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BEFORE THE DU PAGE COUNTY
ZONING BOARD OF APPEALS

To consider proposed text amendments)
relative to electric vehicles, accessory)T-2-24
dwelling units and dwelling units.)

July 11, 2024

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.
- MR. BARRY KETTER, Commissioner.
- MR. DENNIS MORAN, Commissioner.
- MR. JACK MURPHY, Commissioner.
- MR. CARL SCHULTZ, Commissioner.
- MR. ZAIN RAHMAN, Commissioner.
- MS. JANICE ANDERSON, Commissioner.

ALSO PRESENT:

- MR. PAUL HOSS, Planning & Zoning.

Page 6

1 the T-2-24 Text Amendment which I'd like to
 2 submit as Exhibit No. 1, which is going to be
 3 our only exhibit tonight for the Board.
 4 (Whereupon, Petitioner's
 5 Group Exhibit 1 was marked
 6 for identification.)
 7 MR. HOSS: And then finally in the
 8 latter part of the packet, flyer packet, we've
 9 submitted the online public comments that we
 10 have received through the DuPage County online
 11 portal, and we will allow you to go through
 12 those at your leisure.
 13 The purpose of tonight's
 14 meeting is to present to the ZBA for the record
 15 and for public hearing T-2-24 amendments to the
 16 DuPage County Zoning Ordinance that effectively
 17 deal with two initiatives that the County Board
 18 has asked us, the county staff, to look into.
 19 The first one has to do with electric charging
 20 vehicle stations. Currently in the DuPage
 21 County Zoning Ordinance, while we don't
 22 directly address electrical vehicle charging
 23 stations in the Ordinance, we do allow
 24 electrical vehicle charging stations in

Page 7

1 single-family homes, and we also allow them as
 2 part of a commercial zoning district as an
 3 automobile service station. It's part of the
 4 sort of umbrella of automobile service
 5 stations, which is typically a gas station.
 6 What we're doing in this
 7 ordinance is further defining electrical
 8 vehicle charging stations and some of the
 9 appurtenances and components that go along with
 10 it in the definitions section, and we're
 11 specifically talking about how those uses would
 12 be allowed as of right as a principal use in
 13 all non-residential zoning districts, and also
 14 how they would be allowed as an accessory use
 15 coupled with other existing permitted uses in
 16 all nonresidential zoning districts.
 17 This essentially would, if
 18 passed, would allow electric vehicle charging
 19 stations as of right in nonresidential zoning
 20 districts, provided they meet all the bulk
 21 regulations similar to other land uses, and
 22 also allow those accessory uses associated with
 23 facilities like restaurants, like retail
 24 shopping centers, things like that.

Page 8

1 The second component of this
 2 Ordinance is dealing with an initiative that
 3 the County's working on right now through its
 4 Ad Hoc Housing Solutions Committee to try and
 5 scale and produce more opportunities for
 6 dwelling units to be developed in the County.
 7 And those dwelling units can be anywhere from
 8 single-family dwelling units to multi-family,
 9 to townhouses, apartments, rentals, home
 10 ownership, things like that. (Interruption)
 11 Sorry about that. The
 12 second component of this, as I was saying, has
 13 to do with the workforce -- I'm sorry, the
 14 Housing Solutions, Ad Hoc Housing Solutions
 15 Committee, initiative to try and scale and
 16 produce more opportunities for dwelling units
 17 in the County. You may recall that at our last
 18 text amendment we had some zoning changes that
 19 essentially freed up more historic lots of
 20 record to be developed as of right. This
 21 proposal would be in a similar manner where we
 22 currently in the County Zoning Ordinance allow
 23 for accessory dwelling units, or otherwise
 24 known as ADUs, in single-family residential

Page 9

1 properties by conditional use where those
 2 accessory dwelling units have to be in the
 3 principal building, the home, of the property;
 4 can take up no more than 400 square feet; have
 5 to be for a family member, someone who is
 6 related by blood or by marriage; and also the
 7 person who would be living in the ADU has to be
 8 at least 62 years of age or older. This new
 9 proposal -- and that would be allowed, and
 10 currently is allowed, by conditional use
 11 process which requires a public hearing and
 12 then ultimate disposition from the full DuPage
 13 County Board.
 14 The proposal before you
 15 tonight would be to allow for ADUs as of right
 16 in all single-family residential zoning
 17 districts, meaning there would be no
 18 conditional use process, no public hearing
 19 process to go through. It would allow for
 20 those accessory dwelling units to be in the
 21 principal home or to be in a detached structure
 22 that is existing at the time the Ordinance
 23 would prospectively be passed by the County
 24 Board. We don't have a date in here yet, but

Page 10

1 the presumption is that if this proposal is
 2 ultimately approved by the County Board, that
 3 would set the date for the existing detached
 4 structures. So any structure -- let's just
 5 say, for instance, the County Board would pass
 6 this on December 31 of 2024, any structure, any
 7 detached structure that was in place prior to
 8 that date would be eligible to be converted
 9 into an accessory dwelling unit.

10 In addition, we are
 11 proposing in this ordinance to allow for the
 12 people who are allowed to live in those
 13 accessory dwelling units to be people who are
 14 not related by blood or marriage to the people
 15 who live in the principal building.

16 In addition, this proposal
 17 would require that the people who are living in
 18 the principal building would have to be
 19 owner-occupied. So anybody who would take
 20 advantage of this new ADU Ordinance, they would
 21 have to live in the principal building on the
 22 property and the accessory dwelling unit could
 23 be rented to someone who is not related by
 24 blood or marriage on the property.

Page 11

1 In addition, the square
 2 footage that we're proposing for the ADU,
 3 whether it's attached or detached, would not
 4 exceed 1200 square feet.

5 And then, finally, there's a
 6 provision that we're proposing that the total
 7 number of people who could live on the property
 8 in the principal building and in the ADU,
 9 whether it's attached or detached, could not
 10 exceed five people who are related by blood or
 11 marriage or unrelated by blood or marriage.

12 And the reason for that
 13 definition is this: Currently DuPage County
 14 has a definition of family, and every
 15 municipality has a definition of family. The
 16 County's definition of family is not more than
 17 -- this is people who are related by blood or
 18 marriage, there's no limitation. People who
 19 are unrelated by blood or marriage is --
 20 they're considered a family if they don't
 21 exceed five. So not more than five people who
 22 are unrelated by blood or marriage is
 23 considered a family in DuPage County's
 24 Ordinance. So five people unrelated by blood

Page 12

1 or marriage could right now live in a
 2 single-family home with no zoning requirements,
 3 no conditional use, they could just go and do
 4 it. If I owned a piece of property and had a
 5 house, I could rent my house to five individual
 6 people and those people would have to live in a
 7 communal holistic way on that property. They
 8 would all share kitchens, they'd all share the
 9 property together, they could each have their
 10 own individual room or share rooms, but they
 11 could be five unrelated by blood or marriage.

12 The point there is that we
 13 already have that provision in place, we
 14 haven't had any issues with that in the 32
 15 years I've been here. We know we have
 16 situations throughout the County where people
 17 are living holistically in a single-family home
 18 where they're not related by blood or marriage.
 19 Where we have had instances where they exceed
 20 five people, we've been able to fix that up
 21 pretty quickly. But, for the most part, we
 22 haven't had any issues with that.

23 The reason we're proposing
 24 that as part of this proposed text amendment is

Page 13

1 that if someone wants to live in their home and
 2 have an ADU on their property, historically
 3 what we have found, not only in DuPage County,
 4 but in other areas of the County and
 5 municipalities that have ADUs, it's a situation
 6 where someone has a home and they don't have
 7 kids living in their home anymore and they've
 8 got the opportunity to rent out a portion of
 9 their home or a portion of their accessory
 10 dwelling units because they're simply not using
 11 it anymore. This is an opportunity for them to
 12 do that. And by limiting it to not more than
 13 five people unrelated by blood or marriage on
 14 the whole property, we feel that will keep some
 15 of the other elements that create density
 16 issues, that create issues historically on the
 17 property, issues creating problems for adjacent
 18 property owners and neighbors, it will limit
 19 that. And what I mean by that is that we're
 20 still going to keep the current requirement for
 21 the number of vehicles that can be parked on
 22 the property to not more than six. That's not
 23 going to change. So all of the other things
 24 that you typically have with single-family

Page 14

1 homes, we're not proposing to change. So some
2 of the outside things that contribute to
3 diminution of property values, we're going to
4 keep those in place. And one of those is that
5 you don't allow for more than five people
6 unrelated by blood or marriage living on the
7 property, which effectively that's what these
8 ADUs are going to be. You don't have any of
9 the other contributing factors that start to
10 create problems for property values on
11 properties, but it still allows people to be
12 able to rent a portion of their home to someone
13 who is unrelated to them as of right, and also
14 allows them to convert the existing detached
15 accessory structure into an ADU and still the
16 neighbors would essentially have the same type
17 of operations that are occurring now in their
18 neighborhoods, still can't have more than six
19 passenger vehicles, the amount of people on the
20 property would still be similar to probably
21 what has occurred on that property over time.
22 The other thing that's
23 important, and the reason why we are saying
24 that you are allowed to convert an existing

Page 15

1 detached accessory building to an ADU, we
2 wouldn't allow you to build a new accessory
3 building after the presumed date that the
4 County Board would potentially approve this
5 Ordinance. The reason for that is that if
6 there's an existing detached accessory building
7 on the property, then anybody who is living
8 adjacent to that property already is aware that
9 there is a detached building on the property.
10 So the bulk of buildings on the property,
11 irrespective of how they're being used, the
12 bulk of the buildings the neighbors know that
13 they're already existing. So they already have
14 an understanding that there, for instance, is a
15 house and a detached garage on the property.
16 And so when they bought their property and had
17 been living on the property, irrespective of
18 how the property is being used and how those
19 buildings are being used, they sort of
20 acclimated to the fact that there's a house and
21 a detached building on the property.
22 And so it's our belief, not
23 only in terms of doing research but what we've
24 talked about with other communities that have

Page 16

1 ADUs, it's our belief that at the very least
2 the neighbors are not going to be shocked that
3 all of a sudden, you know, there's a new
4 building going up that has a dwelling unit in
5 it. So, there might be the initial shock of
6 that building was used as a garage or was used
7 as a hobby house and now someone's living in
8 there. But the physical structure itself won't
9 be shocking to the neighbors, it's always been
10 there and they're used to it.
11 So that, we think, that will
12 also mitigate some of the concerns that might
13 be raised by allowing people to have an
14 accessory dwelling unit on their property in a
15 detached accessory building. That coupled with
16 the fact that they're once again limited to the
17 existing number of vehicles that are on the
18 property to not more than six, also limited to
19 no more than five people unrelated by blood or
20 marriage on the entire property, we think those
21 things, along with the fact that they'll have
22 to get building permits from us, they will be
23 monitoring it, will mitigate the concerns of
24 having essentially two dwelling units on the

Page 17

1 property.
2 The detached accessory
3 buildings when they are built, they always have
4 to be smaller in size and height and scope than
5 the principal building, so there's no
6 opportunity to have a detached accessory
7 building that is going to be any larger than
8 the principal building. In most instances, the
9 detached accessory buildings that exist right
10 now in the County are relatively small in
11 comparison to the single-family homes. The
12 largest that we allow in the County on
13 properties less than 40,000 square feet is 650
14 square feet. So, for instance, even though we
15 do allow for accessory dwelling units to go up
16 to 1200 square feet, if you have an existing
17 detached accessory building that's 500 square
18 feet, you're stuck with that 550, you can't
19 expand it to the 1200. If you are putting your
20 accessory dwelling unit in your home, you can
21 use up to 1200 square feet of the inside of
22 your home for the ADU. But you wouldn't be
23 able to expand to 1200 feet -- you wouldn't be
24 able to expand beyond the size of the existing

Page 18

1 detached accessory building to get up to the
 2 1200 square feet.
 3 So we think for those
 4 reasons, and sort of stress testing a little
 5 bit what we've seen in some of the other
 6 communities and how their ADU policies are
 7 working, we think that this is a good
 8 opportunity to allow for property owners to be
 9 able to create more dwelling units, accessory
 10 dwelling units, on their property and scales
 11 more units which is -- in the County for people
 12 to live in and is not overbearing on the
 13 property owner or on the neighborhoods, and it
 14 does potentially put more units back into the
 15 system, which is a desire of the County Board
 16 to create more dwelling units for people to
 17 live in.
 18 And those are the essentials
 19 of the proposed text amendments that we're
 20 putting forward to you today. We have one
 21 other minor change to this housing initiative,
 22 and it has to do with what are called reserve
 23 lots. Reserve lots are also commonly known as
 24 flag lots. They are -- and it's typically you

Page 19

1 have what's called a key lot, it's a lot that's
 2 on the street, and then the flag lot is a pole
 3 with a flag behind the reserve lot. In our
 4 Zoning Ordinance we allow that, we allow up to
 5 two flag lots for a total of three lots; the
 6 key lot and the two flag lots. Right now the
 7 Zoning Ordinance requires that those two flag
 8 lots be a minimum of 40,000 square feet in
 9 size, irrespective of what type of public
 10 utilities you have to them. If those lots were
 11 what are called key lots, meaning they were all
 12 fronting on a public right-of-way, depending on
 13 the type of utilities you have to them, you
 14 could go down to 10,000 square foot lots, you
 15 could go down to 15,000 square foot lots.
 16 What we are proposing is to change the minimum
 17 lot requirement for flag lots from 40,000
 18 square feet, irrespective of whatever type of
 19 utilities you have to them, down to whatever
 20 the Code allows for key lots in the zoning
 21 district.
 22 So, for instance, if your
 23 property was zoned R-4 and it was on public
 24 sewer and water, the minimum lot size for one

Page 20

1 of those types of lots is 10,000 square feet.
 2 If you had a reserve lot in that -- or a flag
 3 lot in that same situation, even though you
 4 have -- you're zoned R-4 and you're on public
 5 sewer and water, that reserve lot has to be
 6 40,000 square feet. We're proposing in this
 7 text amendment that those lots could be --
 8 could go down to 10,000 square feet. And the
 9 idea there is that, once again, that would
 10 allow for more opportunities to be made
 11 available for people to build on those lots in
 12 the County.
 13 CHAIRMAN KARTHOLL: Without regard to
 14 utilities?
 15 MR. HOSS: Well, with regard to
 16 utilities. And the point there is that in an
 17 R-4 Zoning District, if you had -- if you were
 18 on septic and well, the minimum lot size is
 19 40,000 square feet. That would apply for a
 20 reserve lot as well.
 21 If you had sewer but only
 22 well, the minimum lot size is 20 for a key lot.
 23 For a reserve lot you can do 20,000 square feet
 24 now. So it's the same requirement relative to

Page 21

1 utilities, it's just changed into whether it's
 2 a reserve lot or not.
 3 CHAIRMAN KARTHOLL: I only asked that
 4 because earlier I thought you said without
 5 regard to utilities.
 6 MR. HOSS: Sorry about that.
 7 That's a general overview of
 8 our proposed text amendments, I'll be happy to
 9 take any questions.
 10 CHAIRMAN KARTHOLL: When does the County
 11 Board want us to act on this?
 12 MR. HOSS: Well, this is an ongoing
 13 process. There is some urgency to be able to
 14 move these forward to get them to the County
 15 Board. The next County Development Committee
 16 that this could potentially go to would be
 17 August 6th. After that the next County
 18 Development Committee would be the third
 19 Tuesday in August. I know that's probably a
 20 bit of a quick timeline, but if there's any
 21 appetite --
 22 CHAIRMAN KARTHOLL: In other words, we
 23 don't have to do it tonight, we can wait until
 24 our August recommendation meeting?

