



**RIVER FOREST
ZONING BOARD OF APPEALS
MEETING AGENDA**

A meeting of the River Forest Zoning Board of Appeals will be held on Thursday, May 14, 2026, at 7:30 P.M. in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

Anyone interested in this matter is encouraged to share their comments with the Zoning Board of Appeals. If you are unable to attend the public hearing, you may submit written comments to Christian Luis, Building Dept. Manager, by 12:00 p.m. on the day of the hearing. Comments may also be emailed in advance to cluis@vrf.us.

You may listen to the meeting by clicking here:
<https://us02web.zoom.us/j/89224408478>

- I. Call to Order
- II. Approval of the Minutes from the meeting of the Zoning Board of Appeals on October 9, 2025
- III. Public Hearing – Zoning Variation Request for 846 Forest Avenue – Secondary Front Yard Setbacks and Side Yard Setbacks
- IV. Approval of Findings of Fact for the Zoning Variation for 846 Forest Avenue
- V. Public Comment
- VI. Adjournment

**MINUTES OF THE MEETING OF THE
VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS**

October 9, 2025

A meeting of the River Forest Zoning Board of Appeals was held at 7:30 pm on Thursday, October 9, 2025, in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER

Member Dombrowski called the meeting to order at 7:30 pm. Meeting started by calling roll. Upon a roll call the following persons were:

Present: Chairman Pro-Tem Gerry Dombrowski, Members Chris Plywacz, Mary Shoemaker, Ron Lucchesi, and Sheila Price

Absent: Chairman Frank Martin and Member Corina Davis

Also present at the meeting: Jessica Spencer, Assistant Village Administrator, Deputy Clerk Luke Masella, and Seth Jansen, Assistant to the Director of Public Works

A **MOTION** was made by Member Lucchesi and seconded by Member Plywacz to appoint Member Gerry Dombrowski as Chairman Pro-Tem.

By a voice vote, the motion passed.

Secretary Radatz swore in those who wished to testify.

II. APPROVAL OF THE MINUTES FROM THE MEETING OF THE ZONING BOARD OF APPEALS ON JUNE 26, 2025

Chairman Pro-Tem Dombrowski asked if there were any comments about the minutes from the last meeting, there were none.

A **MOTION** was made by Member Plywacz and seconded by Member Lucchesi to approve the minutes of the June 26, 2025, meeting.

Ayes: Members Dombrowski, Plywacz, Shoemaker, Price, and Lucchesi

Nays: None

Motion passed.

III. HEARING – TEXT AMENDMENT REQUEST – PUBLIC HEARING AMENDING SECTION 10-24 REGARDING TREE PRESERVATION, TO ESTABLISH REQUIREMENTS FOR SINGLE FAMILY PROPERTIES AND TO UPDATE TERMINOLOGY

Chairman Pro-Tem Dombrowski introduced the Seth Jansen, Assistant to the Director of Public Works, to present the tree preservation zoning ordinance.

Chairman Pro-Tem Dombrowski asked if there were any questions from the public, there were none. The public portion of the hearing was closed.

Member Lucchesi asked about the standards for the parkway trees. Mr. Jansen responded the Village holds itself to a “one-to-one” replacement standard, among other requirements. He clarified that the policy for parkway trees is more restrictive than the policy for single family trees.

Member Plywacz asked about how much a parkway tree can be pruned, that overhangs private property. Mr. Jansen stated that parkway trees being pruned is a different policy.

In response to Member Price’s question about healthy trees being included in this ordinance, Mr. Jansen confirmed that yes, the program is designed to replace healthy trees that otherwise wouldn’t need to be removed.

A MOTION was made by Member Plywacz and seconded by Chairman Pro-Tem Dombrowski to approve the text amendment for Section 10-24.

Ayes: Chairman Pro-Tem Dombrowski, Members Plywacz, Shoemaker, Price, and Lucchesi

Nays: None

Motion passed.

