



ZONING BOARD OF APPEALS REGULAR MEETING

DATE: Wednesday, September 16, 2026

TIME: 7:00 PM

PLACE: Council Chambers, City Hall, 400 South Vine Street, Urbana, IL 61801

AGENDA

A. Roll Call and Declaration of Quorum

B. Changes to the Agenda

C. Approval of Minutes of the Previous Meeting

Minutes of July 15, 2026 Regular Meeting

D. Written Communications

E. Continued Public Hearings

F. New Public Hearings

G. Old Business

H. New Business

Rules of Procedure Revisions

I. Audience Participation

J. Staff Report

K. Study Session

L. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner.

Public Input will be taken in the following ways:

Email Input

In order to be incorporated into the record, emailed public comments must be received prior to 5:00 pm on the day preceding the meeting and sent to the following email address: Planning@urbanail.gov. The subject line of the email must include the words **“ZONING BOARD OF APPEALS - PUBLIC INPUT”** and the meeting date. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should state so. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Public Hearing

Any person desiring to appear at the public hearing and present testimony may speak during each public hearing at the time they appear on the agenda. This shall not count towards regular Public Input for the meeting. The Public Hearing is an opportunity for comments and questions to be addressed specifically to each case. Board or Commission members are permitted to respond and engage during this time and/or the Chairperson may direct the applicant to respond during rebuttal. Comments unrelated to any of the public hearings listed on an agenda should be shared during the Public Input portion of the meeting where Verbal Input guidelines shall apply.

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than one (1) hour, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person or split their time if Public Input is held at two (2) or more different times during a meeting.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time

for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under “Verbal Input”. Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker’s microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If any accommodation is needed to participate in a City meeting, please contact the City at least 48 hours in advance using one of the following methods:

Phone: 217.384.2440

Email: Planning@urbanail.gov

Watching the Meeting via Streaming Services

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at **<https://www.urbanail.gov/executive-department/page/urbana-public-television>**.



**MINUTES OF REGULAR MEETING
URBANA ZONING BOARD OF APPEALS**

DRAFT

DATE: July 15, 2026

TIME: 7:00 P.M.

PLACE: Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

MEMBERS ATTENDING: Joanne Chester, Ashlee McLaughlin, Adam Rusch, Nancy Uchtmann, Harvey Welch, Mark Wenneborg

MEMBERS EXCUSED: Zainab Calcuttawalla

STAFF PRESENT: Evan Alvarez, Principal Planner; Kate Himick, Planner I; Aimirou Sy, Planner II; Teri Andel, Administrative Assistant II

OTHERS PRESENT: Philip Grier, Leslie Rodriguez

A. CALL TO ORDER and ROLL CALL

Chair Welch called the meeting to order at 7:02 p.m. Roll call was taken, and a quorum was declared present.

B. CHANGES TO THE AGENDA

There were none.

NOTE: Ms. Uchtmann arrived at 7:03 p.m. Mr. Rusch arrived at 7:04 p.m.

C. APPROVAL OF PREVIOUS MINUTES

Minutes of May 21, 2025 Regular Meeting

Ms. Uchtmann moved that the Zoning Board of Appeals approves the minutes of the April 16, 2026 regular meeting as written. Mr. Welch seconded the motion. The motion to approve the minutes as written was passed by unanimous voice vote.

D. WRITTEN COMMUNICATIONS

- Email from Melody Pinks dated July 5, 2026 regarding ZBA-2026-C-01 and ZBA-2026-MIN-01

E. CONTINUED PUBLIC HEARINGS

There were none.

F. NEW PUBLIC HEARINGS

ZBA-2026-C-01 – A request by Philip Grier for a Conditional Use Permit to allow a second principal structure at 1506 South Curtiss Drive in the R-3 (Single and Two Family Residential) Zoning District.

ZBA-2026-MIN-01 – A request by Philip Grier for a Minor Variance for a reduction from five feet to four feet in the required side yard setback at 1506 South Curtiss Drive in the R-3 (Single and Two Family Residential) Zoning District.