Page 22

1 MR. HOSS: Yes, absolutely.
 2 CHAIRMAN KARTHOLL: In that case I'll
 3 ask whether there are questions from members of
 4 the Board? But let's reserve our comments for
 5 the recommendation session; in other words, the
 6 debate about the wisdom of any of this is a
 7 different matter than the request for
 8 clarification of what's being proposed.
 9 So, does anybody have any
 10 questions?
 11 COMMISSIONER MORAN: I do.
 12 CHAIRMAN KARTHOLL: Go ahead.
 13 COMMISSIONER MORAN: By any chance, can
 14 somebody who has a detached dwelling, or say a
 15 garage, because I've seen this happen, and turn
 16 it into a living quarters?
 17 MR. HOSS: Yes. Under this code, they
 18 could turn that into an accessory dwelling unit
 19 which is a living quarters.
 20 COMMISSIONER MORAN: Which doesn't have
 21 kitchen, bath?
 22 MR. HOSS: It would be allowed to have
 23 kitchen, bath, yes. So the whole idea with
 24 this proposal is that you can -- first of all,

Page 23

1 you can take a portion of your house and
 2 convert it into another dwelling unit, and
 3 another dwelling unit is essentially -- the
 4 components of a dwelling unit would be a
 5 bathroom; a kitchen; and a living space, a
 6 place to lay your head. Those are the three
 7 major components.
 8 COMMISSIONER MORAN: So I could turn my
 9 garage into a dwelling space if I add a kitchen
 10 and a bath?
 11 MR. HOSS: Yes, if this Ordinance were
 12 to pass.
 13 COMMISSIONER MORAN: Which would mean,
 14 yeah, then dirty construction going on?
 15 MR. HOSS: They would have to -- in each
 16 instance, even if you didn't do construction, I
 17 know that sounds a little bit counterintuitive,
 18 because the likelihood that you have a bath and
 19 a kitchen already in your accessory dwelling
 20 unit is very remote, but there could be some
 21 instances where someone has gas in their garage
 22 and someone already has a bathroom in their
 23 garage, because we do allow bathrooms in the
 24 garage, and all they would need to do is hook

Page 24

1 appliances up. Even in that instance we are
 2 requiring a building permit so we have a record
 3 that someone is turning their accessory
 4 dwelling unit into an ADU. Even if they say
 5 we're not actually doing any physical building,
 6 we're just bringing appliances in, that we
 7 would require a building permit so we've got a
 8 record of it.
 9 COMMISSIONER MORAN: But if this passes,
 10 then nobody can, after that date, build a new
 11 garage with two rooms upstairs above the
 12 garage?
 13 MR. HOSS: They could not.
 14 CHAIRMAN KARTHOLL: Wait a minute. You
 15 can build a garage, you can't build a garage
 16 and turn it into a dwelling.
 17 COMMISSIONER MORAN: Living quarters.
 18 MR. HOSS: Correct, after the date --
 19 once the County -- assuming the County Board
 20 approves it, whatever the date is the County
 21 Board approves it, you can build a new garage,
 22 but you can't convert it into a dwelling unit.
 23 COMMISSIONER MORAN: Yeah, but you can't
 24 make it living quarters.

Page 25

1 MR. HOSS: Nor can you make a dwelling
 2 unit on the second floor.
 3 CHAIRMAN KARTHOLL: It wouldn't qualify
 4 for conversion to a dwelling unit?
 5 MR. HOSS: Correct.
 6 CHAIRMAN KARTHOLL: Anything else,
 7 Dennis?
 8 COMMISSIONER MORAN: You just made a
 9 good point, conversion. Not conversion, just
 10 you couldn't do it period?
 11 MR. HOSS: Period or conversion. So
 12 just as an example, after the date I can build
 13 a brand new garage and then I can come in and
 14 say I want to convert the garage into a
 15 dwelling unit, we'd say no because you built a
 16 garage after the date the County Board approved
 17 it.
 18 Now someone may say, well,
 19 I've got a new garage going up behind this
 20 accessory dwelling unit that was the old
 21 garage, and we'll say, well, that's permitted
 22 because it's an allowable new building as an
 23 accessory building, accessory detached garage.
 24 But that new accessory detached garage cannot

Page 26

1 be built or converted into a dwelling unit.

2 COMMISSIONER MORAN: Wow. So I can put

3 a new garage in front of my old garage.

4 CHAIRMAN KARTHOLL: That's a very good

5 point.

6 COMMISSIONER MORAN: Yeah.

7 MR. HOSS: So here's the point there is

8 that you would still be limited in going back

9 to the not more than six passenger vehicles,

10 not more than five people in unrelated, all the

11 other codes that are in place for single-

12 family, those codes would still be in place for

13 floor area. You would still be limited to the

14 size.

15 COMMISSIONER MORAN: I'm just trying to

16 wrap my head around this what people who would

17 want to do, try to do.

18 MR. HOSS: Someone could build two

19 detached garages on their property provided

20 they met the square footage requirement. That

21 would stay in place still with this proposal.

22 CHAIRMAN KARTHOLL: Mr. Schultz?

23 COMMISSIONER SCHULTZ: Yeah, this is

24 just to clarify a couple things. For the

Page 27

1 housing, you said either by blood or marriage.

2 What about adoption?

3 MR. HOSS: Blood, marriage and adoption

4 fall in the same category.

5 COMMISSIONER SCHULTZ: Okay, I was just

6 clarifying. And then it says five people total

7 living on a property, so a family that has five

8 kids already, there are seven people in their

9 regular house, they couldn't --

10 MR. HOSS: Couldn't do it.

11 COMMISSIONER SCHULTZ: All right.

12 MR. HOSS: This is not an attempt to --

13 well, let me just say this: There might be a

14 point where we get to that and we change that

15 because we find that it's working, but right

16 now to sort of mitigate some of the concerns

17 that we've heard about from other communities,

18 this is the way we think that we can sort of

19 start slowly with this, and that is to limit

20 the density but still allow other people to

21 live on the property, to have an opportunity to

22 have someone who is not related by blood or

23 marriage to be able to rent out a place to

24 live. That may change in the future if it

Page 28

1 works, but right now we think this helps in

2 mitigating some of the concerns that are out

3 there.

4 CHAIRMAN KARTHOLL: Ms. Anderson?

5 COMMISSIONER ANDERSON: So if I have an

6 accessory building, I'm not renting it out but

7 I have a garage that I want to make an office

8 because I work from home, say, can I do that?

9 MR. HOSS: So, right now the County

10 Code, and this is not going to change, has

11 what's called a home occupation allowance. And

12 some might say that home occupations and

13 businesses and offices is essentially a

14 difference without a distinction. We have

15 about 25 guidelines -- or not guidelines, but

16 regulations for home occupations and it spells

17 out what a home occupation is, and it

18 differentiates from a typical office or

19 business. You can do that right now in a

20 detached accessory building. So we have many

21 detached accessory buildings that are built

22 certainly for garages, but we have some that

23 are built for hobby houses, for pool rooms, for

24 offices, and for home occupations for offices.

Page 29

1 And, for instance, when we issue building

2 permits for that, we make it clear that it's a

3 home occupation and it's built pursuant to the

4 20 or so regulations that are in the Ordinance.

5 Having said that, you could

6 not build a building and convert it into an

7 office that would violate some of the home

8 occupation standards. And just as an example,

9 home occupation standards are your home

10 occupation can't be more than 400 square feet,

11 it can't -- you can't have more than three

12 people that you're taking care of at any one

13 time, and the type of services that can be

14 rendered are listed and delineated. And there

15 are things you can do, so legal services, you

16 can do real estate services --

17 CHAIRMAN KARTHOLL: But nothing about

18 that is changing?

19 MR. HOSS: Nothing about that is

20 changing. You can do that now.

21 COMMISSIONER ANDERSON: It comes to mind

22 that, you know the -- what's called Iron Gate

23 Garages?

24 MR. HOSS: Say that again.

Page 30

1 COMMISSIONER ANDERSON: It comes to mind
 2 those Iron Gate Garages over in Naperville, I
 3 think it's Naperville, but --
 4 MR. HOSS: On Diehl Road?
 5 COMMISSIONER ANDERSON: Yes. I think of
 6 those because you have a garage and they don't
 7 want people living there technically, so I'm
 8 just coming to the point will there be more --
 9 MR. HOSS: Just as an example, that's
 10 zoned I think either commercial or office, and
 11 those are built exclusively to store your cars
 12 and they do have an area above that is used for
 13 an office, and I know they have people living
 14 in there which is not allowed. It's a
 15 completely different thing that we're talking
 16 about here. We're talking about exclusively
 17 residential.
 18 COMMISSIONER ANDERSON: Okay.
 19 COMMISSIONER MORAN: I do have one more.
 20 Paul, I just want to be sure because I saw this
 21 happen. Detached garage, two people were
 22 living in the garage and there was no sewer,
 23 water, nothing, they would go into the house.
 24 Would that be allowable?

Page 31

1 MR. HOSS: No.
 2 COMMISSIONER MORAN: Good.
 3 Okay.
 4 MR. HOSS: Just to be clear, I have to
 5 be very careful about how I say this because I
 6 don't want to prejudice what we're trying to do
 7 here, and that is that these are effectively
 8 their own separate dwelling unit with all the
 9 things that you would expect from a dwelling
 10 unit, including sewer and water, separate
 11 connection, or separate connection to septic
 12 and well. There is the opportunity for you to
 13 tap into the service line that is already
 14 coming to the house, but you have to have your
 15 own separate utilities inside of the building.
 16 You don't necessarily have to come off of the
 17 main line on the street, but you could tap into
 18 the existing utilities of the house, but you
 19 have to have those utilities and facilities
 20 inside the accessory dwelling unit.
 21 CHAIRMAN KARTHOLL: Is there anything in
 22 this Ordinance that relates to the condition of
 23 the existing structure that might be converted
 24 to a dwelling unit?

Page 32

1 MR. HOSS: No, other than the fact that
 2 if it is going to be converted into a dwelling
 3 unit, it will have to get a building permit at
 4 which point the County could require that if
 5 the building is deficient currently, it would
 6 have to be brought up to minimum code as a
 7 dwelling unit. So we might have a building out
 8 there right now that's dilapidated and if
 9 someone wants to convert it, they have to get a
 10 building permit and they have to fix it to a
 11 minimum standard. Does that make sense?
 12 CHAIRMAN KARTHOLL: Yeah, it does make
 13 sense, but it also make sense to me to consider
 14 our usual sort of 50 percent rule that I'll
 15 discuss that at the recommendation meeting.
 16 And is there a definition in
 17 here about what constitutes being related by
 18 blood and marriage?
 19 MR. HOSS: There is.
 20 CHAIRMAN KARTHOLL: Just explain that
 21 briefly. I mean, you know, my wife's fourth
 22 cousin is presumably not qualified?
 23 MR. HOSS: No. I will tell you this
 24 that the definition of blood and marriage

Page 33

1 essentially comes from a standard definition
 2 from the American Planning Association. It
 3 doesn't get into the detail that you're talking
 4 about, it's left a little bit vague for some of
 5 those reasons, but for interpretation it's
 6 essentially immediate blood or marriage. It's
 7 someone who you married and your children, or
 8 it's someone that you married and their
 9 children, that's about the extent it goes.
 10 CHAIRMAN KARTHOLL: Okay. Any other
 11 questions.
 12 (No response.)
 13 CHAIRMAN KARTHOLL: Well, I have no idea
 14 what you people are interested in, but I'm
 15 ready to take public comment related to the
 16 text amendment. After that we'll close the
 17 hearing and I'll take unrelated public comment,
 18 any public comment on any subject, which we're
 19 required to do because of the Open Meetings
 20 Act.
 21 Again, for those that came
 22 late, essentially I don't -- I really don't
 23 want to invite a lot of duplication in
 24 comments, so if you agree with someone that

Page 34

1 spoke before you, then please just indicate
 2 that you agree. And then, again, the
 3 limitation is for the three minutes per person.
 4 So, whoever wants to speak,
 5 please raise your hand and be sworn in. If
 6 you're not sworn in now, I'm going to assume
 7 you do not want to speak. And I can't see
 8 behind me, but I don't see anybody with their
 9 hands up. Sorry, I didn't know there were
 10 people back there.
 11 **THE COURT REPORTER:** Would you raise your
 12 right hands, please.
 13 (Whereupon, the oath was
 14 duly administered by the
 15 Notary.)
 16 **CHAIRMAN KARTHOLL:** Is there anyone here
 17 that represents a group that I'll call on
 18 first, or are you all individuals? All right,
 19 then who would like to begin?
 20 Go right ahead. Name, spell
 21 your name, give us your address and then make
 22 your comment, please.
 23 **MS. LUDWIG:** Hello, my name is Laura
 24 Ludwig, L-a-u-r-a L-u-d-w-i-g. I live at

Page 35

1 1S651 Winfield Road, Wheaton, Illinois, 60189.
 2 I've been a resident there for 21 years. I
 3 oppose the amendment to the Zoning Code for
 4 many reasons; however, I will only expand on
 5 the three most concerning: The first being
 6 that homeowners are not equipped to be
 7 landlords. Homeowners do not have to show fair
 8 housing practices, provide transparency in
 9 accounting for income, or necessarily provide
 10 appropriate upkeep for the ADU providing safe
 11 and secure facilities. On the other hand,
 12 professional apartment complexes, developers
 13 and real estate firms must follow all laws and
 14 practices as they are audited by banks and
 15 other oversight bodies. Providing residential
 16 housing should remain exclusively to these
 17 entities, not to individual residences. These
 18 professional entities employ licensed service
 19 people for electrical, plumbing, HVAC, drinking
 20 water and sanitation services. Homeowners are
 21 not required to do that for their maintenance,
 22 and in many cases homeowners do not even obtain
 23 legal permits for their work. In addition, the
 24 human rights of the renters may also be

Page 36

1 jeopardized by the homeowner. For example, it
 2 isn't beyond the realm of possibilities that
 3 homeowners could house immigrants and
 4 potentially traffic them in exchange for rent.
 5 And, lastly to this point, the occupants of the
 6 ADU may squat after several months, then
 7 creating a situation whereby the homeowner has
 8 no rights and will in turn likely turn to
 9 County resources for assistance, to which it is
 10 doubtful they will be available.
 11 My second: There are no
 12 automatic enforcement measures in place. The
 13 zoning change indicates that the property owner
 14 must live on premises within either the primary
 15 residence or the ADU. There are no measures in
 16 place to verify this requirement beyond day
 17 one, and therefore lends itself to providing
 18 the ability for two families unrelated to rent
 19 within a neighborhood community on a single
 20 property. Furthermore, there is no measure in
 21 place to verify that when the ADU is empty,
 22 that it will be returned to original condition,
 23 whatever that means because it is unclear.
 24 Therefore, it will be continually rented as a

Page 37

1 residence or sit dormant in decay. As I can
 2 state firsthand based upon an existing,
 3 non-permitted mind you, conversion of a hobby
 4 house into an ADU that is next to my property.
 5 This is a view from my driveway. In the
 6 foreground you can see our maintained property.
 7 The lawn at the ADU has not been mowed in over
 8 three years. Rodents are in our yard and
 9 infesting our garage.
 10 Here is a view of the ADU
 11 from my driveway as I enter to my home. Likely
 12 all ADUs will be in sight line of neighbors,
 13 but not the primary resident because of
 14 unsightliness and they don't want it in their
 15 back yard so they will put it in their
 16 neighbor's.
 17 Despite us informing the
 18 owners of this supposed ADU, they attempted to
 19 occupy the building when we told them it was
 20 not to be done so. We had to call the County
 21 and the building department slammed a no
 22 occupancy. There is no automatic enforcements
 23 by the County. They don't have the resources
 24 to make sure this kind of thing doesn't become

Page 38

1 pervasive.