IV. APPROVAL OF FINDINGS OF FACT FOR THE AMENDMENT OF SECTION 10-24 REGARDING TREE PRESERVATION

Chairman Pro-Tem Dombrowski sought a motion to discuss the Findings of Fact.

A MOTION was made by Chairman Pro-Tem Dombrowski and seconded by Member Price to approve the text amendment for Section 10-24.

Ayes: Chairman Pro-Tem Dombrowski, Members Plywacz, Shoemaker, Price, and Lucchesi

Nays: None

Motion passed.

V. PUBLIC COMMENT

There was none.

VI. ADJOURNMENT

A MOTION was made by Chairman Pro-Tem Dombrowski to dismiss the meeting, seconded by Member Plywacz to adjourn. A unanimous voice vote passed the motion.

Meeting Adjourned at 7:45 p.m.

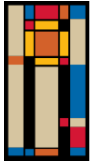
Submitted:

Clifford E. Radatz, Secretary

Date: _____

Frank Martin, Chairman
Zoning Board of Appeals

DRAFT



RIVER FOREST

Proud Heritage • Bright Future

Village President
Catherine Adduci

Village Clerk
Rosa Castellano

Village Trustees
Erika Bachner
Kathleen Brennan
Lisa Gillis
Megan Keskitalo
Robert O'Connell
Respicio F. Vazquez

MEMORANDUM

DATE: March 25, 2026

TO: Zoning Board of Appeals

FROM: Christian Luis *CL*
Building & Zoning Inspector

SUBJECT: Variation Request – 846 Forest Ave

George & Laura Toerner, owners of the property at 846 Forest Ave, have applied for a variation to the Setback regulations [Section 10-8-7-A-2 (10-9-7)] and [Section 10-8-7-C-2-b (10-9-7)] for a proposed 2nd floor addition onto a portion of their residence.

The proposed 2nd floor addition, as shown on the submitted plans, will be situated entirely on the existing single-floor portion at the rear of the residence. Please note that the single-floor portion includes an addition (10'x20') to the NW corner of the main structure that was permitted in June 1972; the remainder at the SW corner is original construction. According to the permit's records, there is no mention of the addition being required to adhere to a minimum setback in the secondary front yard facing Iowa St; there are also no known records of this permitted addition, along with the main structure, being legal nonconforming until now, as the current Zoning code applies.

For secondary front yard setbacks, section 10-9-7 of the Zoning ordinance (10-8-7-A-2) requires "On the secondary street the front yard shall be a minimum of thirteen feet for a fifty foot wide lot..."; for side yard setbacks, section 10-8-7-C-2-b requires "...and the height of a wall that maintains a nonconforming side yard setback may not be increased.

The applicant is requesting that the north elevation of the 2nd floor addition match the current setback of the main structure at the eave's edge (6.57' instead of the required 13') and that the south elevation of the addition increase the wall height of the existing nonconforming setback (4.79' instead of the minimum 5') to match the existing structure's wall height.

If the Zoning Board wishes to recommend the approval of this variation to the Village Board of Trustees, the following motion should be made:

Motion to recommend to the Village Board of Trustees the approval of a variation to Section 10-9-7 of the Zoning Code at 846 Forest Ave.

A copy of the Zoning Analysis prepared by the Village Staff is attached to this memorandum.

If you have any questions regarding this application, please do not hesitate to call me.

Thank you.

Zoning Review Checklist

Address: 846 Forest Ave
 Date of Review: 3/20/2026 Date of Submission: 3/19/2026
 Contact: Telephone #:
 Zoning District: R2



Use: Addition to a Single Family Residence
Prohibited Use

Lot Area	Lot Width	Lot Depth	Lot Area
	45.73	180.005	8231.63
Lot Coverage	Allowed	Existing	Proposed
30% allowed for the R2 District	2469.49	1805.10 21.93%	1805.10 <input checked="" type="checkbox"/> 21.93%
Floor Area Ratio	Allowed	Existing	Proposed
40% allowed for the R2 District	3292.65	2140.66 26.01%	2478.09 <input checked="" type="checkbox"/> 30.10%
Net additional floor area added to the residence			337.42 s.f.