Chair Welch opened the public hearings for Case Nos. ZBA-2026-C-01 and ZBA-2026-MIN-01 together since they are related to the same address and project.

Kate Himick, Planner I, presented the two cases to the Zoning Board of Appeals by stating facts from the written staff report. She began by stating the purpose for the Conditional Use Permit and Minor Variance requests. She noted the location, existing land use, zoning, and Place Type of the subject property as well as for the surrounding area.

Ms. Himick talked about the Conditional Use Permit request and reviewed the criteria according to Section VII-2 of the Zoning Ordinance. She summarized staff's Findings of Fact.

Ms. Himick talked about the Minor Variance request and reviewed the criteria according to Section XI-3 of the Zoning Ordinance. She summarized staff's Findings of Fact.

She read the options of the Zoning Board of Appeals and presented staff's recommendations for each case, which are as follows:

Based on the analysis and the Findings of Fact, staff recommend that the Zoning Board of Appeals APPROVE the Conditional Use Permit in Case No. ZBA-2026-C-01 with the following condition:

- 1. That the proposed structure's location and construction generally conform to the site plan and specifications in Exhibit E.*

Based on the Findings of Fact, staff recommends that the Zoning Board of Appeals APPROVE the Minor Variance in Case No. ZBA-2026-MIN-01.

Chair Welch asked if the Zoning Board of Appeals members had any questions for staff.

Ms. Chester asked what would have to be done to the garage to bring it into code. Ms. Himick replied that they will need to have running water, a sink, and plumbing. So, they will need a bathroom and some sort of kitchenette. It would need to meet Building Code for a dwelling unit.

Ms. Chester talked about her experience dealing with garage apartments. Most of the garage apartments were constructed illegally and not built to meet Building Code. She said this neighborhood was originally platted to be single-family homes. Over time, some duplexes and townhomes were constructed, and many homes became rental properties. Recently, the neighborhood has become more owner-occupied homes again.

She said that she does not object to the proposed conversion of the garage into a dwelling unit.

Ms. Himick added that the applicant will have to go through all permitting processes required through the City's Building Safety Division. A Certificate of Occupancy will be issued once all construction is finished and passes final building inspection.

Mr. Rusch asked if there is any indication that work had started on converting the garage to an apartment or are the Conditional Use Permit and Minor Variance requests being brought to the Zoning Board of Appeals as a plan of desire. Ms. Himick replied that staff have no knowledge that any work has been started. While the applicant has begun to compile application materials for building permits, no building permits have been issued nor have any inspection or monitoring happened.

Ms. Uchtmann asked if parking would be a problem. Ms. Himick replied that the current driveway dimensions on the lot meet the requirements for four (4) parking spaces. Ms. Uchtmann stated that she noticed a fence separating the front parking area from the garage and the back area. She noted that the driveway is gravel. Does this meet standards? Ms. Himick said that the driveway was installed prior to 1991, so the applicant would not be required to pave the driveway unless they construct a new structure, and they are not constructing an entirely new structure.

With there being no other questions for staff, Chair Welch opened the hearing for public input. He invited the applicant to speak.

Philip Grier, applicant, approached the Zoning Board of Appeals to speak. Chair Welch swore in the applicant.

Mr. Grier stated that he and his fiancé have lived in the house for about two years. He said that they would like to convert the garage to an accessory dwelling unit. Their short-term purpose and intentions are to use it for extra space when family comes to visit. He mentioned that his fiancé works for the University of Illinois in the sports department and sometimes moves are necessary with transfers. They would like to have the ability to rent it out potentially down the line.

He addressed some concerns that the Zoning Board members had expressed. With regards to garage apartments generally being low quality, he will go through all the applicable and required permitting steps. He is not planning to cut any corners, because his family will be using the garage apartment. So, he intends to make the apartment nice and comfortable.