2 And, lastly, my last: A

3 decrease in neighbor property value. The

4 homeowner that erects an ADU on their property

5 will see a revenue stream from the renter and

6 possibly a slight increase in value. For a

7 published research paper titled Spillover

8 Effects of Accessory Dwelling Unit Development

9 dated August, 2023 by Department of Economics,

10 University of California Irvine, the increase

11 of only one half of a percent of ADU density in

12 a neighborhood directly related to a 4 percent

13 decrease in property value across that

14 neighborhood.

15 CHAIRMAN KARTHOLL: Could I ask you to

16 wrap up?

17 MS. LUDWIG: Yes. Essentially it's a

18 sixfold detriment. This loss in property value

19 was most greatly shouldered by adjacent

20 properties; therefore, the Code will only

21 incentivize every owner that can erect an ADU

22 at the demise of their neighbors who can afford

23 to do so. I strongly oppose this change.

24 CHAIRMAN KARTHOLL: Thank you.

Page 39

1 UNIDENTIFIED SPEAKER: Everybody

2 together, I agree.

3 CHAIRMAN KARTHOLL: Whoa, whoa, I have

4 to get your names, although you're keeping to

5 the spirit of what I invited. I let you go

6 approximately double the amount of time that I

7 indicated initially, and the reason is I

8 thought your remarks were particularly well

9 organized and I saw a lot of people shaking

10 their heads so I thought perhaps some of those

11 people would, instead of going on at length,

12 would simply indicate that they agree with the

13 prior speaker.

14 Now, having said that, can I

15 just go down the line here so I'm somewhat

16 organized about this.

17 Are you -- could you give us

18 your name, address --

19 MS. RUTLEDGE: Sure, Sheila Rutledge.

20 My address is 1N127 Ridgeland Avenue,

21 unincorporated West Chicago. I have an ADU on

22 my property.

23 CHAIRMAN KARTHOLL: Hold on one second.

24 MR. HOSS: Could we go off the record

Page 40

1 for just a second?

2 CHAIRMAN KARTHOLL: Certainly. I'm

3 getting a request to go off the record for a

4 moment. This will not count against your three

5 minutes.

6 (Whereupon, a pause was

7 taken.)

8 CHAIRMAN KARTHOLL: Let's go to the next

9 person. We're back on the record.

10 MS. KUSH: My name is Alice Kush, I live

11 at 1S270 St. Mihiel Drive, Winfield.

12 CHAIRMAN KARTHOLL: Can you spell your

13 last name?

14 MS. KUSH: K-u-s-h. My question has to

15 do -- I live in a subdivision that has all

16 septic units and we talked about having the

17 proper services. I'm remembering when we built

18 the house there were limits on what -- the

19 number of people and what you could do, the

20 septic system was sized for that. Is that a

21 consideration? I don't see that mentioned in

22 here.

23 CHAIRMAN KARTHOLL: Well, I think it is

24 in there.

Page 41

1 MR. WATT: It's not.

2 MR. HOSS: I'll address all of that.

3 CHAIRMAN KARTHOLL: Mr. Hoss can address

4 that at the end. Yeah, it is. Okay, thank you

5 very much.

6 Back to Ms. Rutledge?

7 MS. RUTLEDGE: I will remove my remarks

8 tonight. I'm here to observe. Thank you.

9 CHAIRMAN KARTHOLL: Okay, thank you. I

10 didn't recognize you at first.

11 Okay, sir?

12 MR. WATT: My name is Ralph Watt, I live

13 at 0S550 Morningside in Winfield in

14 unincorporated DuPage County.

15 THE COURT REPORTER: Can you spell your

16 last name, please?

17 MR. WATT: W-a-t-t, just like a

18 lightbulb. To me the ZBA Petition T-2-24

19 changes the entire character and intent of the

20 existing Zoning Ordinance for ADUs, which are

21 already permitted in accessory structures for

22 use as habitable dwellings. Unfortunately the

23 changes, in my view, are poorly written and

24 vague which eliminates all meaningful

Page 42

1 restrictions and essentially permit any
 2 property to be converted into multi-family use
 3 with as many as five different families
 4 represented in a single thing.
 5 I'll give you some examples:
 6 Paul mentioned the thing about five people.
 7 The way the wording is, point blank I'll read
 8 it, it says [reading] the total number of
 9 occupants in the combined principal and
 10 accessory dwelling unit shall not exceed five
 11 people. It doesn't say anything about family,
 12 it doesn't say anything about that, it says one
 13 or more must be related, but that's it.
 14 So, in other words, this Ordinance, if it
 15 passes, is essentially saying nobody can have
 16 more than five people living in any residence
 17 or address anywhere. That's what it says,
 18 point blank. In other words, you've taken over
 19 from China to limit family size.
 20 CHAIRMAN KARTHOLL: That's off.
 21 MR. WATT: Pardon?
 22 CHAIRMAN KARTHOLL: Nevermind, go ahead.
 23 MR. WATT: In 412-2(e) the petition
 24 states that it proposes that a permit be

Page 43

1 obtained for conversion, including a floor plan
 2 and a reconversion plan.
 3 Two things with that: It
 4 does not mention anything else that is required
 5 for a building permit, which includes Health
 6 Department, drainage, et cetera, et cetera, and
 7 includes none of those. It doesn't talk about
 8 access, it doesn't talk about parking, it
 9 doesn't require any of those things. It puts
 10 the entire onus on the Building Department to
 11 basically say we'll take care of everything,
 12 don't worry about it. I don't think that's the
 13 right way to do it. I think you need to have
 14 it vetted through the Health Department, you
 15 need to have it vetted through Stormwater
 16 Management Department, and you need to have it
 17 vetted by Legal. As proposed in the petition,
 18 it appears that anybody who has a travel
 19 trailer parked on their property can convert it
 20 into an ADU simply by putting it on blocks
 21 because it has a kitchen, it has a bathroom.
 22 It's a structure, yes. Does that mean that
 23 anybody who has a travel trailer can suddenly
 24 rent it?

Page 44

1 Lastly, the idea of
 2 reconversion is highly questionable because if
 3 the ADU is no longer required, it no longer
 4 requires a conditional use permit, the petition
 5 eliminates paragraphs 417-2 and 417-3, which
 6 are the only means the County has to control
 7 the usage of an ADU as a dwelling. It
 8 eliminates both of those. So there's no
 9 control left for the County over the ADU. It's
 10 essentially the same as any other structure.
 11 Next, the petition revises
 12 the maximum size of an ADU to a thousand square
 13 feet.
 14 CHAIRMAN KARTHOLL: Could you wrap up?
 15 MR. WATT: I'll try to go fast. But it
 16 does not establish a minimum size? Nor does it
 17 establish a minimum size per occupant. So, in
 18 other words, you could take a 10 x 10 shed and
 19 put four people in it, according to the way
 20 this thing is written. That's not reasonable,
 21 that's not fair.
 22 CHAIRMAN KARTHOLL: Thank you, sir. Can
 23 I go to the next lady?
 24 MS. KUNTZE: Sure. May I?

Page 45

1 CHAIRMAN KARTHOLL: Certainly.
 2 MS. KUNTZE: My name is Rose Kuntze,
 3 K-u-n-t-z-e, I live at 1S700 Blakewood Court in
 4 unincorporated Winfield. My husband and I are
 5 79 year residents of DuPage County and live in
 6 R-2 Zoning of unincorporated Winfield. We
 7 strongly oppose the ADU amendments because they
 8 threaten the privacy, security, property values
 9 and the green space of single-family
 10 residential neighborhoods. Our forest
 11 preserves provides 26,000 acres of open space
 12 for us to enjoy. Our yards are our forest
 13 preserves. Who among us was not thankful for
 14 the privacy, tranquility and safety of our
 15 properties during COVID? No one I know.
 16 We understand the need for
 17 accessible housing, it is an issue everywhere,
 18 but for the County to shift its burden to
 19 provide ADU housing to residents under the
 20 guise of, quote, revenue generation and wealth
 21 building for homeowners, especially for those
 22 who experienced high housing costs, unquote, is
 23 ludicrous.
 24 The petitioner isn't asking

Page 46

1 residents to plant temporary World War II era
 2 victory gardens to help a cause, it is asking
 3 homeowners to build permanent rental housing
 4 structures of which they will become landlords
 5 and all that entails. Resident landlords would
 6 incur the cost of constructing and maintaining
 7 such units. How is that lessening costs for
 8 financially struggling homeowners? Perhaps the
 9 County should focus on finding innovative ways
 10 of reducing property taxes for everyone,
 11 especially seniors who haven't had children in
 12 the schools for 20-plus years.

13 Have you driven through
 14 Winfield, Wheaton, or Glen Ellyn recently and
 15 noticed the housing they are building? They're
 16 advertised as luxury high rises. Where are
 17 their strategies and help in providing
 18 accessible housing? I believe ADUs have been
 19 under consideration in Chicago in Cook County
 20 since about 2020 without effective outcomes.
 21 Does DuPage County strive to emulate Cook
 22 County? I hope not.

23 Questions regarding this
 24 position are many. Here are just a few of mine

Page 47

1 that may overlap yours: Will ADUs change
 2 zoning classifications? If yes, how? How will
 3 an ADU affect the homeowner's property taxes?
 4 Will our assessor Mark Malay be taxed with
 5 reassessing these or all properties? Will the
 6 homeowner be responsible for insuring the ADU?
 7 If yes, at what cost? What recourse will a
 8 homeowner have if a renter no longer pays rent
 9 and becomes a squatter? Will the addition of
 10 ADU occupants prompt the need for more schools
 11 and social services? Will ADU occupants
 12 overload our medical facilities even more than
 13 they are already? Will an ADU have its own
 14 address, and will it require a separate
 15 mailbox? Will that address be used by fire,
 16 police and emergency services? If yes, how
 17 will they locate and access the ADU?
 18 Will it have its own driveway? Can ADUs have
 19 patios, garages and sheds? Will an ADU have
 20 separate gas and electric meters? How will ADU
 21 occupants register to vote or be counted on a
 22 census?

23 A maximum structure size?
 24 Well, it said a thousand square feet, but Paul

Page 48

1 just said it was 1200, is noted in the position
 2 -- petition.

3 CHAIRMAN KARTHOLL: Could you wrap up
 4 quickly, please?

5 MS. KUNTZE: I am, I'm almost done, I
 6 have two more paragraphs. What is the minimize
 7 size? Where are kitchen and bath facilities
 8 defined? Are we talking about a compost
 9 toilet, a handheld showerhead, a microwave and
 10 a hot plate? How will it be determined if
 11 current well and septic systems remain adequate
 12 and functioning with the addition of more
 13 occupants? Will the Health Department be
 14 required to approve and monitor these
 15 properties on a regular basis? So
 16 many questions.

17 I ask you to take a virtual
 18 tour of your property and imagine where such an
 19 ADU could be placed and how it would negatively
 20 impact your quality of life. Now take a second
 21 tour looking at your adjoining properties and
 22 envision where your neighbor's ADU would be
 23 placed in conjunction with your own. Like what
 24 you see? I think not. Unlike homeowners,

Page 49

1 renters do not have a vested interest in
 2 maintaining property values. If you are of the
 3 mindset that if you build it they will come,
 4 then be ready to accept the consequences.

5 I request that any County or
 6 Zoning Board member that either currently has
 7 an ADU or anticipates constructing one abstain
 8 from voting as a matter of conflict of
 9 interest. Please vote to deny Petition
 10 T-2-24's ADU amendments.

11 CHAIRMAN KARTHOLL: Thank you. All
 12 right. There's a couple of other people in
 13 this row I think that were sworn in.

14 MR. COUTURE: I was, but they've covered
 15 everything.

16 CHAIRMAN KARTHOLL: Well then just say
 17 your name, address, and say I agree with the
 18 prior speakers.

19 MR. COUTURE: My name is Ronald Couture,
 20 C-o-u-t-u-r-e, 1S671 Ardens Court, Winfield,
 21 unincorporated.

22 CHAIRMAN KARTHOLL: Good, thank you.

23 MR. COUTURE: I agree with what they've
 24 said. The only thing that I was looking for

Page 50

1 was I think she touched on was the impact on
2 services, and looking at your neighbor's
3 property, because the area we have there's a
4 lot of room and I see a lot of buildings here
5 and there that they're using for potting sheds
6 or stuff like that, and I dread to see them
7 having people move into that.
8 CHAIRMAN KARTHOLL: Okay. Thank you,
9 sir.
10 MS. ALLCHIN: My name is Heather
11 Allchin, my husband is Tim Allchin, we're both
12 here. We live at 1S710 Winfield Road. We've
13 been residents for 20 years in DuPage County.
14 We both lived in Cook County, we moved to
15 DuPage County for a quiet space to raise our
16 children, to enjoy the parks, enjoy our
17 neighbors, get to know them, most of them are
18 here. And we've also had horrible situations
19 that we've had to help our neighbors with
20 flooding roads and emergency services at night,
21 in the day. We've had accidents happening
22 because there aren't enough places for people
23 to pull off to get help that they need. We are
24 vehemently opposed to this, and we hope that

Page 51

1 you would hear our hearts and that we are also
2 supporting our neighbors here in this DuPage
3 County to have a better place to live, and also
4 to address the many needs that we currently
5 have with our current residents.
6 CHAIRMAN KARTHOLL: Okay, thank you very
7 much. Can we go to the row behind? You guys
8 were sworn in, do you want to make a statement?
9 MR. SENESE: My name is Michael Senese,
10 I live in unincorporated West Chicago.
11 CHAIRMAN KARTHOLL: Spell your name.
12 MR. SENESE: S-e-n-e-s-e, Senese, 28W655
13 Childs Street. The question that I have is
14 does all of the construction on these new
15 dwellings have to be completed before the Board
16 approves it, and will they be able to continue
17 construction as far as their approval, because
18 being in the construction industry, I can tell
19 you that what needs to be done to a garage to
20 meet the standards that you just said can never
21 be done by December 31st. So, I don't even
22 understand the point of bringing this up.
23 CHAIRMAN KARTHOLL: Well, I think I know
24 the answer, but we'll let Mr. Hoss clarify that

Page 52

1 when he wraps up at the end.
2 MR. SENESE: One of the other things, so
3 just to be clear, we have 1200 square feet that
4 we can work with, and would I be able to build
5 micro units? As long as I'm done before the
6 vote, I could build 350-square foot micro units
7 and put five people in each one, or how does
8 that work if I wanted to tear down my garage
9 and build those?
10 CHAIRMAN KARTHOLL: Okay, thank you.
11 MR. SENESE: I'm against it.
12 CHAIRMAN KARTHOLL: Good. Thank you,
13 sir. Next?
14 MS. BRONIECKI: My name is Micheline
15 Broniecki, I also live at 28W655 Childs Street
16 with my husband. We just moved here about
17 three weeks ago. Thank you for your service.
18 We do have tremendous, tremendous concerns
19 about this. My first and foremost if you have
20 five unrelated people living in an ADU that is
21 -- and you have, let's assume, five unrelated
22 people in an ADU, six cars. Has there been a
23 traffic impact study? Has there been a school
24 impact study? Has there been a fire impact

Page 53

1 study? Has there been a police impact study,
2 library impact study? How will we tax? Will
3 there be separate tax plats? Will the ADU have
4 a separate pin?
5 This is just so vague and
6 uncharted, and I don't see any evidence other
7 than anecdotal. I would say that there was no
8 way we could possibly -- this would be like the
9 Wild Wild West, completely unregulated. I'm
10 very much, very much against it. And as moving
11 here, would not have moved here had I been able
12 to -- I mean, I could do it right now, I could
13 turn my garage into three micro units and have
14 three different families of 300 square feet
15 each family with one person in each unit. But
16 schools, I mean it's a disaster.
17 CHAIRMAN KARTHOLL: Okay, thank you.
18 Anybody else?
19 COMMISSIONER ANDERSON: Mr. Chairman,
20 could you have the speaker maybe rephrase the
21 word she used retarded? I kind of find that
22 offensive.
23 MS. BRONIECKI: Retarded? I was -- I
24 would never say that.

