

NOTICE OF PUBLIC HEARING

The Wheaton Planning and Zoning Board will hold a public hearing on Tuesday, September 27, 2022 at 7:00 p.m. in the Council Chambers of the Wheaton City Hall, 303 West Wesley Street, Wheaton, Illinois, in-person and via zoom at <https://us02web.zoom.us/j/82514966326> or dial (312) 626-6799, Meeting ID: 825 1496 6326, Passcode: 241646 to consider the following zoning application:

Zoning Application #22-25. The City of Wheaton is proposing an amendment to the text of the Wheaton Zoning Ordinance to ensure consistency between the Wheaton Zoning Ordinance provisions and the Wheaton City Code provisions relating to various boards, commissions, and committees that were recently amended by City Ordinance O-2022-34. The proposed text amendment considers deleting Article 5.2 - The Planning and Zoning Board, Subsections A. Membership and C. Meetings and Rules and Article 5.9 - Appeals, Subsections A. Scope of Appeal and B. Findings on Appeals in their entirety and replacing them with the following language:

“Article 5.2 - The Planning and Zoning Board

- A. Board. The term “Board” when used in this chapter shall mean the Planning and Zoning Board.
- C. Meetings and Rules. All meetings of the Board shall be held at the call of the Chair and at such other times as the Board may determine. No meeting shall be held or official action taken unless a quorum is present. A quorum shall consist of four members of the Board. All hearings conducted by the Board shall be open to the public. Any person may appear and testify at a hearing either in person or by duly authorized agent or attorney. The Chair, or in the Chair’s absence, the Acting Chair, may administer oaths and compel the attendance of witnesses. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. A copy of every rule, regulation, recommendation, order requirement, decision, or determination of the Board shall be filed immediately with the Director of Planning & Economic Development and shall be a public record. The Board may adopt its own rules of procedure not in conflict with this chapter or with the applicable Illinois statutes. The rules of procedure and/or any amendments thereto shall be approved by the City Council.

Article 5.9 - Appeals

- A. Scope of Appeal. An appeal may be taken to the Board by any person, firm or corporation, or by an officer, department, board or bureau aggrieved by a decision of the Director of Planning & Economic Development under this chapter. An appeal shall be considered only if a dated, written request for appeal is filed within sixty (60) days after the date of the final order, requirement, decision or determination of the Director of Planning and Economic Development under the Zoning Ordinance. The written request shall be filed with the Director of Planning and Economic Development and a copy simultaneously filed with the Board Chairperson. A notice of appeal specifying the grounds thereof shall be filed with the Director of Planning & Economic Development. The Director of Planning & Economic Development shall then forward to the Board any and all records relating to



the action from which the appeal is taken.

- B. Findings on Appeals. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Director of Planning & Economic Development certifies to the Board, after the notice of appeal has been filed with the Director, that by reason of facts stated in the certificate a stay would, in the Director's opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by a court record on application, and notice to the Director of Planning & Economic Development, and on due cause shown.

The Board shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the applicant and all interested parties and shall render a written decision on the appeal without unreasonable delay. The Board may affirm or may, upon the concurring vote of four members, reverse, wholly or in part, or modify, the order, requirement, decision or determination, as in its opinion ought to be done, and to that end shall have all the powers of the officer from whom the appeal is taken."

At the public hearing, anyone wishing to make a public statement will be encouraged to do so. Written comments may be submitted to the Board prior to or at the public hearing. A copy of the application is available for review in the office of the Director of Planning and Economic Development, 303 West Wesley Street, Wheaton, Illinois during normal business hours.

Nicole Aranas, Chair
Wheaton Planning and Zoning Board