He mentioned that he intends to have a kitchenette, a small bathroom, and one bedroom. He said that he has submitted building plans and was told to go through this process first. He noted that there was one electrical upgrade that was completed prior to him submitting requests for a Conditional Use Permit and for a Minor Variance. This is something he wanted to do even if it remains a garage only.

Mr. Grier explained that he has a temporary fence up, because they adopted a dog and need a way to keep the dog inside. His plan is to eventually remove the temporary fence and construct something more aesthetically pleasing.

Lastly, he addressed the concern of the neighbors and community members of previous tenants' behavior. He said that there have been many landlords that have owned the house in the past. He noted that he is not a slumlord. If, in the future, he rents the garage apartment and moves outside of the Champaign-Urbana area, he would hire a property management company and would keep the

place in exceptional condition. He wants to contribute to the growth and the upstanding character of the neighborhood.

Leslie Rodriguez approached the Zoning Board of Appeals to speak. Chair Welch swore her in.

Ms. Rodriguez said that she resides behind the subject property. She expressed concern about the history of tenants that rented the house. She does not have an issue with a garage apartment being renovated for family. However, property management companies do not follow through with responding to complaints, so she does not agree with long-term rental.

There was no additional input from the audience, so Chair Welch closed the public input portion of the hearing and opened it for Zoning Board of Appeals' discussion and/or motion(s).

Ms. Chester stated that after 2000 and going past 2010, many of the properties in this neighborhood were bought up by a few landlords who did nothing to them at all. Since then, the neighborhood has changed quite a bit, and many of the properties were sold. When she checked to see who owned each of the properties, she did not see any of those landlords as being the neighbors anymore, and there are more owner-occupied properties now. Ms. Uchtmann added that most of the homes on Curtiss Drive look well cared for.

Mr. Rusch stated that one can never predict the future or how things will be in a year or five years. A neighborhood is going to be successful if people are interested in it and take care of it and invest in it. So, the fact that the applicant has good considerations is a positive sign.

Ms. McLaughlin stated that she agrees with the staff findings. A garage apartment seems like an appropriate use for the property. The variance requested is very minimal. She is generally in favor of more density and believes the City needs renters and owners as well.

Mr. Rusch moved that the Zoning Board of Appeals approve the Conditional Use Permit in Case No. ZBA-2026-C-01 with the condition that it generally conforms with the plans submitted in the application based on the Findings of Fact. Ms. McLaughlin seconded the motion. Roll call on the motion was as follows:

Ms. Chester	-	Yes	Ms. McLaughlin	-	Yes
Mr. Rusch	-	Yes	Ms. Uchtmann	-	Yes
Mr. Welch	-	Yes	Mr. Wenneborg	-	Yes

The motion was approved by unanimous vote.

Ms. McLaughlin moved that the Zoning Board of Appeals approve the Minor Variance in Case No. ZBA-2026-MIN-01 based on the findings outlined in the staff memorandum. Ms. Uchtmann seconded the motion. Roll call on the motion was as follows:

Ms. McLaughlin	-	Yes	Mr. Rusch	-	Yes
Ms. Uchtmann	-	Yes	Mr. Welch	-	Yes
Mr. Wenneborg	-	Yes	Ms. Chester	-	Yes

The motion was approved by unanimous vote.

G. OLD BUSINESS

There was none.

Ms. Uchtmann inquired about updating the bylaws, particularly relating to absences. Evan Alvarez, Principal Planner, replied that Planning staff is fairly new, but this is something that staff can look into. He asked if there are any concerns in addition to absences. Ms. Uchtmann replied that repeated absences have been somewhat difficult in the past.

Mr. Rusch asked what a reasonable amount of time would be for bylaws review to allow the Zoning Board to review them and have perhaps the City's Legal staff make sure that the bylaws are up to date on what the most appropriate rules of conduct are for this body compared to peer groups and other cities the size of Urbana. How can we get there and get our bylaws into good shape for where we are right now? Mr. Alvarez stated that staff could prepare a preliminary assessment of the bylaws for the next meeting for the Zoning Board of Appeals to review and comment. Following this would be to determine what the final steps would be with the Chair's permission.