Page 54

1 CHAIRMAN KARTHOLL: I don't think she
 2 said that.
 3 MR. SENESE: We didn't say that.
 4 COMMISSIONER ANDERSON: I'm just saying
 5 I'm kind of --
 6 MS. BRONIECKI: Let me be the first to
 7 say I have a son with Down Syndrome, I would
 8 never ever say that and I am offended that you
 9 would even suggest it.
 10 COMMISSIONER ANDERSON: Even Special
 11 Olympics on that say --
 12 CHAIRMAN KARTHOLL: We got it, but she
 13 didn't say it, so let's just move on.
 14 Anybody else in the back?
 15 UNIDENTIFIED SPEAKER: There's somebody
 16 over your shoulder.
 17 CHAIRMAN KARTHOLL: Yeah, I understand
 18 there's people behind me. No one else in the
 19 back was sworn in, in the back row there?
 20 (No response.)
 21 CHAIRMAN KARTHOLL: Then how many people
 22 back here were sworn in? Just two, three?
 23 Would you like to go first, sir?
 24 MR. PIOTROWSKI: George Piotrowski,

Page 55

1 P-i-o-t-r-o-w-s-k-i, 28W651 Washington Avenue,
 2 West Chicago, 60185. I agree with so far with
 3 everybody that's been talking. I have two
 4 other issues that I'm wondering about. One of
 5 the things that I've seen in the news is a lot
 6 of corporations like Black Rock and VanGuard
 7 are on a big spur to buy up properties,
 8 residential properties, and supposedly at some
 9 point they will be having as much as 60 percent
 10 of the consumer housing market in the next ten
 11 years. My issue is whether or not this is --
 12 well, the homeowner, primary homeowner can do
 13 this. If they see in low density properties
 14 all this land, they could easily come in and --
 15 because they've been doing this, outbidding
 16 people whenever people sells it. They buy this
 17 land and they put up these properties and then
 18 they add more. Now you have not just a
 19 homeowner being a renter, but now you have a
 20 corporation that's renting out all these
 21 additional properties. And that's my one
 22 concern.
 23 The second issue is whether
 24 or not this potential -- in other words, I have

Page 56

1 two acres so I have the potential to have more
 2 properties. Is that potential going to be a
 3 tax burden on me? Because you have that
 4 potential, are you going to be taxed even
 5 though you're not producing additional property
 6 in rental? Are you going to be taxed because
 7 you have that potential?
 8 CHAIRMAN KARTHOLL: Okay. Interesting
 9 point, but I don't think it's relevant.
 10 MR. PIOTROWSKI: But that's my
 11 particular concern. But the one about the fact
 12 that corporations --
 13 CHAIRMAN KARTHOLL: That's not how taxes
 14 work.
 15 This lady, next lady?
 16 MS. WITTY: My name is Erica Witty, and
 17 I live at 1S771 Winfield Road. I live really
 18 close to the neighbor who shared off some of
 19 the pictures, and I can attest that this is a
 20 very -- that the current existing laws are not
 21 -- do not have enforcement to even enforce what
 22 we currently have in the books, and so we have
 23 somebody who has rented their primary residence
 24 and then tried to rent out a secondary ADU, so

Page 57

1 now you don't even have a primary homeowner on
 2 the property. And so it's clearly unkempt, and
 3 there is absolutely no mention of who are the
 4 people coming in. There are people who need to
 5 live in ADUs, think about -- there could be a
 6 nice old lady who needs to rent an ADU, but
 7 there's also people who are of a vulnerable
 8 population who can be taken advantage of.
 9 There's also people who are undesirable. And I
 10 have two little girls on my property, I picked
 11 out the place where I could raise them safely,
 12 and to have somebody come in and rent their
 13 shed, literally it is a shed, somebody who
 14 hasn't even gone through a criminal background
 15 check is absolutely unacceptable and
 16 unenforceable. How do we get these people out?
 17 How do we make sure they are the right people
 18 to be looking in our windows?
 19 CHAIRMAN KARTHOLL: Thank you very much.
 20 Our last person here, I think the last speaker.
 21 MR. SCHILLER: Kevin Schiller. It's
 22 S-c-h-i-l-l-e-r. I live at 1S719 Winfield
 23 Road, Wheaton, Illinois. I support everything
 24 everybody has been saying. This is a problem.

Page 58

1 CHAIRMAN KARTHOLL: Okay. Thank you,
 2 sir.
 3 Mr. Hoss, do you want to
 4 take the stand again or go up to the podium and
 5 then respond to questions?
 6 MR. HOSS: As always, in the 32 years
 7 I've been here when we've had stuff in this
 8 area, we've got a good group of homeowners'
 9 association and the neighbors that come out and
 10 really test the petitioner. In this case, it's
 11 the government, so I do appreciate the interest
 12 and the concerns.
 13 Now, having said that,
 14 generally relative to all the concerns that
 15 you're talking about, one of the things that we
 16 have done where you don't specifically see it
 17 in the Ordinance, in this Zoning Ordinance, but
 18 addresses most of the concerns that you're
 19 talking about is the building permit process.
 20 We are requiring that if someone is going to
 21 convert a portion of their house or on a
 22 detached accessory building, they have to get a
 23 building permit, irrespective if they're not
 24 even going to do anything. And it's unlikely

Page 59

1 -- bear with me. And it's unlikely that they
 2 will -- we have a situation where someone
 3 doesn't have to do something.
 4 But even in the instance
 5 where, as I said earlier, they have gas and
 6 electric and plumbing already into a detached
 7 accessory building and they tell us they just
 8 want to connect to utilities or appliances, we
 9 are still going to require them to get a
 10 building permit to follow this code.
 11 Now the building permit
 12 process, which is not contained in this
 13 Ordinance, is already contained in all the
 14 other ordinances that we have in the County.
 15 When you apply for a building permit, you have
 16 to meet the County Building Code.
 17 MR. SCHILLER: That's an if.
 18 UNIDENTIFIED SPEAKER: They're not being
 19 enforced.
 20 MR. SCHILLER: That's an if. I got
 21 septic water in my back yard.
 22 CHAIRMAN KARTHOLL: Okay. I'm sorry,
 23 sir, but I mean it's not a dialogue, he's
 24 trying to respond as best he can and you're

Page 60

1 just going to have to accept the response. I
 2 will say that you can supplement your remarks
 3 with additional written comments which will be
 4 made part of the record.
 5 MR. HOSS: So, anybody who builds
 6 anything in the County in unincorporated has
 7 got to get a building permit. I'm not
 8 suggesting that --
 9 MR. SCHILLER: Thanks much. I'm walking
 10 out.
 11 MR. HOSS: So anybody who builds
 12 something in the unincorporated area has to get
 13 a building permit. If for whatever reason,
 14 through a complaint from a neighbor, from an
 15 inspection done by the County, a complaint from
 16 a bank, a title company, a homeowner, a lender,
 17 we find out that someone's built something
 18 without a permit, we issue a violation notice
 19 and pursue that through a violation process
 20 which includes going to adjudication hearings
 21 and also going to Circuit Court. So we do have
 22 a process in place to deal with people who are
 23 violative.
 24 I don't want to get into

Page 61

1 that much detail here, but what I'm getting at
 2 here is that if someone is going to take
 3 advantage of this ordinance if it passes by the
 4 County Board, they will have to get a building
 5 permit. If someone, for instance, sees this
 6 Ordinance and says I can do this and they don't
 7 get a building permit and we find out about it,
 8 we will issue a violation notice and follow
 9 that process.
 10 As it relates to getting a
 11 building permit, when you apply for a building
 12 permit, even though all of the details of
 13 health, sewer and water, septic and well,
 14 stormwater, drainage, building codes, fire
 15 codes, they're not specifically in the Zoning
 16 Ordinance, they are contained in other
 17 ordinances which are much more detailed than
 18 even the Zoning Ordinances. Most of our other
 19 ordinances are actually designed and developed
 20 by outside engineers and architects and
 21 planners that create, for instance, the County
 22 Building Code which is an international
 23 building code that gets updated every three
 24 years we adopt. So the standards for building

Page 62

1 are being applied to internal development of
 2 ADUs. When I say internal, in the house, or in
 3 detached buildings. So people will have to
 4 follow Building Codes, Health Department Codes,
 5 stormwater codes and also Township and Division
 6 of Transportation Highway Codes.
 7 Through the building
 8 process, they will go through an entirely
 9 additional vetting process. The Health
 10 Department and -- let me back up here. They
 11 will have the opportunity to get it from a
 12 zoning standpoint, but if they don't meet the
 13 Health Department codes, it will be rejected,
 14 they won't get a building permit, they will not
 15 be able to build. Same thing with building,
 16 same thing with stormwater and drainage. So
 17 that's an overview that I hope -- you may not
 18 be comfortable with the answer because the
 19 detail is lacking relative to the Zoning Code,
 20 but the detail is in all the other codes, and
 21 they will have to follow these other codes and
 22 get those permits.
 23 As it relates to this
 24 concern about building something now in

Page 63

1 anticipating that this Ordinance passes, what
 2 we are proposing is if you have an existing
 3 detached accessory structure built in place,
 4 permitted and approved by the County and the
 5 County passes this Ordinance, that structure
 6 would be eligible to be converted to a detached
 7 dwelling unit. Anything that is built after
 8 this Ordinance is passed would not -- as a
 9 detached accessory building would not be able
 10 to be converted. So I think one of the
 11 concerns was, you know, when do we need to
 12 start building these in anticipation that this
 13 Zoning Ordinance would be approved? Well, the
 14 answer to that in theory would be if you think
 15 this Ordinance is going to get approved and you
 16 want to take advantage of it and start building
 17 a detached accessory structure now, get a
 18 permit for it, have it in place so that it
 19 would be in place when this Ordinance is
 20 approved. I don't think that was the intent of
 21 the question, but the most important answer is
 22 that detached accessory buildings that are
 23 existing, permitted and approved at the time
 24 this ordinance is approved, if it is approved

Page 64

1 by the County Board, would be eligible.
 2 Anything built after that would not be
 3 eligible.
 4 The next concern that is out
 5 there is this definition of family and this
 6 notion that a definition of family is blood,
 7 marriage, and as Mr. Schultz pointed out,
 8 adoption. We all sort of know what that means.
 9 These are immediate family members that there
 10 are wives, there are husbands, and then the
 11 children of the wives and husbands. That's
 12 blood and marriage. In the County Zoning
 13 Ordinance, as is the case in all ordinances not
 14 only in DuPage County but in municipalities
 15 throughout the State of Illinois and throughout
 16 the country, because of the Federal Fair
 17 Housing Act there have been some lawsuits over
 18 the years that creates a concern that the
 19 definition of family has to include people who
 20 are not related by blood or marriages, and for
 21 DuPage County, that number of people has
 22 historically been five. There are some
 23 communities that have three, there are some
 24 communities that have eight. There's a Federal

Page 65

1 Fair Housing Standard that was created in 1988
 2 that dealt with -- it was a lawsuit that dealt
 3 with group or day care homes where you had to
 4 allow people who were afflicted with some
 5 disability or were over the age of 55 to live
 6 together in a unit with two caretakers, where
 7 for DuPage County that number is eight now.
 8 And the purpose for that is that the Federal
 9 government and the advocates for people who
 10 were institutionalized, either in senior homes
 11 that weren't really getting the socialization,
 12 the advocates for those groups had basically
 13 filed a lawsuit, and the result of that lawsuit
 14 was to be able to have day care homes which
 15 allow up to, once again, eight people who have
 16 some disability or are over the age of 55 to be
 17 able to live together in a holistic way with
 18 two caregivers. So there are many different
 19 iterations of what the definition of family is
 20 and how people can live together in a
 21 single-family home throughout this country and
 22 in DuPage County. Now having said that, blood
 23 or marriage or not more than five people
 24 unrelated by blood or marriage, five people not

Page 66

1 connected at all. What we're proposing in this
2 ordinance is if you want to have a
3 single-family home and an accessory dwelling
4 unit, whether that accessory dwelling unit is
5 in your principal home or an existing detached
6 building, we're saying if you make that
7 decision, then you will be limited to not more
8 than five people related by blood or marriage
9 or unrelated by blood or marriage living in
10 both of those units. So at that point you as
11 the property owner and the person living on the
12 property will be making that decision to limit
13 yourself to not more than five people unrelated
14 by blood or marriage.

15 So, for instance -- not more
16 than five. So, for instance, if I have a
17 family of five, I have me, my wife and three
18 kids and all of a sudden I want to turn my
19 detached garage into an accessory dwelling
20 unit, I'm not going to be able to do that
21 because I'm already maxed out on the number of
22 people that are living on that property: Five.

23 Now, if I want to have -- if
24 I want to have more kids, I can have more kids

Page 67

1 and I can have as many kids as I want living in
2 the single-family home, I just can't put those
3 kids in a detached accessory dwelling.

4 So I'm not limiting my
5 ability to have blood or marriage relationships
6 limited in terms of numbers in my principal
7 home, but when I make the decision to have an
8 accessory dwelling unit, I am saying at that
9 point I'm going to have to limit the amount of
10 people, blood or marriage or otherwise, that
11 live on my property. So, I hope that addresses
12 some of the concerns about having, you know,
13 five, six, seven families on the property,
14 you're just not simply going to be able to do
15 that under this ordinance.

16 I think the last thing that
17 was of concern here is dealing with some of the
18 semantics of how do we deal with school
19 districts, how do we deal with fires, how do we
20 deal with taxation, how do we deal with parcel
21 numbers? These are accessory dwelling units,
22 these are not attempted to be carve-outs for
23 new single-family homes. And I know that some
24 of you may think that that's a difference

Page 68

1 without a distinction, that we are effectively
2 creating a second single-family home on the
3 property. We believe that some of the other
4 mitigating things that we talked about here
5 truly treat these as accessory dwelling units,
6 and the accessory dwelling unit will be limited
7 in scope in terms of size, in terms of use, in
8 terms of the number of people that are living
9 in there. So it is not similar to a typical
10 single-family dwelling unit, and for that
11 reason you won't get a separate parcel number,
12 you won't have to subdivide or deed divide your
13 property.

14 Historically when we have
15 situations where we have existing attached
16 dwelling units, or even in some cases we've
17 given variations to have detached dwelling
18 units for people who are living on the property
19 who are related by blood or marriage, the
20 assessor's office hasn't treated that as a
21 separate single-family and taxed it differently
22 and added to the tax value to that. We
23 understand that that would be the same case
24 here, it would truly be an accessory, it would

Page 69

1 not be principal. So some of those things that
2 you are concerned about, you know, adding to
3 our tax burden, getting different parcel
4 numbers, things like that, that would not occur
5 in this situation.