	Required	Existing	Proposed		
Setbacks			No Change		
Front Yard					
East					
Average of block, see 10-8-7 A		57.6500	57.6500		
Eave Length					
Setback to frieze board	0.0000	57.6500	57.6500 <input checked="" type="checkbox"/>		
					Proposed setback
Secondary Front Yard					
North					
Setback to outermost projection	13.0000	6.6100	7.3100 <input checked="" type="checkbox"/>		NC SYSB <input type="checkbox"/>
Eave Length		0.0625	0.7400		
Setback to Eave	13.0000	6.5475	6.5700 <input checked="" type="checkbox"/>		<input type="checkbox"/>
Side Yard					
South					
10% of Lot Width for the R2 District	5.0000	4.9450	4.8600 <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Frieze board thickness		0.0625	0.0625		
Setback to frieze board	3.0000	4.8825	4.7975 <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Combined Side Yard					
25% of Lot Width for the R2 District	11.4325	11.5550	12.1700 <input checked="" type="checkbox"/>		
Rear Yard					
West					
15% of Lot Depth or 26'-2" minimum		75.3750	75.3750		
Eave Length					
Setback to Eave	27.0008	75.3750	75.3750 <input checked="" type="checkbox"/>		

Addition

Zoning Review Checklist

	Allowed	Existing	Proposed Ht. at addition	
Building Height Ridge				
Height above grade in feet	35'	22.875	23	<input checked="" type="checkbox"/>
Story Height	2.5	2.5	2	<input checked="" type="checkbox"/>
Off-Street Parking	Required	Existing	Existing + Proposed	
Garage spaces	<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2"/>	<input checked="" type="checkbox"/>

846 Forest Ave
Area Calculations

3/20/2026
Revised: 3/24/2026
Date of Submission **3/19/2026**

Lot Area	45.7300	180.0050	8231.6287
Allowed Coverage	0.3000		2469.4886
Allowed FAR	0.4000		3292.6515

Lot Coverage - Existing

First Floor Area	Existing	1316.8647	
Detached Garage	Existing	488.2350	
Open Porch	Existing	0.0000	
Shed	Existing	0.0000	
Total		1805.0997	

Lot Coverage - Proposed

First Floor Area	Existing	1316.8647	
Detached Garage	Existing	488.2350	
Open Porch	Existing	0.0000	
Shed	Existing	0.0000	
Total		1805.0997	

Floor Area - Existing

Floor Area - existing	1st floor	1316.8647	
	2nd floor	823.7982	
	Attic	0.0000	
Detached Garage	Existing	488.2350	
garage allowance (up to 500 s.f)		-488.2350	
Total		2140.6629	

Floor Area - Proposed

Floor Area - Proposed	1st floor	1316.8647	
	2nd floor	1161.2213	
	Attic	0.0000	
Detached Garage	Existing	488.2350	
garage allowance		-488.2350	
Total		2478.0859	

Net Increase in Floor Area

	Proposed	Existing	change
First Floor	1316.8647	1316.8647	0.0000
Second Floor	1161.2213	823.7982	337.4231
Attic	0.0000	0.0000	0.0000
Garage	488.2350	488.2350	0.0000
Net Increase			337.4231

House - 1st floor - Existing per Plat		e-w	n-s	
Main	a	24.1300	34.1400	823.7982
Rear add'n	b	10.1667	33.5000	340.5845
Enclsd rear screen porch	c	12.7600	11.9500	152.4820

Existing First Floor Area	1316.8647
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House - 1st floor - Proposed			
Existing			1316.8647
Demolitions			
-1	g		0.0000
Additions			
	j		0.0000

Proposed First Floor Area	1316.8647
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House - 2nd floor - Existing		e-w	n-s	
	a	24.1300	34.1400	823.7982

