village President with the advice and consent of the Village Board. Zoning Board members are appointed to a five-year term, and may serve a maximum of two terms, for a total of ten years. The Village President appoints a Chair to preside at the Zoning Board meetings. The Zoning Board is responsible for hearing and issuing recommendations on applications for variations and special uses. Occasionally, the Zoning Board will hear and make final decisions on appeals of any zoning interpretation or determination made by the Zoning Administrator, hear and issue recommendations on applications for text amendments and map amendments when referred to by the Village Board, or hear and report to the Village Board on such other matters as may be referred to it by the Village Board.

## **General Order of Business**

An agenda of items is prepared for each meeting. The general order of business for Zoning Board hearings is as follows:

1. Call to Order
2. Roll Call
3. Presentation of Applications
4. Approval of Minutes
5. Public Comment
6. Adjournment

## **The Meeting Process**

- The Chair opens the public hearing for the application(s) and presents a brief explanation of the public hearing procedure.
- The Chair swears in those wishing to give testimony. All persons offering testimony at a public hearing shall testify under oath. An attorney shall be sworn if he/she offers testimony, but not if he/she is questioning a witness, summarizing witness testimony, or addressing the body conducting the hearing on procedural issues.
- The applicant presents testimony regarding the petition and associated applications. The applicant is allowed to present without interruption from members of the Zoning Board or public.
- The Zoning Board members may ask questions of the applicant.
- When the applicant has completed his/her presentation, the Chair will ask if any members of the public present wish to speak on the application. Anyone raising their hand will be provided the opportunity to speak.
- All persons wishing to testify will be asked to state for the record his/her name and address before making their comments, submitting evidence or questioning a witness. All interested parties may

appear for themselves or be represented by a person of their choosing. Written statements will be accepted prior to the hearing to be entered into the public hearing record.

- Any person may appear at a hearing and submit evidence, upon receiving recognition from the Chair. Any person may ask relevant questions of other witnesses, but only through the Chair and at the discretion of the Chair. The Chair may use reasonable discretion in determining when testimony has become redundant or is not relevant to the proceedings.
- The application and any accompanying exhibits will be identified and made part of the record. Any materials submitted and/or presented by an interested party will be identified and made part of the record.
- The Zoning Board members may ask questions of interested parties regarding their testimony.
- After all interested parties have addressed the Zoning Board, the Chair provides the applicant with the opportunity to comment on any public testimony and/or to answer questions that were asked. The Zoning Board members may have follow-up questions for the applicant.
- After everyone has addressed the Zoning Board in turn, the Chair will announce that the testimony is closed and request that a member of the Zoning Board make a motion. The motion is given in positive form as a motion to approve the request. Having the motion made and seconded allows the Zoning Board to begin discussion.
- The Zoning Board members will discuss the testimony given and evidence gathered.
- When the Zoning Board has completed discussion, the Chair will ask that a vote be taken on motion. Because the motion is made in the positive, a vote in favor of the motion is a vote in favor of the request.
- The Zoning Board votes to recommend approval or denial of all special use and/or variation requests under one action; they do not vote individually on each special use and variation request of an application.
- If the meeting extends past 10:00 p.m., the Chair may ask that the application be continued to the next regular meeting date of the Zoning Board (the first and third Wednesday of every month). Most cases are able to be heard in one meeting, but occasionally large commercial or institutional projects require more than one meeting because of the amount of public testimony, because the applicant requests time to review and revise their request and/or because the Zoning Board has requested additional information from the applicant.

It is important to remember that the Zoning Board is a recommending body and is not authorized to take final action on any variation or special use application. The Zoning Board's recommendation is forwarded to the Village Board for final action.

The Zoning Ordinance requires that a request receive a minimum of four positive votes to be recommended to the Village Board for approval. A minimum of four positive votes is required regardless of how many Zoning Board members are in attendance. Four is a quorum and the minimum required to hold a meeting. When not all seven members are in attendance and/or there is a vacancy that reduces the number able to be present, the Chair will give applicants the

opportunity to continue their request to a subsequent Zoning Board date. Applicants must make their request before making any presentation. There is no guarantee that a full board will be in attendance on the date the case is continued to.

### **Addressing the Zoning Board of Appeals**

All members of the public will have the opportunity to address the Zoning Board in support of or against an application listed on the agenda. When addressing the Zoning Board, please state your name and address. In order to ensure that all persons have an opportunity to speak, a time limit may be set by the Chair for each speaker (typically such limit is 5 minutes). When a large number of citizens are scheduled, please avoid repeating statements already made. Members of the public will generally not be allowed to speak multiple times during the time. Following these procedures provides all interested parties an opportunity to speak while ensuring time for the Zoning Board to ask questions of the applicant and Village staff as well as to deliberate before it becomes too late in the evening.

Wilmette is a community of neighbors and prides itself on conducting professional meetings that respect all parties involved. Accordingly, we ask you to keep your comments respectful and to direct them to the Chair of the Zoning Board, and not to the applicant or other speakers from the public.

### **Public Comment**

Public Comment is intended for items not on the Zoning Board's agenda. All members of the public will be provided the opportunity to speak on items listed on the agenda at the appropriate time during the meeting (or at the next meeting if the subject is continued). Any member of the public wishing to address the Zoning Board on a matter not on the published agenda is welcome to do so under the Public Comment section of the agenda.