6 In terms of how the number
7 of cars, I think there was a question about how
8 you've got five people unrelated by blood or
9 marriage, you're going to have a lot of cars on
10 the property. Once again, all the other things
11 that we've talked about, maybe I didn't go into
12 all of them, but all the other things that
13 we've talked about that are currently in place
14 for a single-family home, all of those would
15 continue to comply. Right now you're not
16 allowed to have more than six passenger
17 vehicles on a property. A passenger vehicle is
18 a vehicle -- we customarily know passenger
19 vehicles as our cars that we drive every day,
20 but by the Illinois Vehicle Code a passenger
21 vehicle is a vehicle that's 10,000 pounds gross
22 vehicle weight rating or less. Typically a
23 car, you know, a sedan, could even be a truck.
24 We actually raised -- the State raised the

Page 70

1 gross vehicle weight rating because of the
 2 trucks that we have out there now, the F-1's,
 3 stuff like that. So you're still going to be
 4 limited to six people on the property.
 5 For instance, I've got 5
 6 unrelated people on the property and each guy
 7 has two cars, they can only have six cars on
 8 the property, they're going to have to get rid
 9 of each one of their cars. All of those rules
 10 and regulations are still going to apply.
 11 You're not going to be able to do anything
 12 differently than you already would.
 13 The other thing that we
 14 heard about is, and I talked about a little
 15 earlier, we would not be allowing someone to
 16 build a brand new building. The buildings that
 17 exist at the time would be the ones that would
 18 be converted, including the detached buildings.
 19 And we understand that
 20 people who are living next to a house right now
 21 that has a detached structure, whether it's a
 22 hobby house, or whether it's a detached garage,
 23 or even a shed understand that that shed, hobby
 24 house or garage is being used for things like

Page 71

1 parking cars and putting your kids' toys and
 2 bicycles and things like that. We understand
 3 that converting that to a dwelling unit where
 4 people would be living there is going to be a
 5 bit of a shock. We think that that shock is
 6 mitigated by some of the things we talked
 7 about, but more importantly it's mitigated by
 8 the fact that at the very least we understand
 9 that when we moved in next to that property,
 10 that building was there. So that building is
 11 not going to change. The size of the building
 12 is not going to change, the roofline's not
 13 going to change, the outer appearance of
 14 that building is not going to change, the only
 15 thing that would change would be people living
 16 in there.
 17 In addition, people would
 18 not be able to expand it, they wouldn't be able
 19 to -- the only potential thing that could
 20 happen to that, and I think Mr. Kartholl
 21 alluded to this, is that if that building is
 22 not suitable for a dwelling unit, it would have
 23 to be rehabilitated on the interior to make it
 24 suitable. So, at the very least, this building

Page 72

1 might be in better shape than it was before
 2 when it was being used as a shed or something
 3 like that.
 4 I hope that addresses even
 5 generally some of the things that I think we're
 6 concerned about your questions.
 7 UNIDENTIFIED SPEAKER: Can we ask any
 8 questions?
 9 CHAIRMAN KARTHOLL: You know, your
 10 responses, I know that we're supposed to
 11 conclude with your answers, but your responses,
 12 I think, raised additional questions.
 13 MR. HOSS: Fair enough.
 14 CHAIRMAN KARTHOLL: So I don't want to
 15 argue the wisdom of any of this, but if there
 16 are additional questions that are related to
 17 this response, I think it's only fair that we
 18 take those questions.
 19 If you only ask a question,
 20 you don't have to be sworn in.
 21 COMMISSIONER ANDERSON: Can we limit a
 22 time for this purpose?
 23 CHAIRMAN KARTHOLL: Yeah, I'm trying --
 24 well, you don't have to stay, as a matter of

Page 73

1 fact, because this is just public comment, but
 2 I want to flesh this out a little bit. I'll
 3 start.
 4 If the Building Codes and
 5 Health Department regulations, et cetera, et
 6 cetera, are the control over the things that
 7 are unstated within the Ordinance, what is the
 8 constant? Does the discovery of building code
 9 issues negate the opportunity for the accessory
 10 dwelling unit, or do you simply buy a
 11 retroactive building permit and conform the
 12 property? In other words -- do you understand
 13 my question?
 14 MR. HOSS: I do. The bottom line is
 15 that when a building permit application comes
 16 in, it's reviewed by various disciplines. In
 17 this particular case, the Zoning hypothetically
 18 would check it off and say approved. The
 19 permit wouldn't be issued because the Building
 20 Department would have to say approved, the
 21 Health Department would have to say approved,
 22 the Drainage and Stormwater Department would
 23 have to say approved, the Township Highway --
 24 CHAIRMAN KARTHOLL: But because the

Page 74

1 structure existed prior to the effective date,
 2 can you cure your problems with building code
 3 and then avoid the effective date rule?
 4 MR. HOSS: Well, you could cure the
 5 interior, but you couldn't add on to that
 6 structure.
 7 CHAIRMAN KARTHOLL: I'm not talking
 8 about adding on.
 9 MR. HOSS: Yes. For instance -- I think
 10 in all instances, I think for the most part if
 11 you have a detached garage, that detached
 12 garage is not suitable for habitable space
 13 because, for instance, in a habitable space you
 14 have to have a certain amount of insulation,
 15 and most garages don't meet insulation
 16 requirements. So you would have to bring that
 17 interior of the building up to meet the
 18 insulation requirements, to meet the electrical
 19 standards.
 20 CHAIRMAN KARTHOLL: But if you don't do
 21 it and you're caught three years later?
 22 MR. HOSS: You get a violation notice.
 23 CHAIRMAN KARTHOLL: And you get a
 24 violation notice. Do you put your insulation

Page 75

1 up, you pay twice the fee for the building
 2 permit and you go on with the use of the
 3 dwelling?
 4 MR. HOSS: No. So long as you can show
 5 that that building existed in the same
 6 configuration that it is three years later on
 7 the day that the County Board -- or prior to
 8 the date the County Board passed the ordinance.
 9 CHAIRMAN KARTHOLL: Okay.
 10 MR. HOSS: Does that make sense?
 11 CHAIRMAN KARTHOLL: Yeah, it does make
 12 sense. I don't like the answer, but I
 13 understand it.
 14 Who's next? You raised your
 15 hand.
 16 THE COURT REPORTER: Can you state your
 17 name again, please.
 18 MS. BRONIECKI: Sure, my name is
 19 Michelene Broniecki, 28W655 Childs Street in
 20 unincorporated West Chicago. So I'm confused
 21 as to why we're eliminating the -- taking this
 22 from conditional use to by right. So ADUs are
 23 permitted with a conditional use, why are we
 24 eliminating that safety so that gives you

Page 76

1 authority so you can make sure and check all
 2 and vet this? Otherwise it's by right.
 3 MR. HOSS: Right. So with a conditional
 4 use, a conditional use by law is something that
 5 that the government has already deemed to be
 6 appropriate. The purpose of going through the
 7 conditional use process is to vet what
 8 operational issues might exist that would cause
 9 the County to place conditions on it to
 10 mitigate those operational issues. We believe
 11 that by right with the regulations that we're
 12 proposing already mitigate those concerns. And
 13 we're also concerned that if one were to go
 14 through the conditional use process,
 15 historically based on the way the zoning
 16 entitlement processes go, it's likely they
 17 won't get approved.
 18 MS. BRONIECKI: So the conditional use
 19 process is a safety --
 20 MR. HOSS: We think the safety
 21 mechanisms are in place with the regulations
 22 and getting the building permits.
 23 MS. BRONIECKI: Thank you for the
 24 answer.

Page 77

1 CHAIRMAN KARTHOLL: There's another lady
 2 here.
 3 MS. LUDWIG: Laura Ludwig, 1S651
 4 Winfield Road. I didn't quite understand your
 5 comment about that the ADU is not a
 6 single-family dwelling. Could you expound on
 7 that because there is no reference in there how
 8 long -- I mean a family of four could
 9 conceivably live in an ADU because 1200 square
 10 feet is a pretty big square footage, so if a
 11 family of four can live in there that's called
 12 a single-family dwelling unit and there's no
 13 limitation on how long they live there or the
 14 contracting requirements with the primary owner
 15 of the house.
 16 MR. HOSS: Right.
 17 MS. LUDWIG: So you stated this wasn't
 18 considered a single-family dwelling, it wasn't
 19 single families living there. I didn't quite
 20 understand.
 21 MR. HOSS: So, in planning regulations,
 22 the predicate for single family is not single
 23 family, it's dwelling unit. And a lot of times
 24 we always say things like when we zone

Page 78

1 properties we say this is a single-family
2 zoning district and this is a multi-family, and
3 we think that the baseline is
4 single-family/multi-family. It's actually not.
5 The baseline, the predicate for all types of
6 residential units, starts with the term
7 dwelling unit. And so what we're saying that
8 that this -- the primary use of a property in
9 one of our single-family residential zoning
10 districts are 1, 2, 3 and 4, which is what we
11 have in DuPage County, the primary residence is
12 the single-family dwelling. The second unit
13 that we're talking about is accessory to the
14 single-family dwelling. And by saying
15 accessory, we're saying it is a subordinate to
16 the main principal building which is a
17 single-family home in terms of the structures.
18 The building itself and the size that you can
19 occupy is going to be smaller than the
20 principal. All the other things that apply to
21 the principal will actually inure to the
22 accessory, but you can't go beyond that. Such
23 as right now a single-family home is entitled
24 to six passenger vehicles. If you have an

Page 79

1 accessory dwelling unit on the property, both
2 uses combined are still allowed no more than
3 six. So the idea there is that the building
4 and the structures that are associated with
5 this, the single-family home and the accessory
6 unit in the single-family home or detached will
7 always be subordinate to the main use of the
8 property, and that's single family.
9 And as I mentioned earlier,
10 it may be a difference without a distinction,
11 but if you had someone living in the
12 single-family unit as a single family and you
13 had someone living in the accessory dwelling
14 unit, from a practical standpoint that's
15 essentially two single-family units. But from
16 a structural standpoint, from an operational
17 standpoint, it's our belief that with all these
18 regulations in place, that the people living in
19 the accessory dwelling unit, the building
20 itself, the area itself would be smaller and
21 subordinate to the principal. And the
22 operations and the activities of the people
23 living there would be subordinate to the
24 operations and the way the people are living in

Page 80

1 the single family, just because of the size of
2 the area that they can live in. It's going to
3 be very difficult practically -- A,
4 practically, and B, technically to get building
5 permits and get septic permits and get -- well,
6 drainage is not really an issue here, but it's
7 going to be very difficult for someone who's
8 living in the accessory dwelling unit to have
9 -- well, certainly more than four people living
10 in that accessory detached dwelling unit,
11 because at the very least if you have a
12 single-family home and you have four people
13 living in the accessory dwelling unit, you're
14 limited to one person living in the
15 single-family home because you'll recall if you
16 choose to have both, you're entitled to only
17 have five people living on one property.
18 MS. LUDWIG: But one person being the
19 primary and four people could be in the ADU?
20 MR. HOSS: Sure, sure. And we believe
21 that all these regulations, even though it
22 effectively is two single-family homes, we do
23 believe that all these other regulations that
24 limit the size and limit the scope, limit the

Page 81

1 number of parking spaces or vehicles on the
2 property, we believe that not only
3 prospectively we believe this, but we've tested
4 this in other jurisdictions that allow this
5 right now in municipalities and it is working.
6 So, when we talk about the
7 accessory unit being truly accessory to the
8 principal, it may -- it clearly is two
9 single-family units on the property, but one is
10 truly accessory in size, scope and operation to
11 the principal building, the house. We believe
12 that there would be more people living in the
13 house than in the accessory dwelling unit in
14 the house, or in the accessory dwelling unit in
15 the detached building. But even if there are
16 more people living in the attached building,
17 that means that the single-family house is
18 limited in terms of how many people can live in
19 there. And so the total operations that are
20 occurring on the property will not be
21 dissimilar than what's currently happening on
22 those with single-family residential properties
23 with one house on it right now
24 MS. LUDWIG: Just one follow-up

Page 82

1 question. Is the County going to evict people
 2 if there are more than five people living on
 3 the property?
 4 MR. HOSS: No. What the County will do
 5 is if we determine that there's a violation,
 6 we'll issue a violation notice and we'll take
 7 it through our zoning violation process.
 8 And I'm going to be careful
 9 here because there was some discussion about
 10 the notion that that is currently happening. I
 11 can't tell you that where it is currently
 12 happening, I'm not going to hone in on one
 13 particular property, but hopefully you can sort
 14 of read between the lines there, is that where
 15 we do have properties that are in violation of
 16 our codes where someone is occupying a detached
 17 accessory building with a dwelling unit, we
 18 have issued violation notices, we have
 19 processed them through the adjudication
 20 process, and currently right now I am not aware
 21 of anybody who has received a violation notice
 22 where that detached accessory building is being
 23 occupied on many instances, not just the one
 24 that we may have been talking about. But we

Page 83

1 have gone through that process, we have
 2 adjudicated it, and that is not currently
 3 happening in any detached building in the
 4 county that we are aware of right now. And
 5 that's how we would go through that process if
 6 we found someone that was in violation.
 7 CHAIRMAN KARTHOLL: Can we go to this
 8 gentleman?
 9 MR. COUTURE: Quick question. Do you
 10 know what the County assessor is going to do
 11 when he looks at these units and says, you
 12 know, he had a garage, now it's an ADU, what's
 13 that going to do to his taxes?
 14 MR. HOSS: As I said before, where we
 15 have that issue, where we have that situation
 16 right now the assessment has not changed
 17 because it's been treated as accessory to the
 18 principal. So we have situations right now
 19 where we have granted conditional uses for
 20 people to turn their internal -- their house
 21 into an ADU, and we have at least three
 22 situations in the county where detached
 23 accessory buildings have been granted
 24 variations to have those detached buildings

Page 84

1 used as ADUs and the assessments have not
 2 changed on those properties.
 3 CHAIRMAN KARTHOLL: But the County
 4 doesn't control that, the assessor does.
 5 MR. HOSS: Having said that, even in
 6 that situation, that has not changed the
 7 assessments.
 8 MR. COUTURE: So that money-earning unit
 9 is not contributing anything to the taxpayer's
 10 base. The services that are needed by those
 11 people are not being paid for through the
 12 County's tax collection system.
 13 MR. HOSS: And once again --
 14 CHAIRMAN KARTHOLL: Well, let's not
 15 debate that. That's just the way it works.
 16 MR. HOSS: We believe as accessory --
 17 CHAIRMAN KARTHOLL: Did you have a
 18 follow-up question? Go right ahead.
 19 MS. ALLCHIN: There's somebody right
 20 behind you.
 21 CHAIRMAN KARTHOLL: I'm going down this
 22 row.
 23 MS. ALLCHIN: Heather Allchin, 1S710
 24 Winfield Road

Page 85

1 THE COURT REPORTER: Can you spell your
 2 last name?
 3 MS. ALLCHIN: A-l-l-c-h-i-n. I'm
 4 extremely concerned about human trafficking and
 5 the care of children in families that are being
 6 moved from one family to another family, and
 7 this sounds like a disaster of having children
 8 in vulnerable places with people that might not
 9 be treating them well. Have you guys done a
 10 lot of research about what's going on in DuPage
 11 County, Cook County with human trafficking and
 12 children living in these dwellings and aren't
 13 able to leave or get food or leave these
 14 situations? If there is a situation for help,
 15 we've got ER, police, you know.
 16 CHAIRMAN KARTHOLL: I think he
 17 understands the question.
 18 MR. HOSS: I can tell you that none of
 19 those issues or concerns are going to be --
 20 this is not an attempt to sidestep any of those
 21 issues or concerns, this is an attempt to scale
 22 more dwelling units in the County.
 23 Now having said that, the
 24 County has in the past created an Ad Hoc Task