Mr. Rusch requested that staff prepare the bylaws for review and comments at the August or no later than September's regular meeting, even if it is the only item on the agenda. He suggested that a Legal staff attend the meeting as well to answer any questions the Board may have. Mr. Alvarez said that staff will make sure that a meeting happens by September and make sure that Legal staff review the bylaws. He would need to check if Legal staff would be available to attend the meeting.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

There was none.

J. STAFF REPORT

Chair Welch stated that Mark Wenneborg is one of the newest members of the Zoning Board of Appeals. He asked Mr. Wenneborg to introduce himself to the other Board members.

Mr. Wenneborg gave a brief history of his time in the Champaign-Urbana area. He stated that he works for the University of Illinois. He said that he wants to be part of the Board to contribute to local government and improve the well-being of fellow citizens in Urbana.

Mr. Alvarez stated that the other new member is Zainab Calcuttawalla. She was unable to attend this meeting but will be at future meetings.

K. STUDY SESSION

There was none.

L. ADJOURNMENT

The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

July 15, 2026

Olivia Jovine

Olivia Jovine, Secretary
Zoning Board of Appeals



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals
FROM: Aimirou Sy, Planner II
DATE: September 4, 2026
SUBJECT: Proposed Changes to the Zoning Board of Appeals Rules

Introduction

At the July 15, 2026, meeting, the Zoning Board of Appeals requested that the Board consider amending its Rules of Procedure to address member absences that have affected the Board's ability to establish a quorum and conduct meetings. The current Rules address a quorum and what occurs when a quorum is unavailable, but they do not establish a general attendance standard or address repeated absences. Article III Section 4 provides that no decision may be made without a quorum present.

Regular attendance is particularly important for the ZBA because the Board cannot conduct a hearing without quorum. Illinois law provides that "No hearing shall be conducted without a quorum of the board being present." (65 ILCS 5/11-13-3(e)).

Review of Attendance Practices

Staff reviewed attendance provisions used by other Illinois boards and zoning bodies. The examples vary in their consequences, but three consecutive absences are frequently used as a threshold for addressing repeated nonattendance. For example, Calumet Park provides that "Three consecutive absences without good cause shall be grounds for removal." Godley's ZBA provisions similarly identify the "failure of a member to attend three consecutive meetings of the Zoning Board without just cause or reason" as a member issue. Highland identifies failure to attend three consecutive meetings, or 50 percent of meetings within a 12-month period, as potential for cause of removal.

These examples do not establish a legal standard applicable to Urbana, but they demonstrate a common approach of establishing a defined attendance threshold while addressing removal through the process authorized by applicable law.

Recommended Approach

Based on the practices reviewed, staff recommend establishing an expectation of regular attendance and using three consecutive meeting absences as a threshold for potential removal rather than creating an additional administrative process requiring secretary to refer attendance concerns to the Chair to counsel individual members. Staff recommends the following provisions:

1. Member Attendance and Notification of Absence

Members are expected to attend all regular and special meetings of the Board. A member who knows that they will be unable to attend a meeting shall notify the Secretary as soon as practicable.

2. Repeated Absences

A member's failure to attend three consecutive meetings of the Board may constitute cause for removal pursuant to Section XI-3 of the Urbana Zoning Ordinance. Any removal shall be conducted in accordance with the procedures established therein and applicable law.

The proposed standard would not automatically remove a member after three absences. Instead, three consecutive absences would establish a defined threshold at which removal may be considered under the City's existing removal process.

This approach provides members with a clear attendance expectation while limiting staff's role to receiving absence notifications and maintaining the attendance information already documented through meeting minutes. It also avoids requiring the Secretary or Chair to determine informally whether continued absences warrant further action.

Recommendation

Staff recommends that the Zoning Board of Appeals consider amending Article III of the Rules of Procedure to establish an attendance expectation, an absence-notification procedure, and three consecutive meeting absences as a threshold that may constitute cause for removal.

