

BEFORE THE DU PAGE COUNTY
ZONING BOARD OF APPEALS

Conditional Use for a Planned) 23-000069
Development in the R-2 Zoning) Medinah Road Town
District.) House Residences

November 7, 2023

6:00 p.m.

PROCEEDINGS HAD and testimony taken
before the DU PAGE COUNTY ZONING BOARD OF APPEALS,
taken at the DuPage County Administration
Building, 421 North County Farm Road, Wheaton,
Illinois, before LINDA M. CIOSEK, C.S.R. a Notary
Public qualified and commissioned for the State of
Illinois.


BOARD MEMBERS PRESENT:

MR. ROBERT KARTHOLL, Chairman.

ALSO PRESENT:

MS. JESSICA INFELISE, Planning & Zoning.

MR. PAUL HOSS, Planning & Zoning.

<p style="text-align: right;">Page 2</p> <p>1 CHAIRMAN KARTHOLL: Let's go on the record. 2 I'll call Z23-069, the Medinah Road Town House 3 Residences. It's a conditional use request. 4 Mr. Luetkehans is here this evening representing 5 the petitioner, and I understand for the purpose 6 of requesting a continuance. We've never denied a 7 request for a continuance for the first request, 8 so I guess we're inclined to grant that. 9 Do you want to make any 10 remarks, Mr. Luetkehans? 11 MR. LUETKEHANS: Very quickly. Due to the 12 timing of the traffic counts, we received 13 information from DUDOT over the last 24 hours that 14 we would like to review and make sure that our 15 traffic study, et cetera -- to the extend we can 16 work with DUDOT, we would like to resolve some of 17 those issues ahead of time so you're not resolving 18 them here at this committee. 19 CHAIRMAN KARTHOLL: Okay, and I understand 20 the agreed date is December 7 at 6:00 in this 21 room? 22 MR. LUETKEHANS: Yes, sir. 23 CHAIRMAN KARTHOLL: Okay. Well, we'll 24 continue the matter to that date and time and 25 we'll advise the remaining members of the Board.</p>	<p style="text-align: right;">Page 4</p> <p>1 STATE OF ILLINOIS)) SS. 2 COUNTY OF DU PAGE) 3 I, LINDA M. CIOSEK, C.S.R. No. 4 084-2892, duly qualified and commissioned for the 5 State of Illinois, County of DuPage, do hereby 6 certify that at the request of the DU PAGE COUNTY 7 ZONING BOARD OF APPEALS, subject to the usual 8 terms and conditions of Veritext, reported in 9 shorthand the proceedings had and testimony taken 10 at the public hearing of the above-entitled cause, 11 and that the foregoing transcript is a true, 12 correct and complete report of the testimony so 13 taken at the time and place hereinabove set forth. 14 15  16 17 18 CERTIFIED SHORTHAND REPORTER 19 20 My Commission Expires: 21 July 26, 2026. 22 23 24 25</p>
<p style="text-align: right;">Page 3</p> <p>1 Mr. Hoss, you'll get notice to 2 the municipalities? It's not our custom to send 3 out a new notice to neighbors, but there appears 4 to be some people who are interested here, they're 5 obviously aware, but can you contact any 6 interested parties that you know of and advise 7 them of a new date? 8 MR. HOSS: Yeah, it's our intention to send 9 notice out back to people within 300 feet and the 10 municipalities again. We just won't put notice in 11 the newspaper, but we've got an email group and 12 we'll send notice out again as we would with a 13 normal hearing. 14 CHAIRMAN KARTHOLL: Great. I'm sorry to 15 have you come out, folks. You probably didn't get 16 the indication that we had a request for a 17 continuance, but as I said, it's our custom to 18 grant a continuance. So, thank you. Apologies 19 again for any inconvenience. 20 And we're closed. 21 (Which were all the proceedings 22 had and testimony taken in the 23 above-entitled cause.) 24 25</p>	

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Illinois Code of Civil Procedure

Article II, Part E

Rule 207, Signing and Filing Depositions

Signing and Filing Depositions

(a) Submission to Deponent; Changes; Signing.

Unless signature is waived by the deponent, the officer shall instruct the deponent that if the testimony is transcribed the deponent will be afforded an opportunity to examine the deposition at the office of the officer or reporter, or elsewhere, by reasonable arrangement at the deponent's expense, and that corrections based on errors in reporting or transcription which the deponent desires to make will be entered upon the deposition with a statement by the deponent that the reporter erred in reporting or transcribing the answer or answers involved. The deponent may not otherwise change either the form or substance of his or her answers. The deponent shall provide the officer with an electronic or physical address to which notice is to be sent when the transcript is available for examination and signing. When the deposition is fully transcribed, the officer shall deliver to the deponent, at the address supplied,

notice that it is available and may be examined at a stated place at stated times, or pursuant to arrangement. After the deponent has examined the deposition, the officer shall enter upon it any changes the deponent desires to make, with the reasons the deponent gives for making them. If the deponent does not appear at the place specified in the notice within 28 days after the mailing of the notice, or within the same 28 days make other arrangements for examination of the deposition, or after examining the deposition refuses to sign it, or after it has been made available to the deponent by arrangement it remains unsigned for 28 days, the officer's certificate shall state the reason for the omission of the signature, including any reason given by the deponent for a refusal to sign. The deposition may then be used as fully as though signed, unless on a motion to suppress under Rule 211(d) the court holds that the reasons given by the deponent for a refusal to sign require rejection of the deposition in whole or in part.

(b) Certification, Filing, and Notice of Filing.

(1) If the testimony is transcribed, the officer

shall certify within the deposition transcript that the deponent was duly sworn by the officer and that the deposition is a true record of the testimony given by the deponent. A deposition so certified requires no further proof of authenticity

(2) Deposition transcripts shall not be filed with the clerk of the court as a matter of course. The party filing a deposition shall promptly serve notice thereof on the other parties and shall file the transcript and any exhibits in the form and manner specified by local rule.

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VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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