Page 86

1 Force on Human Trafficking. We had over two
2 years of discussion on human trafficking, and
3 we established some new regulations that we
4 didn't have in place before relative to human
5 trafficking.
6 We have a human trafficking
7 group dwelling quarters just off of Winfield
8 Road that the County has granted zoning relief
9 for to deal exactly with that very issue in a
10 residential home. When I talked about a day
11 care home earlier -- I take that back, a group
12 home facility. The facility originally started
13 as a group home facility and was allowed as of
14 right not for over five people unrelated by
15 blood or marriage.
16 From a practical standpoint,
17 they took a dilapidated building, fixed it up,
18 it was a building that was in our code
19 enforcement Clean and Lean Program, fixed it
20 up, converted it into a dwelling quarters that
21 the County approved, and it was specifically
22 for human trafficking, and it was relative to
23 some of the task force work that the County has
24 done. So we are acutely aware of that and

Page 87

1 acutely aware of the need to not only deal with
2 that issue, but also provide housing for those
3 people as well. So, the County has done a
4 really good job in dealing with that issue
5 relative to housing.
6 CHAIRMAN KARTHOLL: Okay.
7 MS. ALLCHIN: Can I follow up, because
8 that home is next to my home, and over the last
9 eight years that they've dwelled at that home
10 we had several women leave that home
11 voluntarily, which they are able to do, they're
12 there to get help. However, they've ended up
13 in my driveway, in my home. I've had people
14 come to my door asking for things with my
15 children --
16 CHAIRMAN KARTHOLL: I understand the
17 magnitude of the problem.
18 MS. ALLCHIN: Which is why --
19 CHAIRMAN KARTHOLL: Could I ask you to
20 take that up with him by phone tomorrow or
21 after the hearing so that I can catch this last
22 gentleman?
23 MS. ALLCHIN: Sure.
24 CHAIRMAN KARTHOLL: Sir, you wanted to

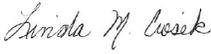
Page 88

1 ask a follow-up question. I don't want any --
2 you've already stated your opinion, all I want
3 is do you have a question that was prompted by
4 his remarks?
5 MR. PIOTROWSKI: Yes. My question is
6 this thing only applies to unincorporated
7 areas?
8 MR. HOSS: Yes.
9 MR. PIOTROWSKI: Why wouldn't a garage
10 in Elmhurst qualify?
11 MR. HOSS: Our County has -- our
12 department only has jurisdiction for the
13 unincorporated areas so we can only provide
14 regulations for the unincorporated area.
15 MR. PIOTROWSKI: So basically we're like
16 a model?
17 MR. HOSS: Nope. No, this is just an
18 initiative that the County Board has asked us
19 to look into and research, and our jurisdiction
20 --
21 MR. PIOTROWSKI: But you --
22 THE COURT REPORTER: Excuse me, he needs
23 to finish his answer before you say something.
24 MR. HOSS: Our jurisdiction is only the

Page 89

1 unincorporated. If municipalities want to take
2 us up on our model, they're entitled to do
3 that, but we're only dealing with the
4 unincorporated.
5 CHAIRMAN KARTHOLL: There's no
6 marketing.
7 All right, I'm going to
8 close the hearing.
9 MR. WATT: I just have two quick
10 questions: One, he spent a lot of --
11 THE COURT REPORTER: I don't have a name
12 again.
13 MR. WATT: My name is Ralph Watt, I live
14 at 0S550 Morningside. When he did his
15 presentation, he made a number of comments
16 about changing the lot size for flag lots. I
17 don't even see that in the petition. Is it in
18 here somewhere?
19 MR. HOSS: It is, it's in the
20 definitions section of where it's called
21 reserve lots. They don't call them flag lots,
22 but it's in the definition of reserve lots.
23 MR. WATT: The next question, you keep
24 saying the ADUs can be up to 1200 square feet.

1 As I read this very clearly, it says maximum
 2 size for an ADU is changed from 700 to 1000.
 3 MR. HOSS: It's 1000.
 4 MR. WATT: Well, you kept saying 1200.
 5 THE WITNESS: It's 1000, I apologize for
 6 that confusion.
 7 MS. ALLCHIN: Why go from 700 to 1000,
 8 that's such an increase?
 9 MR. HOSS: It's 1000.
 10 CHAIRMAN KARTHOLL: Okay, folks, I'm
 11 going to close the hearing. Thank you very
 12 much to Mr. Hoss for your follow-up responses.
 13 I want to compliment the
 14 audience. We've taken public comments many,
 15 many times. Too often it's unruly, very often
 16 it's incomprehensible, but all of your remarks
 17 were well-stated. And I know this is of great
 18 concern, so I appreciate the orderly way in
 19 which you presented your comments. Thank you
 20 very much. We'll close.
 21 (Which were all the
 22 proceedings had and
 23 testimony taken in the
 24 above-entitled cause.)

1 STATE OF ILLINOIS)
) SS.
 2 COUNTY OF DU PAGE)
 3 I, LINDA M. CIOSEK, C.S.R.
 4 No. 084-2892, duly qualified and commissioned
 5 for the State of Illinois, County of DuPage, do
 6 hereby certify that at the request of the DU
 7 PAGE COUNTY ZONING BOARD OF APPEALS, subject to
 8 the usual terms and conditions of Veritext,
 9 reported in shorthand the proceedings had and
 10 testimony taken at the public hearing of the
 11 above-entitled cause, and that the foregoing
 12 transcript is a true, correct and complete
 13 report of the testimony so taken at the time
 14 and place hereinabove set forth.
 15
 16
 17
 18 
 19
 20 CERTIFIED SHORTHAND REPORTER
 21
 22 My Commission Expires:
 23 July 26, 2026.
 24

&	2	40,000 17:13 19:8,17 20:6 20:19 400 9:4 29:10 412-2 42:23 417-2 44:5 417-3 44:5 421 1:9	62:15 63:9 65:14,17 66:20 67:14 70:11 71:18,18 85:13 87:11 above 24:11 30:12 90:24 91:11
& 1:23 5:10,11	2 45:6 78:10	5	absolutely 22:1 57:3,15
0	2-24 1:3 4:7,8 6:1,15 41:18	5 70:5	abstain 49:7
084-2892 91:4	2-24's 49:10	50 32:14	accept 49:4 60:1
0s550 41:13 89:14	20 20:22 29:4 46:12 50:13	500 17:17	access 43:8 47:17
1	20,000 20:23	55 65:5,16	accessible 45:17 46:18
1 2:3 6:2,5 78:10	2020 46:20	550 17:18	accessory 1:3 4:11,16,18,20 7:14,22 8:23 9:2,20 10:9,13 10:22 13:9 14:15 15:1,2,6 16:14,15 17:2 17:6,9,15,17,20 18:1,9 22:18 23:19 24:3 25:20,23,23,24 28:6,20,21 31:20 38:8 41:21 42:10 58:22 59:7 63:3,9,17,22 66:3,4,19 67:3 67:8,21 68:5,6
1's 70:2	2023 38:9	6	
10 44:18,18	2024 1:5 5:2 10:6	6 2:3	
10,000 19:14 20:1,8 69:21	2026 91:23	60 55:9	
1000 90:2,3,5,7 90:9	21 35:2	60185 55:2	
11 1:5	24 5:2	60189 35:1	
11th 3:4	25 28:15	62 9:8	
1200 11:4 17:16,19,21,23 18:2 48:1 52:3 77:9 89:24 90:4	26 91:23	650 17:13	
15,000 19:15	26,000 45:11	6:00 1:5	
1988 65:1	28180 91:19	6th 21:17	
1n127 39:20	28w651 55:1	7	
1s270 40:11	28w655 51:12 52:15 75:19	700 90:2,7	
1s651 35:1 77:3	3	79 45:5	
1s671 49:20	3 78:10	a	
1s700 45:3	300 53:14	ability 36:18 67:5	
1s710 50:12 84:23	31 10:6	able 12:20 14:12 17:23,24 18:9 21:13 27:23 51:16 52:4 53:11	
1s719 57:22	31st 51:21		
1s771 56:17	32 12:14 58:6		
	350 52:6		
	37 4:10		
	4		
	4 19:23 20:4,17 38:12 78:10		

68:24 73:9 78:13,15,22 79:1,5,13,19 80:8,10,13 81:7,7,10,13,14 82:17,22 83:17 83:23 84:16 accidents 50:21 acclimated 15:20 accounting 35:9 acres 45:11 56:1 act 21:11 33:20 64:17 activities 79:22 actually 5:17 24:5 61:19 69:24 78:4,21 acutely 86:24 87:1 ad 8:4,14 85:24 add 4:12,15 23:9 55:18 74:5 added 68:22 adding 69:2 74:8 addition 3:23 5:23 10:10,16 11:1 35:23 47:9 48:12 71:17	additional 55:21 56:5 60:3 62:9 72:12,16 address 3:20 6:22 34:21 39:18,20 41:2 41:3 42:17 47:14,15 49:17 51:4 addresses 58:18 67:11 72:4 adequate 48:11 adjacent 13:17 15:8 38:19 adjoining 48:21 adjudicated 83:2 adjudication 60:20 82:19 administered 5:7 34:14 administration 1:9 adopt 61:24 adopted 3:19 adoption 27:2 27:3 64:8 adopts 4:2 adu 9:7 10:20 11:2,8 13:2 14:15 15:1 17:22 18:6	24:4 35:10 36:6,15,21 37:4,7,10,18 38:4,11,21 39:21 43:20 44:3,7,9,12 45:7,19 47:3,6 47:10,11,13,17 47:19,20 48:19 48:22 49:7,10 52:20,22 53:3 56:24 57:6 77:5,9 80:19 83:12,21 90:2 adus 8:24 9:15 13:5 14:8 16:1 37:12 41:20 46:18 47:1,18 57:5 62:2 75:22 84:1 89:24 advantage 10:20 57:8 61:3 63:16 advertised 46:16 advocates 65:9 65:12 affect 47:3 afflicted 65:4 afford 38:22 age 9:8 65:5,16 ago 52:17 agree 33:24 34:2 39:2,12	49:17,23 55:2 ahead 22:12 34:20 42:22 84:18 alice 40:10 allchin 50:10 50:11,11 84:19 84:23,23 85:3 87:7,18,23 90:7 allow 4:13 6:11 6:23 7:1,18,22 8:22 9:15,19 10:11 14:5 15:2 17:12,15 18:8 19:4,4 20:10 23:23 27:20 65:4,15 81:4 allowable 25:22 30:24 allowance 28:11 allowed 7:12 7:14 9:9,10 10:12 14:24 22:22 30:14 69:16 79:2 86:13 allowing 16:13 70:15 allows 14:11,14 19:20 alluded 71:21
---	--	--	--

amendment 4:7 4:9 5:5 6:1 8:18 12:24 20:7 33:16 35:3 amendments 1:3 5:20 6:15 18:19 21:8 45:7 49:10 american 33:2 amount 14:19 39:6 67:9 74:14 anderson 1:21 3:6 4:23 5:3 28:4,5 29:21 30:1,5,18 53:19 54:4,10 72:21 anecdotal 53:7 answer 51:24 62:18 63:14,21 75:12 76:24 88:23 answers 72:11 anticipates 49:7 anticipating 63:1 anticipation 63:12 anybody 10:19 15:7 22:9 34:8 43:18,23 53:18 54:14 60:5,11	82:21 anymore 13:7 13:11 apartment 35:12 apartments 8:9 apologize 90:5 appeals 1:1,8 3:3 91:7 appearance 71:13 appears 43:18 appetite 21:21 appliances 24:1 24:6 59:8 application 73:15 applied 62:1 applies 88:6 apply 20:19 59:15 61:11 70:10 78:20 appreciate 58:11 90:18 appropriate 35:10 76:6 approval 51:17 approve 3:9 15:4 48:14 approved 10:2 25:16 63:4,13 63:15,20,23,24 63:24 73:18,20 73:21,23 76:17 86:21	approves 24:20 24:21 51:16 approximately 39:6 appurtenances 7:9 architects 61:20 ardens 49:20 area 26:13 30:12 50:3 58:8 60:12 79:20 80:2 88:14 areas 13:4 88:7 88:13 argue 72:15 asked 6:18 21:3 88:18 asking 45:24 46:2 87:14 assessment 83:16 assessments 84:1,7 assessor 47:4 83:10 84:4 assessor's 68:20 assistance 36:9 associated 7:22 79:4 association 33:2 58:9	assume 34:6 52:21 assuming 24:19 attached 11:3,9 68:15 81:16 attempt 27:12 85:20,21 attempted 37:18 67:22 attest 56:19 audience 90:14 audited 35:14 august 21:17 21:19,24 38:9 authority 76:1 automatic 36:12 37:22 automobile 7:3 7:4 available 20:11 36:10 avenue 39:20 55:1 avoid 74:3 aware 15:8 82:20 83:4 86:24 87:1
			b
			b 2:1 80:4 back 18:14 26:8 34:10 37:15 40:9 41:6 54:14,19 54:19,22 59:21 62:10 86:11

background 57:14 bank 60:16 banks 35:14 barry 1:16 base 84:10 based 37:2 76:15 baseline 78:3,5 basically 43:11 65:12 88:15 basis 48:15 batavia 5:17,17 bath 22:21,23 23:10,18 48:7 bathroom 23:5 23:22 43:21 bathrooms 23:23 bear 59:1 belief 15:22 16:1 79:17 believe 46:18 68:3 76:10 80:20,23 81:2 81:3,11 84:16 best 59:24 better 51:3 72:1 beyond 17:24 36:2,16 78:22 bicycles 71:2 big 55:7 77:10 bit 18:5 21:20 23:17 33:4	71:5 73:2 black 55:6 blakewood 45:3 blank 42:7,18 blocks 43:20 blood 9:6 10:14 10:24 11:10,11 11:17,19,22,24 12:11,18 13:13 14:6 16:19 27:1,3,22 32:18,24 33:6 64:6,12,20 65:22,24 66:8 66:9,14 67:5 67:10 68:19 69:8 86:15 board 1:1,7,14 3:3,16,18,19,21 3:24 4:1,2 6:3 6:17 9:13,24 10:2,5 15:4 18:15 21:11,15 22:4 24:19,21 25:16 49:6 51:15 61:4 64:1 75:7,8 88:18 91:7 bodies 35:15 books 56:22 bottom 73:14 bought 15:16 brand 25:13 70:16	briefly 32:21 bring 74:16 bringing 24:6 51:22 broniecki 52:14,15 53:23 54:6 75:18,19 76:18,23 brought 32:6 build 15:2 20:11 24:10,15 24:15,21 25:12 26:18 29:6 46:3 49:3 52:4 52:6,9 62:15 70:16 building 1:9 5:11 9:3 10:15 10:18,21 11:8 15:1,3,6,9,21 16:4,6,15,22 17:5,7,8,17 18:1 24:2,5,7 25:22,23 28:6 28:20 29:1,6 31:15 32:3,5,7 32:10 37:19,21 43:5,10 45:21 46:15 58:19,22 58:23 59:7,10 59:11,15,16 60:7,13 61:4,7 61:11,11,14,22 61:23,24 62:4 62:7,14,15,24	63:9,12,16 66:6 70:16 71:10,10,11,14 71:21,24 73:4 73:8,11,15,19 74:2,17 75:1,5 76:22 78:16,18 79:3,19 80:4 81:11,15,16 82:17,22 83:3 86:17,18 buildings 15:10 15:12,19 17:3 17:9 28:21 50:4 62:3 63:22 70:16,18 83:23,24 builds 60:5,11 built 17:3 25:15 26:1 28:21,23 29:3 30:11 40:17 60:17 63:3,7 64:2 bulk 4:16 7:20 15:10,12 burden 45:18 56:3 69:3 burr 5:21 business 28:19 businesses 28:13 buy 55:7,16 73:10
---	--	--	---