Following legal review and Board direction staff will prepare the appropriate amendment to the Rules of Procedure for consideration by the Board.

A "redline" draft version of the rules of procedure is attached to this memorandum, which includes proposed changes. The draft rules of procedure should be reviewed, and a final version may be adopted at the October 16, 2026, meeting.

Attachment A: Comparative Attendance Provisions

Attachment B: proposed changes to Zoning Board of Appeals Rules of Procedure (Redline).

Attachment A: Comparative Attendance Provisions

Jurisdiction	Attendance Standard	Consequence
Calumet Park, IL	3 consecutive absences without good cause	Grounds for removal
Godley, IL	3 consecutive meetings without just cause/reason	Removal-related standard
Highland, IL	3 consecutive meetings or <50% attendance in 12 months	May constitute cause for removal
Wilmette, IL	3 consecutive meetings	Construed as resignation

Attachment B: Proposed Amendment (Redline)

CITY OF URBANA
RULES OF PROCEDURE FOR THE ZONING BOARD OF APPEALS

ARTICLE I - General Provisions

Section 1:

It is the purpose of these rules to establish a guide for the operation of the Urbana Zoning Board of Appeals. These rules are supplemental to the provisions of Section XI-3 of the Zoning Ordinance, which state that the Board shall adopt rules necessary to conduct its affairs, and that are consistent with the provisions of the Urbana Zoning Ordinance.

Section 2:

Any member who has any pecuniary or personal interest in a matter before the Board shall remove himself or herself from any consideration of that matter.

Section 3:

The Board's attorney shall be consulted in cases where the powers of the Board are not clearly defined, or where legal questions are at issue.

ARTICLE II - Officers and Duties

Section 1:

The officers shall be a Chair and an Acting Chair. The Mayor shall designate the Chair, with the consent of the City Council. An Acting Chair will be elected from among the members of the board at those meetings when the Chair is absent. The Director of the Department of Community Development Services or his/her representative shall serve as Secretary to the Board.

Section 2:

The Chair shall supervise the affairs of the Board. He/She shall preside at all meetings of the Board; shall appoint such committees and sub-committees as may be necessary to carry out the duties of the Board; and shall provide that an oath be administered to all witnesses in cases before the Board. The Chair shall be an ex-officio member of all committees and sub-committees so appointed.

Section 3:

The Acting Chair, in the absence or disability of the Chair, shall perform all the duties and exercise all the powers of the Chair.

Section 4:

The Secretary of the Board or his/her designee shall:

1. Record and maintain permanent minutes of the Board's proceedings, in accordance with the regulations of the Open Meetings Act, showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact.

2. Keep records of its hearings and other official actions.
3. Record the names and addresses of all persons appearing before the Board, and provide accurate summaries of their testimony.
4. Have published in local newspaper public notices of meetings or hearings as required by law.
5. File the minutes and records in the office of the Board, which minutes and records shall be a public record.
6. Be the custodian of the files of this Board and keep all records.
7. Notify the media in accordance with the Open Meetings Act.

ARTICLE III - Meetings

Section 1:

Regular meetings shall be held at a time and day to be agreed upon from time-to-time by the Board.

Section 2:

All meetings shall be open to the public, except for those meetings that may be closed in compliance with the Open Meetings Act.

Section 3:

Members may attend meetings by video or telephone conference in accordance with Illinois Statute 5 ILCS120/7(c) which states in part:

If a quorum of the members of the public body is physically present, then a majority of the public body may allow a member to attend by video or telephone conference if the member is prevented from physically attending because of the following:

- (1) personal illness or disability;
- (2) employment purposes or the business of the public body; ~~or~~
- (3) a family or other emergency;~~;~~
- (4) unexpected childcare obligations; or
- (5) performance of active military duty as a service member.

If a member wants to attend the meeting by video or telephone conference, he or she must notify the recording secretary before the meeting, unless advance notice is impractical.