Existing Second Floor Area	823.7982
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House - 2nd floor - Proposed				
Existing to remain			823.7982	
Demolitions				
-1	g		0.0000	
Additions				
	j	10.1040	33.3950	337.4231

Proposed Second Floor Area	1161.2213
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House - Attic half story - Existing	e-w	n-s	
a			0.0000

Existing Attic Floor Area	0.0000
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Shed- Existing	e-w	n-s	
a			0.0000

Existing Shed Floor Area	0.0000
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Detached Garage - Existing	e-w	n-s	
a	24.2000	20.1750	488.2350

Existing Garage Floor Area	488.2350
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Open Front Porch - Proposed	e-w	n-s	
a			0.0000

Porch Area	0.0000
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APPLICATION FOR ZONING VARIATION
Village of River Forest Zoning Board of Appeals

Address of Subject Property: 846 Forest Ave, River Forest, Illinois, 60305 Date of Application: 3/13/2026

Applicant		Architect / Contractor	
Name: Laura & Geroge Toerner		Name: Preston Fawcett	
Address: 846 Forest Ave		Address: 6825 N. Lincoln Ave	
City/State/Zip: River Forest, IL 60305		City/State/Zip: Lincolnwood, IL 60712	
Phone: 312-399-9066	Fax:	Phone: 847-213-5229	Fax:
Email: lauratoerner@gmail.com		Email: pfawcett@airoom.com	

Relationship of Applicant to Property (owner, contract purchaser, legal counsel, etc.): OWNER

Zoning District of Property: R1 **R2** R3 R4 C1 C2 C3 PRI ORIC

Please check the type(s) of variation(s) being requested:

Zoning Code Building Code (fence variations only)

Application requirements: Attached you will find an outline of the other application requirements. Please read the attached carefully, the applicant will be responsible for submitting all of the required information.


Also attached for your information are the Zoning Board of Appeals "Rules of Procedure" for their public hearings.

Application Deadline: A complete variation application must be submitted no later than the 15th day of the month in order to be heard by the Zoning Board of Appeals in the following month. The Zoning Board of Appeals meets on the second Thursday of each month.

SIGNATURES:

The undersigned hereby represent for the purpose of inducing the Village of River Forest to take the action herein requested, that all statements herein and on all related attachments are true and that all work herein mentioned will be done in accordance with the ordinances of the Village of River Forest and the laws of the State of Illinois.

Owner: _____ Date: _____

Applicant (if other than Owner):  _____ Date: 3/24/2026

Application Fee: A non-refundable fee of \$750.00 must accompany every application for variation, which includes the cost of recording the variation with the County. Checks should be made out to the Village of River Forest.

APPLICATION FOR ZONING VARIATION

Address of Subject Property: 846 forest ave **Date of Application:** 3/24/2026

Summary of Requested Variation(s):

<p>Applicable Code Section (Title, Chapter, Section) Example: 10-8-5, lot coverage</p>	<p>Code Requirement(s) Example: no more than 30% of a lot</p>	<p>Proposed Variation(s) Example: 33.8% of the lot (detailed calculations on a separate sheet are required)</p>
<p>10-8-7 A 2: SETBACK REGULATIONS:</p>	<p>Corner Lots: Shall have its required front yard on the lot's primary street; such street being the street which has the greatest distance between the two cross streets forming the block frontage. On the secondary street the front yard shall be a minimum of thirteen feet for a fifty foot wide lot, however the secondary street's front yard shall be increased by two feet for each five foot increase in lot width (or portion thereof) to a maximum secondary front yard depth of twenty five feet, and provided further that no accessory building on a corner lot shall project beyond that front yard line established for each street.</p>	<p>Variation to reduce the required secondary front yard setback along Iowa St. from 13'-0" to 6.57 Ft to match the existing conforming condition of the roof fascia. The new addition second for to align with existing first floor & foundation. The new roof will overhang 8 1/2" to match the existing roof line.</p> <p>See sheet A1 survey/site plan for dimensions and calculations.</p>
<p>10-8-7 C 2 B : SETBACK REGULATIONS:</p>	<p>b. Additions: An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional twenty feet as of right into the nonconforming side yard, and the height of a wall that maintains a nonconforming side yard setback may not be increased.</p>	<p>Variation to allow the height of the wall on the existing non-conforming south side yard to be increased in height for a second story addition to align with the first floor and foundation once the existing non-conforming side yard is allowed to be reduced to 4.79 ft.</p>

