

§13.06 of the Zoning Ordinance outlines the administrative appeals scope, process and decisions. Section 13.06 states the following:

- A. **SCOPE OF APPEAL.** Except for violations of this code cited by the Zoning Administrator or his or her designee, an appeal may be taken to the Zoning Board of Appeals (ZBA) by any person, firm, or corporation, or office, department, board or bureau affected by a decision of the office of the Zoning Administrator. The appeal shall specify the grounds thereof and shall be filed within such time and in such form as may be prescribed by the Board by general rule. The Zoning Administrator shall, upon request of the ZBA, transmit to it all documents, plans, and papers constituting the record of the action from which an appeal was taken. *(Amended 8/17/04).*
- B. **HEARING OF APPEAL.** The ZBA shall fix a reasonable time for the hearing of an appeal. Public notice shall be given of the hearing and due notice shall be given additionally to the interested parties. At the hearing, any party may appear in person, by agent, or by attorney.
- C. **STAYING OF WORK ON PREMISES.** When an appeal from the decision of the Zoning Administrator has been taken and filed with the ZBA, all proceedings and work on the premises concerning which the decision was made shall be stayed unless the Zoning Administrator shall certify to the ZBA that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order which may be granted by the ZBA or by the Circuit Court of Kendall County, on application, on notice to the Zoning Administrator and the owner of the premises affected and on due cause shown. After the owner or his agent or persons or a corporation in charge of the work on the premises affected have received notice that an appeal has been filed with the ZBA, the Zoning Administrator shall have full power to order such work discontinued or stayed and to call upon the police power of the County to give full force and effect to the order.
- D. **DECISION ON APPEAL.** In exercising its powers, the ZBA may, upon the concurring vote of three members of a five member Board or four members of a seven member Board, reverse or affirm, wholly or partly or may modify the order, requirement, decision, or determination appealed from as in its opinion ought to be done in the premises, and to that end have all the powers of the Zoning Administrator.