c	catch 87:21	56:13 57:19	55:2 75:20
c 49:20 57:22	category 3:11	58:1 59:22	children 33:7,9
85:3	27:4	72:9,14,23	46:11 50:16
c.s.r. 1:11 91:3	caught 74:21	73:24 74:7,20	64:11 85:5,7
california	cause 46:2 76:8	74:23 75:9,11	85:12 87:15
38:10	90:24 91:11	77:1 83:7 84:3	childs 51:13
call 3:4,9,15 4:6	census 47:22	84:14,17,21	52:15 75:19
5:2,4 34:17	centers 7:24	85:16 87:6,16	china 42:19
37:20 89:21	certain 74:14	87:19,24 89:5	choose 80:16
called 18:22	certainly 28:22	90:10	ciosek 1:11
19:1,11 28:11	40:2 45:1 80:9	chance 22:13	91:3
29:22 77:11	certified 91:20	change 13:23	circuit 60:21
89:20	certify 91:6	14:1 18:21	city 5:17
car 69:23	cetera 43:6,6	19:16 27:14,24	clarification
care 29:12	73:5,6	28:10 36:13	22:8
43:11 65:3,14	chairman 1:15	38:23 47:1	clarify 26:24
85:5 86:11	3:1 5:1,15	71:11,12,13,14	51:24
careful 31:5	20:13 21:3,10	71:15	clarifying 27:6
82:8	21:22 22:2,12	changed 21:1	classifications
caregivers	24:14 25:3,6	83:16 84:2,6	47:2
65:18	26:4,22 28:4	90:2	clean 86:19
caretakers 65:6	29:17 31:21	changes 8:18	clear 29:2 31:4
caretaking	32:12,20 33:10	41:19,23	52:3
5:13	33:13 34:16	changing 29:18	clearly 57:2
carl 1:19	38:15,24 39:3	29:20 89:16	81:8 90:1
cars 30:11	39:23 40:2,8	chapter 4:10	close 33:16
52:22 69:7,9	40:12,23 41:3	character	56:18 89:8
69:19 70:7,7,9	41:9 42:20,22	41:19	90:11,20
71:1	44:14,22 45:1	charging 4:14	code 19:20
carve 67:22	48:3 49:11,16	6:19,22,24 7:8	22:17 28:10
case 22:2 58:10	49:22 50:8	7:18	32:6 35:3
64:13 68:23	51:6,11,23	check 57:15	38:20 59:10,16
73:17	52:10,12 53:17	73:18 76:1	61:22,23 62:19
cases 35:22	53:19 54:1,12	chicago 39:21	69:20 73:8
68:16	54:17,21 56:8	46:19 51:10	74:2 86:18

codes 26:11,12 61:14,15 62:4 62:4,5,6,13,20 62:21 73:4 82:16 collection 84:12 combined 42:9 79:2 come 3:1 25:13 31:16 49:3 55:14 57:12 58:9 87:14 comes 29:21 30:1 33:1 73:15 comfortable 62:18 coming 30:8 31:14 57:4 comment 3:10 3:11,12,16,18 3:20,23,24 5:18 33:15,17 33:18 34:22 73:1 77:5 comments 4:2 4:4 5:15 6:9 22:4 33:24 60:3 89:15 90:14,19 commercial 7:2 30:10 commission 91:22	commissioned 1:12 91:4 commissioner 1:16,17,18,19 1:20,21 4:22 22:11,13,20 23:8,13 24:9 24:17,23 25:8 26:2,6,15,23 27:5,11 28:5 29:21 30:1,5 30:18,19 31:2 53:19 54:4,10 72:21 committee 8:4 8:15 21:15,18 commonly 18:23 communal 12:7 communities 15:24 18:6 27:17 64:23,24 community 36:19 company 60:16 comparison 17:11 complaint 60:14,15 complete 91:12 completed 51:15 completely 30:15 53:9	complexes 35:12 compliment 90:13 comply 69:15 component 8:1 8:12 components 7:9 23:4,7 compost 48:8 conceivably 77:9 concern 5:21 55:22 56:11 62:24 64:4,18 67:17 90:18 concerned 69:2 72:6 76:13 85:4 concerning 35:5 concerns 16:12 16:23 27:16 28:2 52:18 58:12,14,18 63:11 67:12 76:12 85:19,21 conclude 72:11 condition 31:22 36:22 conditional 4:12 9:1,10,18 12:3 44:4 75:22,23 76:3 76:4,7,14,18	83:19 conditions 76:9 91:8 configuration 75:6 conflict 49:8 conform 73:11 confused 75:20 confusion 90:6 conjunction 48:23 connect 59:8 connected 66:1 connection 31:11,11 consequences 49:4 consider 1:3 4:8 32:13 consideration 40:21 46:19 considered 11:20,23 77:18 constant 73:8 constitutes 32:17 constructing 46:6 49:7 construction 23:14,16 51:14 51:17,18 consumer 55:10 contained 59:12,13 61:16
--	--	--	--

continually 36:24 continue 51:16 69:15 contracting 77:14 contribute 14:2 contributing 14:9 84:9 control 44:6,9 73:6 84:4 conversion 25:4,9,9,11 37:3 43:1 convert 14:14 14:24 23:2 24:22 25:14 29:6 32:9 43:19 58:21 converted 10:8 26:1 31:23 32:2 42:2 63:6 63:10 70:18 86:20 converting 71:3 cook 46:19,21 50:14 85:11 coordinator 5:10 corporation 55:20 corporations 55:6 56:12	correct 24:18 25:5 91:12 cost 46:6 47:7 costs 45:22 46:7 count 40:4 counted 47:21 counterintuiti... 23:17 country 64:16 65:21 county 1:1,7,8 1:9 3:2,18,24 4:1,9 5:11 6:10 6:16,17,18,21 8:6,17,22 9:13 9:23 10:2,5 11:13 12:16 13:3,4 15:4 17:10,12 18:11 18:15 20:12 21:10,14,15,17 24:19,19,20 25:16 28:9 32:4 36:9 37:20,23 41:14 44:6,9 45:5,18 46:9,19,21,22 49:5 50:13,14 50:15 51:3 59:14,16 60:6 60:15 61:4,21 63:4,5 64:1,12 64:14,21 65:7 65:22 75:7,8	76:9 78:11 82:1,4 83:4,10 83:22 84:3 85:11,11,22,24 86:8,21,23 87:3 88:11,18 91:2,5,7 county's 8:3 11:16,23 84:12 couple 5:12 26:24 49:12 coupled 7:15 16:15 court 34:11 41:15 45:3 49:20 60:21 75:16 85:1 88:22 89:11 cousin 32:22 couture 49:14 49:19,19,23 83:9 84:8 covered 49:14 covid 45:15 create 13:15,16 14:10 18:9,16 61:21 created 65:1 85:24 creates 64:18 creating 13:17 36:7 68:2 criminal 57:14 cure 74:2,4	current 13:20 48:11 51:5 56:20 currently 6:20 8:22 9:10 11:13 32:5 49:6 51:4 56:22 69:13 81:21 82:10,11 82:20 83:2 customarily 69:18
d			
d 34:24 date 9:24 10:3 10:8 15:3 24:10,18,20 25:12,16 74:1 74:3 75:8 dated 38:9 day 36:16 50:21 65:3,14 69:19 75:7 86:10 deal 6:17 60:22 67:18,19,20,20 86:9 87:1 dealing 8:2 67:17 87:4 89:3 dealt 65:2,2 debate 22:6 84:15 decay 37:1			

<p>december 10:6 51:21</p> <p>decision 66:7 66:12 67:7</p> <p>decrease 38:3 38:13</p> <p>deed 68:12</p> <p>deemed 76:5</p> <p>deficient 32:5</p> <p>defined 48:8</p> <p>defining 7:7</p> <p>definition 11:13,14,15,16 32:16,24 33:1 64:5,6,19 65:19 89:22</p> <p>definitions 7:10 89:20</p> <p>delineated 29:14</p> <p>demise 38:22</p> <p>dennis 1:17 25:7</p> <p>density 13:15 27:20 38:11 55:13</p> <p>deny 49:9</p> <p>department 5:11 37:21 38:9 43:6,10 43:14,16 48:13 62:4,10,13 73:5,20,21,22 88:12</p>	<p>depending 19:12</p> <p>designed 61:19</p> <p>desire 18:15</p> <p>despite 37:17</p> <p>detached 9:21 10:3,7 11:3,9 14:14 15:1,6,9 15:15,21 16:15 17:2,6,9,17 18:1 22:14 25:23,24 26:19 28:20,21 30:21 58:22 59:6 62:3 63:3,6,9 63:17,22 66:5 66:19 67:3 68:17 70:18,21 70:22 74:11,11 79:6 80:10 81:15 82:16,22 83:3,22,24</p> <p>detail 33:3 61:1 62:19,20</p> <p>detailed 61:17</p> <p>details 61:12</p> <p>determine 82:5</p> <p>determined 48:10</p> <p>detriment 38:18</p> <p>developed 8:6 8:20 61:19</p> <p>developers 35:12</p>	<p>development 21:15,18 38:8 62:1</p> <p>dialogue 59:23</p> <p>diehl 30:4</p> <p>difference 28:14 67:24 79:10</p> <p>different 22:7 30:15 42:3 53:14 65:18 69:3</p> <p>differentiates 28:18</p> <p>differently 68:21 70:12</p> <p>difficult 80:3,7</p> <p>dilapidated 32:8 86:17</p> <p>diminution 14:3</p> <p>directly 6:22 38:12</p> <p>dirty 23:14</p> <p>disability 65:5 65:16</p> <p>disaster 53:16 85:7</p> <p>disciplines 73:16</p> <p>discovery 73:8</p> <p>discuss 32:15</p> <p>discussion 82:9 86:2</p>	<p>disposition 9:12</p> <p>dissimilar 81:21</p> <p>distinction 28:14 68:1 79:10</p> <p>district 7:2 19:21 20:17 78:2</p> <p>districts 4:15 7:13,16,20 9:17 67:19 78:10</p> <p>divide 68:12</p> <p>division 62:5</p> <p>document 5:24</p> <p>doing 7:6 15:23 24:5 55:15</p> <p>door 87:14</p> <p>dormant 37:1</p> <p>double 39:6</p> <p>doubtful 36:10</p> <p>drainage 43:6 61:14 62:16 73:22 80:6</p> <p>dread 50:6</p> <p>drinking 35:19</p> <p>drive 40:11 69:19</p> <p>driven 46:13</p> <p>driveway 37:5 37:11 47:18 87:13</p>
---	--	---	--

<p>du 1:1,7 91:2,6 duly 5:7 34:14 91:4 dupage 1:8 3:2 4:9 5:11 6:10 6:16,20 9:12 11:13,23 13:3 41:14 45:5 46:21 50:13,15 51:2 64:14,21 65:7,22 78:11 85:10 91:5 duplication 33:23 duplicative 3:23 dwelled 87:9 dwelling 1:4,4 4:11,11,17,18 4:20 8:6,7,8,16 8:23 9:2,20 10:9,13,22 13:10 16:4,14 16:24 17:15,20 18:9,10,16 22:14,18 23:2 23:3,4,9,19 24:4,16,22 25:1,4,15,20 26:1 31:8,9,20 31:24 32:2,7 38:8 42:10 44:7 63:7 66:3 66:4,19 67:3,8 67:21 68:5,6</p>	<p>68:10,16,17 71:3,22 73:10 75:3 77:6,12 77:18,23 78:7 78:12,14 79:1 79:13,19 80:8 80:10,13 81:13 81:14 82:17 85:22 86:7,20 dwellings 41:22 51:15 85:12</p> <p style="text-align: center;">e</p> <p>e 2:1 42:23 45:3 49:20 51:12,12 51:12 57:22 earlier 21:4 59:5 70:15 79:9 86:11 earning 84:8 easily 55:14 economics 38:9 effective 46:20 74:1,3 effectively 6:16 14:7 31:7 68:1 80:22 effects 38:8 eight 64:24 65:7,15 87:9 either 27:1 30:10 36:14 49:6 65:10 electric 1:3 4:10,13 6:19 7:18 47:20</p>	<p>59:6 electrical 6:22 6:24 7:7 35:19 74:18 electronically 4:4 elements 13:15 eligible 10:8 63:6 64:1,3 eliminates 41:24 44:5,8 eliminating 75:21,24 ellyn 46:14 elmhurst 88:10 emergency 47:16 50:20 employ 35:18 empty 36:21 emulate 46:21 ended 87:12 enforce 56:21 enforced 59:19 enforcement 36:12 56:21 86:19 enforcements 37:22 engineers 61:20 enjoy 45:12 50:16,16 entails 46:5 enter 37:11</p>	<p>entered 4:23 entire 16:20 41:19 43:10 entirely 62:8 entities 35:17 35:18 entitled 78:23 80:16 89:2 90:24 91:11 entitlement 76:16 envision 48:22 equipped 35:6 er 85:15 era 46:1 erect 38:21 erects 38:4 erica 56:16 especially 45:21 46:11 essentially 7:17 8:19 14:16 16:24 23:3 28:13 33:1,6 33:22 38:17 42:1,15 44:10 79:15 essentials 18:18 establish 44:16 44:17 established 86:3 estate 29:16 35:13</p>
--	--	---	--