THE APPLICANT IS REQUIRED TO SUBMIT DETAILED LONG HAND CALCULATIONS AND MEASUREMENTS FOR ALL APPLICABLE ZONING PROVISIONS. APPLICATIONS WILL NOT BE CONSIDERED COMPLETE WITHOUT THESE CALCULATIONS AND MEASUREMENTS.
APPLICATION REQUIREMENTS FOR MAJOR VARIATIONS

A. General Requirements.

1. A complete copy of the application shall be submitted to the Zoning Administrator for processing. The written application form, bound together with supplementary exhibits shall contain at least the following information:
 - a. The name, address and phone number of the applicant.
 - b. If the applicant is not the owner of the property in question, (i) the name, address and phone number of the owner, (ii) the interest of the applicant in the subject property, (iii) proof of consent by the owner to the filing of the application, and (iv) any beneficiaries of the owner or developer.
 - c. The date of the application.
 - d. Identification of the property in question by street address. If there is no street address, the applicant must provide a description of the location of the property in relation to surrounding streets and properties.
 - e. A short, written description of the nature of the proposed variation, development or re-development, and the proposed use(s).

- f. A plat of survey of the property which includes the location and dimensions of all existing or planned easements, land subject to covenant, rights-of-way, scale and north arrow.
2. In addition, the applicant shall submit drawings which graphically explain the site's present conditions and how they would be affected if the proposed variance were granted. Information should include, but not be limited to, the proposed structure's relation to the property line, nearby trees, and other existing structures on both the applicant's and the neighbor's properties. Information on the proposed structure's height, type of construction and depth of eaves should be provided. All drawings should be dimensioned and to scale. A copy of the plat of survey with this information noted on it would be sufficient.
 3. **Submit one (1) hard copy of the completed application - initially. Once the application has been reviewed by Village Staff, and after the applicant makes all necessary changes, the applicant will then submit a total of nine more hard copies and one electronic copy of the completed application.**
- B.** In addition to the requirements identified in Section A, the following additional information shall also be provided on the drawings accompanying an application for a variation:
1. The height in stories and feet, gross floor area, lot coverage (footprint area of the proposed structures in relation to the area of the site, expressed as a percentage), and floor area ratio of all existing or proposed buildings located on the lot where the development is to take place.
 2. If the development is a multiple-family residential development, the number of one-, two-, three-, or four-bedroom dwelling units proposed for construction.
 3. Dimensions of the development site, indicated along the property line. Distances to all buildings, structure, freestanding signs, on adjoining properties.
 4. The location of freestanding signs on the site.
 5. Identification of vehicular areas including parking areas, loading areas, and circulation areas, and showing the layout and size of parking spaces, aisles and direction of travel on or in lanes, aisles, or driveways.
 6. Legal documentation establishing homeowners associations or other legal entities responsible for control over required common areas and facilities.
 7. It is also recommended that the application include photographs of the subject property/building, and written testimony/letters from neighboring property owners indicating support of proposed project.
- C.** No order of the Village Board of Trustees permitting a variation from the provisions of the Zoning Code shall be valid for a period longer than nine months, unless such use or structure is initiated within such period; provided, however, that where such use

permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for erection or alteration is obtained within such period of nine months and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

A variation shall be deemed to authorize only the particular construction or development which was applied for. A variation shall automatically become null and void if such construction or development is removed and not replaced within nine months following such removal.

