

Kane County Zoning Board of Appeal's Framework For Public Hearings

PUBLIC HEARING PROCEDURE

1. **Agenda Item Introduction** – *The ZBA Chair will introduce the agenda item to be discussed.*
2. **Staff Presentation** – *Staff will give a presentation; after which, the ZBA will have an opportunity to ask questions.*
3. **Petitioner Presentation** (optional) – *The Petitioner will give a presentation; after which, the ZBA will have an opportunity to ask questions.*
4. **Open Public Comment** – *The Chair will open the floor to public comment.*
5. **Petitioner Rebuttal/Response** – *The Petitioner will be given an opportunity to respond to the public comment.*
6. **Close Public Comment** – *Once all speakers have been heard, the Chair will close the floor to public comment.*
7. **ZBA Deliberation & Recommendation** – *The ZBA will deliberate, discuss stipulations, establish findings of fact, and make a recommendation.*

PUBLIC HEARING DIRECTIVES

Public Comment

1. Written documents in support or in opposition of the petition are encouraged to be submitted 48 hours in advance of the hearing. Any written documents submitted in support or in opposition of the petition that are sent less than 48 hours prior to the public hearing are encouraged to be presented by the person or entity at the public hearing.
2. Speakers will be asked to provide their name, address and if they are in support or in opposition of the petition. All speakers in support or in opposition of a petition will be sworn in.
3. Speakers will be allowed to provide comments, present evidence and cross-examine witnesses during the public comment.
4. Questions asked by speakers to the ZBA may be replied to by the petitioner during their remaining time for rebuttal.
5. In the interest of time, redundant testimony should be avoided. If several people are in attendance with the same concerns or questions, please appoint a representative to speak on your behalf.
6. The responsibility of the ZBA is to act as a fact finder, please avoid testimony regarding matters beyond the scope of the petition.
7. Proceedings must be civil, respectful and conducted in a timely matter. All those attending the public meeting should refrain from outbursts, applause, straw polls or other disruptive behavior. If these rules are not respected, the ZBA has the option of continuing the meeting to a different time and date.

The Petitioner

8. The petitioner will collectively be given a total of 20 minutes to make a presentation on the petition.
9. The petitioner may request additional time of the ZBA Chair. If granted, additional time may be added to the total time for speakers opposed to the petition.
10. The petitioner is encouraged to avoid repeating material contained in the petition and/or already presented by Staff.
11. The petitioner is encouraged to reserve time not used for a presentation for answering questions posed by other speakers and/or rebuttal to testimony made by those opposed.
12. When the petitioner has completed their presentation, the ZBA may ask questions. The time used by the ZBA in asking questions will not be counted as part of the petitioner's time.
13. If speakers in opposition request more than 20 minutes total time, any additional time granted may be added to the petitioner's total time.

Speakers in Support of the Petition

14. Public comment or testimony in support of the petition will collectively be given 20 minutes to make a presentation on the petition. Individual speakers should keep their comments to no more than 3 minutes.
15. Speakers who own property adjacent to or within 250 feet of the subject property will be asked to speak first.
16. Other speakers in support of the petition will be allowed to speak after property owners adjacent to or within 250 feet of the subject property.
17. If speakers in favor request to have additional time, any additional time granted may be added to the total time for speakers opposed to the petition.

Speakers Opposed to the Petition

18. Public comment or testimony in opposition of the petition will collectively be given 20 minutes to make a presentation on the petition. Individual speakers should keep their comments to no more than 3 minutes.
19. Speakers who own property adjacent to or within 250 feet of the subject property will be asked to speak first.
20. Other speakers opposed to the petition will be allowed to speak after property owners adjacent to or within 250 feet of the subject property.
21. If speakers opposed request to have additional time, any additional time granted may be added to the petitioner's total time.

Deliberations, Decisions and Recommendations

22. The ZBA may close the public comment, deliberate, prepare their written findings of fact and make their decision on their recommendation.
23. The ZBA may continue the public hearing for good cause to a new date and time.

(Last updated: May 6, 2025)