A member attending a meeting by video or telephone may cast votes.

Section 4:

No decision shall be made without a quorum present. A quorum of any regular or special meetings shall consist of a majority of the appointed members.

Section 5:

Members are expected to attend all regular and special meetings of the board. A member who knows that they will be unable to attend a meeting shall notify the Secretary as soon as practicable. When advance notice is impractical because of unforeseen circumstances, the member shall notify the secretary as soon as reasonably possible.

Section 6:

A member's failure to attend three consecutive meetings of the Board may constitute cause for removal pursuant to Section XI of the Urbana Zoning Ordinance. Any removal shall be conducted in accordance with the procedures established therein and applicable law.

Section 7:

Special meetings may be called by the Chair at his/her discretion, or upon the request of two (2) or more members, provided that public notice is given in accordance with the Open Meeting Act.

Section 8:

Authorizations.

1. All decisions shall be made by a roll call vote and shall require at least a majority of a quorum.
2. Conditional use requests may be granted by a simple majority (Section VII-2.D, Section VII-2.E, and Section VII-2.F).
3. Conditional use requests in which a valid written protest has been filed with the Secretary of the Board require a 2/3 vote (Section XI-11).
4. Minor Variance requests may be granted by a simple majority (Section XI-3.C.2.b).
5. Major Variance requests require a 2/3 vote and if so voted upon shall be forwarded to the Urbana City Council for final approval (Section XI-3.C.2.b).
6. Appeals may be granted by a simple majority (Section XI-3.D.)

Section 9:

Robert's Rules of Order shall be the official rules of the Zoning Board of Appeals except when they conflict with the officially adopted Rules of Procedure, in which case, the Rules of Procedure shall govern.

Section 10:

The Zoning Board of Appeals shall review the Rules of Procedure at least once every two years at a regular meeting the Chair designates.

ARTICLE IV - Order of Business

Section 1:

Meetings of the Board shall ordinarily proceed as follows:

1. Roll call and declaration of quorum

2. Changes to the Agenda
3. Approval of Minutes of the previous meeting
4. Written Communications
5. Continued Public Hearings
6. New Public Hearings
7. Old Business
8. New Business
9. Audience Participation
10. Staff Report
11. Study Session
12. Adjournment

Section 2:

Continuances. Continuances may be granted to a specific time and date, at the discretion of and with the approval of a simple majority of the Zoning Board, for good cause shown. Continuances may be considered at the request of staff, a Zoning Board member, or any interested party who has entered his/her appearance. Continuances may be considered as follows:

1. A case may be continued by the Chair in the event of the lack of a quorum (does not require a vote).
2. New cases appearing for the first time on the agenda - continuances may be granted upon request.
3. Continued cases – All cases which have previously appeared on the agenda of the Board, constitute continued cases. A request for further continuance will be considered upon application by the applicant and/or his/her representative at the time the case is called, and upon showing:
 - a) That he/she has given reasonable notice in writing to all persons who have filed an appearance in the matter of his/her intent to request a continuance; and
 - b) That he/she will be unable to proceed with his/her evidence at the scheduled meeting.

Section 3:

Failure of Applicant to Appear.

The Zoning Board may or may not act upon a case in the event that an applicant fails to appear. This shall be at the discretion of the Zoning Board and may include consideration of

factors such as extenuating circumstances associated with the absence, complexity of the case, and level of public interest in the case. Procedures for dismissal due to failure of an applicant to appear are as follows:

1. The Chair may entertain a motion from a Zoning Board member to dismiss a case for failure of the applicant to appear if no request for a continuance is made prior to the hearing. Dismissal shall require a simple majority vote of the Zoning Board.
2. In cases that are dismissed when the applicant does not appear, the applicant will be furnished with written notice by the Secretary of the Board, or his/her designee.
3. The applicant shall have seven (7) days from date of notice of dismissal to apply for reinstatement of the case. In such cases, applicant must file written request with the Secretary for reinstatement. Reinstatement shall be at the discretion of the Chair for good cause shown, and upon payment of a fee in the same amount as that required for initial filing.
4. In all cases reinstated, the case will be docketed and re-advertised in the usual manner prescribed for new cases.