STANDARDS FOR MAJOR VARIATIONS (SECTION 10-5-4F)

A major variation shall be recommended by the Zoning Board of Appeals only if it makes findings, based upon the evidence presented to it, that each of the following standards has been met:

1. The physical surroundings, shape or typographical conditions of the specific property involved with bring a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out;

The proposed 2nd story addition will remain within the existing footprint. No typographical condition will apply.

2. The aforesaid unique physical condition did not result from an action of any person having an interest in the property, but was created by natural forces or was the result or was the result of governmental action, other than the adoption of this Zoning Ordinance, for which no compensation was paid;

There are no unique physical conditions other than existing non-conforming issues as a result of the zoning ordinance.

3. The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification;

The existing property is a small corner lot where the zoning setback requirements far exceeds that which the property can allow.

4. The purpose of the variation is not based predominantly upon a desire for economic gain;

The propose request for variation is not based on the desire for economic gain but for increase in living space for growing family.

5. The granting of the variation shall not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located;

The proposed project with not impact the neighborhood or de-value the existing development of the existing neighborhood.

6. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise

endanger the public safety or substantially diminish or impair property values within the neighborhood;

The proposed addition will not impair the adequate supply of light and air to any adjacent property, or will not substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

7. That the granting or the variation would not unduly tax public utilities and facilities in the area;

The granting of the variation will not unduly tax public utilities and facilities.

8. That there is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Due to the lot's shape or existing structures, there's no way to build or improve the property without violating a setback by following the existing non-conforming setbacks.

Applicants are required to provide detailed written responses to each of the eight above standards.

**Rules of Procedure for the Zoning Board of Appeals
Adopted 6/16/04 General
Rules**

Rule 1 Prior to each regular meeting of the Zoning Board of Appeals, ("board") the village staff shall cause an agenda to be prepared.

Rule 2 The ayes and nays shall be taken and recorded in the minutes in the case of the passage of all motions. A concurrence of a majority of all members present shall be necessary to the passage of same, unless otherwise required by law. In all cases where a motion is entered into the minutes, the names of the member moving and seconding shall be entered.

A vote or question may be reconsidered at any time during the same meeting or at the first regular meeting held thereafter. A motion for reconsideration, once having been made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered. A motion to reconsider must be made by a member who voted on the prevailing side of the question to be reconsidered.

Rule 3 Except during the portion of the meeting dedicated to public participation, no person (other than village staff or consultants to the board) may address the board without the consent of a majority of board members then present.

Rule 4 These rules, except rule 2, may be temporarily suspended by a vote of two-thirds of the members present.

Rule 5 The chairman shall be the presiding officer. In the absence of the chairman, the board members present shall elect a chairman *pro tem*. The presiding officer shall decide all questions of order.

- Rule 6 Four members shall constitute a quorum. Except as provided in this rule, no motion shall be considered or voted on without a quorum present. A member shall be considered "present" when available and participating in accordance with the rules governing participation by electronic means. A motion to recess to a future specified date may be considered and passed by less than a quorum of members.
- Rule 7 Any party to a hearing may arrange for the proceedings to be recorded and transcribed by a certified shorthand reporter at the party's expense. A copy of any transcript prepared shall be filed with the board. The board, at its discretion, may direct that the proceedings be recorded at the expense of the party initiating the action ("applicant") which is the subject of the hearing and may require the applicant to deposit funds sufficient to defer the cost of such recording.
- Rule 8 At any hearing, the applicant or any interested party may appear on his or her own behalf or may be represented by an attorney or agent.
- Rule 9 In addition to the applicant, any person having an interest in the action which is the subject the hearing ("interested parties") may appear at the hearing to give testimony. The village shall be deemed an interested party in every case, and need not appear. Every interested party wishing to testify at the hearing shall submit to the Chairman of the Board, in writing, his or her name and address. The Chairman may impose reasonable limitations on evidence or testimony presented by interested parties, such as time limits and banning repetitious, irrelevant or immaterial testimony.

Rules Governing the Taking of Evidence

- Rule 10 All evidence from the applicant and any interested persons shall be taken during the portion of the meeting dedicated to public participation. The order of presentation of evidence shall generally be as follows, but may be modified by the chairman:
- a. Testimony by applicant's witnesses.
 - b. Report by staff and consultants.
 - c. Board examination of applicant's witnesses.
 - d. Cross-examination of applicant's witnesses.
 - e. Testimony by interested party witnesses.
 - f. Board examination of interested party witnesses
 - g. Applicant's cross-examination of interested party witnesses.
 - h. In some cases re-examination may be allowed.
 - i. Summary/rebuttal by applicant.

At the conclusion of the portion of the meeting dedicated to public participation, the board shall begin to deliberate or continue the hearing to a date, time and location certain. During deliberations, the board members may question any person present regarding his/her previous testimony.

Rule 11

[Cross-examination of witnesses shall be limited to applications for a special use permit - ZBA only] Only the applicant, an interested party entitled to notice pursuant to the Village Zoning Code, member of the board or attorney for the board shall be permitted to cross-examine witnesses. In the event the applicant or any interested party is represented by an attorney, the attorney may conduct any cross-examination.

The chairman may impose reasonable conditions on cross-examination of witnesses, including, but not limited to, requiring persons to register with the chairman in advance and demonstrate that they fall within the class of persons allowed to cross-examine; restricting the subject matter on which cross-examination will be allowed and identifying those witnesses who may be cross-examined. Any such conditions shall be published in advance of the hearing.

Rule 12

Persons permitted to cross-examine a witness may, at the time indicated by the chairman, direct questions to the witness from a location chosen by the chairman. The opportunity for questioning a witness shall not be used by the questioner to offer testimony or evidence.

Rule 13

All persons offering testimony at a hearing shall testify under oath. An attorney shall be sworn if he or she offers testimony but not if he or she is questioning witnesses, summarizing testimony of witnesses, or addressing the board. Testimony may be given only from a location chosen by the chairman.

Rule 14

The board shall not be bound by strict rules of evidence; however, irrelevant, immaterial, argumentative, or repetitious evidence or questioning shall not be allowed. The chairman shall rule on all questions related to the admissibility of evidence, which ruling may be overruled by a majority of the board members present.

Rule 15

The chairman may take such actions as are required to permit an orderly and civil hearing.

Rules for the Conduct of Meetings by Electronic Means

Rule 16

Whenever possible, members of the board who cannot be physically present at a public meeting and who wish to attend via electronic means shall give notice to the Village Administrator not less than two business days before the meeting date.

Rule 17

When it is known two business days in advance of such meetings that any board member will attend through use of electronic means, a notice shall be posted stating the names of the members of the board who will be attending in that manner, and the type of medium through which they will attend.

Rule 18

When it is not possible for a member of the board to give two business days notice, and the member is unable to be physically present at a meeting, and wishes to attend through the use of electronic means on the date of the meeting, prior to convening the meeting, the presiding officer shall announce such method of attendance to the public and the reason.

- Rule 19 If the chairman attends the meeting through the use of electronic means, he or she shall vacate the chair and a member who is physically present shall preside.
- Rule 20 When one or more members attend a meeting via electronic means, all votes shall be by roll call.
- Rule 21 No more than two members of the board may attend a meeting through the use of electronic means from the same remote location.
- Rule 22 At least four board members must be physically present to constitute a quorum.
- Rule 23 When speaker phones are used to allow a member of the board to attend a meeting without being physically present, the member using the speaker phone must, each time he or she wishes to speak, identify himself or herself by name and be recognized by the presiding officer before speaking.
- Rule 24 The board, in its sole discretion, by majority vote, may authorize village staff, or consultants, to participate in the proceedings by electronic means.
- Rule 25 All notices sent to interested parties and required by ordinance shall include a copy of these Rules and the following statement: All meetings of the board are held at Village Hall beginning at 7:30 P.M. unless otherwise stated in the attached notice, or announced by the board at the time of any recess.