Section 4:

Audience Participation.

1. Any person addressing the Zoning Board during "Audience Participation" shall be allowed five (5) minutes to speak.
2. It shall be the prerogative of the Chair to extend the five (5) minute time limit or if the Chair does not enforce or extend the time limit, the extension shall be decided without debate by a motion approved by the majority vote of the members of the Board present. The Chairperson shall also have the authority to reduce the time limit to three (3) minutes or a shorter time agreed upon by the Zoning Board members.

ARTICLE V - Procedures at Hearings

Section 1:

Unless otherwise determined by the Chair, the procedure at a hearing shall be as specified herein.

Section 2:

All witnesses shall testify under oath.

Section 3:

The applicant may appear in his/her own behalf, and/or be represented by counsel or agent. The applicant or his/her representative may make a statement outlining the nature of his/her request prior to introducing evidence.

Section 4:

Evidence shall be presented in the following order:

1. Staff presents brief summary of cases

2. Board questions staff
3. Applicant makes statement and presents evidence
4. Board examines applicant
5. Proponents make statements
6. Board questions proponents
7. Opponents make statements.
8. Board questions opponent. Opponents shall be allowed a reasonable opportunity for relevant questioning (i.e. “cross-examination”) of the applicant. If the applicant is unable or unwilling to respond to the relevant questions, the Chair shall direct the Recording Secretary to take note of such in the minutes of the Zoning Board of Appeals.
9. Rebuttal by applicant
10. Rebuttal by objector
11. Applicant makes final statement

ARTICLE VI - Decisions

Section 1:

The Board shall conduct its vote in public session at the meeting in which evidence is concluded, unless the Board considers additional time for deliberation is necessary.

Section 2:

All decisions of the Board shall be made at a public meeting by motion made, seconded, and the Secretary polling the membership by a roll call vote. The motion, which decides the issue, shall be in the form of fact and shall state the reason(s) for the findings of the Board. If conditions are imposed in the granting of a variance or conditional use, such conditions shall be included in the motion.

ARTICLE VII – Conflict of Interest

Section 1:

Any member of the Zoning Board of Appeals who has a conflict of interest in a matter before the Board shall not participate in the discussion or vote thereon. Conflicts of interest may arise from various scenarios including, but not limited to, financial, ownership or property interests, conflicts with employment or appointments, or conflicts with a publicly stated opinion on a pending application.

Section 2:

If it is determined that a Board member has a conflict of interest, they must state so and remove themselves from the discussion and from the table while the matter is resolved. Such action

shall not affect the quorum established to conduct the meeting. The Board member's recusal will be considered an abstention and shall not be counted as either an aye or a nay vote. Further, the abstaining member shall not be counted in determining the total number of votes required for approval of a matter before the commission, any statute, ordinance or rule of parliamentary procedure to the contrary notwithstanding.

Section 3:

A Board member that has publicly stated a position in the press, in a public forum or on a public petition in regards to a case prior to that case being voted on by the Board shall be deemed a conflict of interest. In this event, the Board member shall indicate a conflict of interest as described herein and shall recuse themselves from participating in that case.

Section 4:

The Chair, after consulting with the City Planner and the City Attorney, shall determine if a Rule of Procedure has been violated for the purposes of determining a conflict of interest. The determination of the Chair is subject to being over-ruled by the Board.

ARTICLE VIII - Amendment of Rules

Section 1:

These rules may be amended by majority vote of the Board.

Section 2:

A proposed amendment must be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

THE FOREGOING RULES AND REGULATIONS ARE HEREBY ADOPTED AS AMENDED BY THE ZONING BOARD OF APPEALS OF THE CITY OF URBANA, ILLINOIS ON THE 21st DAY OF OCTOBER, 2026.

CHAIR

SECRETARY