<p>et 43:6,6 73:5,5 evening 3:3,10 everybody 39:1 55:3 57:24 evict 82:1 evidence 53:6 exactly 86:9 example 25:12 29:8 30:9 36:1 examples 42:5 exceed 3:21 11:4,10,21 12:19 42:10 exception 3:6 exchange 36:4 exclusively 30:11,16 35:16 excuse 88:22 exhibit 2:3 6:2 6:3,5 exist 17:9 70:17 76:8 existed 74:1 75:5 existing 7:15 9:22 10:3 14:14,24 15:6 15:13 16:17 17:16,24 31:18 31:23 37:2 41:20 56:20 63:2,23 66:5 68:15 expand 17:19 17:23,24 35:4</p>	<p>71:18 expect 31:9 experienced 45:22 expires 91:22 explain 32:20 expound 77:6 extensive 3:22 extent 33:9 extremely 85:4</p> <p style="text-align: center;">f</p> <p>f 70:2 facilities 7:23 31:19 35:11 47:12 48:7 facility 86:12 86:12,13 fact 5:18 15:20 16:16,21 32:1 56:11 71:8 73:1 factors 14:9 fair 35:7 44:21 64:16 65:1 72:13,17 fall 27:4 families 36:18 42:3 53:14 67:13 77:19 85:5 family 7:1 8:8,8 8:24 9:5,16 11:14,15,16,20 11:23 12:2,17 13:24 17:11</p>	<p>26:12 27:7 42:2,11,19 45:9 53:15 64:5,6,9,19 65:19,21 66:3 66:17 67:2,23 68:2,10,21 69:14 77:6,8 77:11,12,18,22 77:23 78:1,2,4 78:4,9,12,14,17 78:23 79:5,6,8 79:12,12,15 80:1,12,15,22 81:9,17,22 85:6,6 far 51:17 55:2 farm 1:9 fast 44:15 federal 64:16 64:24 65:8 fee 75:1 feel 13:14 feet 9:4 11:4 17:13,14,16,18 17:21,23 18:2 19:8,18 20:1,6 20:8,19,23 29:10 44:13 47:24 52:3 53:14 77:10 89:24 filed 65:13 finally 6:7 11:5</p>	<p>financially 46:8 find 27:15 53:21 60:17 61:7 finding 46:9 finish 88:23 fire 47:15 52:24 61:14 fires 67:19 firms 35:13 first 3:10 5:13 6:19 22:24 34:18 35:5 41:10 52:19 54:6,23 firsthand 37:2 five 11:10,21 11:21,24 12:5 12:11,20 13:13 14:5 16:19 26:10 27:6,7 42:3,6,10,16 52:7,20,21 64:22 65:23,24 66:8,13,16,17 66:22 67:13 69:8 80:17 82:2 86:14 fix 12:20 32:10 fixed 86:17,19 flag 18:24 19:2 19:3,5,6,7,17 20:2 89:16,21 flesh 73:2</p>
--	---	---	--

flooding 50:20 floor 25:2 26:13 43:1 flyer 5:13 6:8 focus 46:9 folks 90:10 follow 35:13 59:10 61:8 62:4,21 81:24 84:18 87:7 88:1 90:12 food 85:13 foot 19:14,15 52:6 footage 11:2 26:20 77:10 force 86:1,23 foregoing 91:11 foreground 37:6 foremost 52:19 forest 45:10,12 form 5:21 forth 91:14 forward 18:20 21:14 found 13:3 83:6 four 44:19 77:8 77:11 80:9,12 80:19 fourth 32:21 freed 8:19	front 26:3 fronting 19:12 full 9:12 functioning 48:12 further 7:7 furthermore 36:20 future 27:24	generally 58:14 72:5 generation 45:20 gentleman 83:8 87:22 george 54:24 getting 40:3 61:1,10 65:11 69:3 76:22 girls 57:10 give 34:21 39:17 42:5 given 68:17 gives 75:24 glen 46:14 go 6:11 7:9 9:19 12:3 17:15 19:14,15 20:8 21:16 22:12 30:23 34:20 39:5,15 39:24 40:3,8 42:22 44:15,23 51:7 54:23 58:4 62:8 69:11 75:2 76:13,16 78:22 83:5,7 84:18 90:7 goes 33:9 going 3:4 6:2 13:20,23 14:3 14:8 16:2,4 17:7 23:14	25:19 26:8 28:10 32:2 34:6 39:11 56:2,4,6 58:20 58:24 59:9 60:1,20,21 61:2 63:15 66:20 67:9,14 69:9 70:3,8,10 70:11 71:4,11 71:12,13,14 76:6 78:19 80:2,7 82:1,8 82:12 83:10,13 84:21 85:10,19 89:7 90:11 good 18:7 25:9 26:4 31:2 49:22 52:12 58:8 87:4 government 58:11 65:9 76:5 granted 83:19 83:23 86:8 great 90:17 greatly 38:19 green 45:9 gross 69:21 70:1 group 2:3 6:5 34:17 58:8 65:3 86:7,11 86:13
	g		
	g 34:24 garage 15:15 16:6 22:15 23:9,21,23,24 24:11,12,15,15 24:21 25:13,14 25:16,19,21,23 25:24 26:3,3 28:7 30:6,21 30:22 37:9 51:19 52:8 53:13 66:19 70:22,24 74:11 74:12 83:12 88:9 garages 26:19 28:22 29:23 30:2 47:19 74:15 gardens 46:2 gas 7:5 23:21 47:20 59:5 gate 29:22 30:2 general 3:11 5:18 21:7		

groups 65:12 guidelines 28:15,15 guise 45:20 guy 70:6 guys 51:7 85:9	9:18 33:17 87:21 89:8 90:11 91:10 hearings 60:20 hearts 51:1 heather 50:10 84:23 height 17:4 hello 34:23 help 46:2,17 50:19,23 85:14 87:12 helps 28:1 hereinabove 91:14 high 45:22 46:16 highly 44:2 highway 62:6 73:23 historic 8:19 historically 13:2,16 64:22 68:14 76:15 hobby 16:7 28:23 37:3 70:22,23 hoc 8:4,14 85:24 hold 39:23 holistic 12:7 65:17 holistically 12:17	home 8:9 9:3 9:21 12:2,17 13:1,6,7,9 14:12 17:20,22 28:8,11,12,16 28:17,24 29:3 29:7,9,9 37:11 65:21 66:3,5 67:2,7 68:2 69:14 78:17,23 79:5,6 80:12 80:15 86:10,11 86:12,13 87:8 87:8,9,10,13 homeowner 36:1,7 38:4 47:6,8 55:12 55:12,19 57:1 60:16 homeowner's 47:3 homeowners 35:6,7,20,22 36:3 45:21 46:3,8 48:24 58:8 homes 7:1 14:1 17:11 65:3,10 65:14 67:23 80:22 hone 82:12 hook 23:24 hope 46:22 50:24 62:17 67:11 72:4	hopefully 82:13 horrible 50:18 hoss 1:23 3:15 5:4,9,9 6:7 20:15 21:6,12 22:1,17,22 23:11,15 24:13 24:18 25:1,5 25:11 26:7,18 27:3,10,12 28:9 29:19,24 30:4,9 31:1,4 32:1,19,23 39:24 41:2,3 51:24 58:3,6 60:5,11 72:13 73:14 74:4,9 74:22 75:4,10 76:3,20 77:16 77:21 80:20 82:4 83:14 84:5,13,16 85:18 88:8,11 88:17,24 89:19 90:3,9,12 hot 48:10 house 12:5,5 15:15,20 16:7 23:1 27:9 30:23 31:14,18 36:3 37:4 40:18 58:21 62:2 70:20,22 70:24 77:15 81:11,13,14,17
h			
h 2:1 5:10 40:14 57:22 85:3 habitable 41:22 74:12,13 half 38:11 hand 34:5 35:11 75:15 handheld 48:9 hands 34:9,12 happen 22:15 30:21 71:20 happening 50:21 81:21 82:10,12 83:3 happy 21:8 head 23:6 26:16 heads 39:10 health 43:5,14 48:13 61:13 62:4,9,13 73:5 73:21 hear 51:1 heard 27:17 70:14 hearing 3:12,14 4:7 6:15 9:11			

<p>81:23 83:20 houses 28:23 housing 8:4,14 8:14 18:21 27:1 35:8,16 45:17,19,22 46:3,15,18 55:10 64:17 65:1 87:2,5 human 35:24 85:4,11 86:1,2 86:4,6,22 husband 45:4 50:11 52:16 husbands 64:10,11 hvac 35:19 hypothetically 73:17</p>	<p>impact 48:20 50:1 52:23,24 52:24 53:1,2 important 14:23 63:21 importantly 71:7 incentivize 38:21 include 64:19 included 4:5 includes 43:5,7 60:20 including 31:10 43:1 70:18 income 35:9 incomprehen... 90:16 increase 38:6 38:10 90:8 incur 46:6 indicate 34:1 39:12 indicated 5:14 5:16 39:7 indicates 36:13 individual 3:21 12:5,10 35:17 individuals 34:18 industry 51:18 infesting 37:9 informing 37:17</p>	<p>initial 16:5 initially 39:7 initiative 8:2 8:15 18:21 88:18 initiatives 6:17 innovative 46:9 inside 17:21 31:15,20 inspection 60:15 instance 10:5 15:14 17:14 19:22 23:16 24:1 29:1 59:4 61:5,21 66:15 66:16 70:5 74:9,13 instances 12:19 17:8 23:21 74:10 82:23 institutionali... 65:10 insulation 74:14,15,18,24 insuring 47:6 intent 41:19 63:20 interest 49:1,9 58:11 interested 33:14 interesting 56:8</p>	<p>interior 71:23 74:5,17 internal 62:1,2 83:20 international 61:22 interpretation 33:5 interruption 8:10 inure 78:21 invite 33:23 invited 39:5 iron 29:22 30:2 irrespective 15:11,17 19:9 19:18 58:23 irvine 38:10 issue 29:1 45:17 55:11,23 60:18 61:8 80:6 82:6 83:15 86:9 87:2,4 issued 73:19 82:18 issues 12:14,22 13:16,16,17 55:4 73:9 76:8 76:10 85:19,21 items 5:12,13 iterations 65:19</p>
i			
<p>idea 20:9 22:23 33:13 44:1 79:3 identification 6:6 ii 46:1 illinois 1:10,12 35:1 57:23 64:15 69:20 91:1,5 imagine 48:18 immediate 33:6 64:9 immigrants 36:3</p>			

j	56:8,13 57:19 58:1 59:22 71:20 72:9,14 72:23 73:24 74:7,20,23 75:9,11 77:1 83:7 84:3,14 84:17,21 85:16 87:6,16,19,24 89:5 90:10	51:23 63:11 64:8 67:12,23 69:2,18,23 72:9,10 83:10 83:12 85:15 90:17	lawsuit 65:2,13 65:13 lawsuits 64:17 lay 23:6 lean 86:19 leave 85:13,13 87:10 left 33:4 44:9 legal 29:15 35:23 43:17 leisure 6:12 lender 60:16 lends 36:17 length 39:11 lessening 46:7 letter 5:20 library 53:2 licensed 35:18 life 48:20 lightbulb 41:18 likelihood 23:18 likely 36:8 37:11 76:16 limit 13:18 27:19 42:19 66:12 67:9 72:21 80:24,24 80:24 limitation 11:18 34:3 77:13 limited 16:16 16:18 26:8,13 66:7 67:6 68:6
jack 1:18 janice 1:21 jeopardized 36:1 job 87:4 join 3:6 july 1:5 3:3 91:23 june 5:2 jurisdiction 88:12,19,24 jurisdictions 81:4	keep 13:14,20 14:4 89:23 keeping 39:4 kept 90:4 ketter 1:16 kevin 57:21 key 19:1,6,11 19:20 20:22 kids 13:7 27:8 66:18,24,24 67:1,3 71:1 kind 37:24 53:21 54:5 kitchen 22:21 22:23 23:5,9 23:19 43:21 48:7 kitchens 4:19 12:8 know 3:7 12:15 15:12 16:3 21:19 23:17 29:22 30:13 32:21 34:9 45:15 50:17	known 8:24 18:23 kuntze 44:24 45:2,2 48:5 kush 40:10,10 40:14	
k		l	
k 40:14 45:3 55:1 kartholl 1:15 3:1 5:1 20:13 21:3,10,22 22:2,12 24:14 25:3,6 26:4,22 28:4 29:17 31:21 32:12,20 33:10,13 34:16 38:15,24 39:3 39:23 40:2,8 40:12,23 41:3 41:9 42:20,22 44:14,22 45:1 48:3 49:11,16 49:22 50:8 51:6,11,23 52:10,12 53:17 54:1,12,17,21		l 34:24,24 57:22,22 85:3 85:3 lacking 62:19 lady 44:23 56:15,15 57:6 77:1 land 7:21 55:14 55:17 landlords 35:7 46:4,5 larger 17:7 largest 17:12 lastly 36:5 38:2 44:1 late 33:22 laura 34:23 77:3 law 76:4 lawn 37:7 laws 35:13 56:20	

<p>70:4 80:14 81:18 limiting 13:12 67:4 limits 40:18 linda 1:10 91:3 line 31:13,17 37:12 39:15 73:14 lines 82:14 listed 29:14 literally 57:13 little 18:4 23:17 33:4 57:10 70:14 73:2 live 10:12,15,21 11:7 12:1,6 13:1 18:12,17 27:21,24 34:24 36:14 40:10,15 41:12 45:3,5 50:12 51:3,10 52:15 56:17,17 57:5,22 65:5 65:17,20 67:11 77:9,11,13 80:2 81:18 89:13 lived 50:14 living 9:7 10:17 12:17 13:7 14:6 15:7,17 16:7 22:16,19 23:5 24:17,24 27:7 30:7,13</p>	<p>30:22 42:16 52:20 66:9,11 66:22 67:1 68:8,18 70:20 71:4,15 77:19 79:11,13,18,23 79:24 80:8,9 80:13,14,17 81:12,16 82:2 85:12 locate 47:17 long 52:5 75:4 77:8,13 longer 44:3,3 47:8 look 6:18 88:19 looking 48:21 49:24 50:2 57:18 looks 83:11 loss 38:18 lot 19:1,1,2,3,6 19:17,24 20:2 20:3,5,18,20,22 20:22,23 21:2 33:23 39:9 50:4,4 55:5 69:9 77:23 85:10 89:10,16 lots 8:19 18:23 18:23,24 19:5 19:5,6,8,10,11 19:14,15,17,20 20:1,7,11 89:16,21,21,22</p>	<p>low 55:13 ludicrous 45:23 ludwig 34:23 34:24 38:17 77:3,3,17 80:18 81:24 luxury 46:16</p> <hr/> <p style="text-align: center;">m</p> <hr/> <p>m 1:10 91:3 made 20:10 25:8 60:4 89:15 magnitude 87:17 mailbox 47:15 main 31:17 78:16 79:7 maintained 37:6 maintaining 46:6 49:2 maintenance 35:21 major 23:7 make 24:24 25:1 28:7 29:2 32:11,12,13 34:21 37:24 51:8 57:17 66:6 67:7 71:23 75:10,11 76:1 making 66:12 malay 47:4</p>	<p>management 43:16 manner 8:21 mark 47:4 marked 6:5 market 55:10 marketing 89:6 marriage 9:6 10:14,24 11:11 11:11,18,19,22 12:1,11,18 13:13 14:6 16:20 27:1,3 27:23 32:18,24 33:6 64:7,12 65:23,24 66:8 66:9,14 67:5 67:10 68:19 69:9 86:15 marriages 64:20 married 33:7,8 matter 5:1 22:7 49:8 72:24 maxed 66:21 maximum 44:12 47:23 90:1 mean 13:19 23:13 32:21 43:22 53:12,16 59:23 77:8 meaning 9:17 19:11</p>
---	--	--	---

<p>meaningful 41:24</p> <p>means 36:23 44:6 64:8 81:17</p> <p>measure 36:20</p> <p>measures 36:12 36:15</p> <p>mechanisms 76:21</p> <p>medical 47:12</p> <p>meet 7:20 51:20 59:16 62:12 74:15,17 74:18</p> <p>meeting 3:2,9 4:5,24 6:14 21:24 32:15</p> <p>meetings 33:19</p> <p>member 9:5 49:6</p> <p>members 1:14 3:5,20 4:3 22:3 64:9</p> <p>mention 43:4 57:3</p> <p>mentioned 40:21 42:6 79:9</p> <p>met 26:20</p> <p>meters 47:20</p> <p>michael 51:9</p> <p>michelene 52:14 75:19</p>	<p>micro 52:5,6 53:13</p> <p>microwave 48:9</p> <p>mihiel 40:11</p> <p>mind 29:21 30:1 37:3</p> <p>mindset 49:3</p> <p>mine 46:24</p> <p>minimize 48:6</p> <p>minimum 19:8 19:16,24 20:18 20:22 32:6,11 44:16,17</p> <p>minor 18:21</p> <p>minute 24:14</p> <p>minutes 3:8,22 4:5 34:3 40:5</p> <p>mitigate 16:12 16:23 27:16 76:10,12</p> <p>mitigated 71:6 71:7</p> <p>mitigating 28:2 68:4</p> <p>model 88:16 89:2</p> <p>moment 3:13 40:4</p> <p>money 84:8</p> <p>monitor 48:14</p> <p>monitoring 16:23</p> <p>months 36:6</p>	<p>moran 1:17 22:11,13,20 23:8,13 24:9 24:17,23 25:8 26:2,6,15 30:19 31:2</p> <p>morningside 41:13 89:14</p> <p>move 21:14 50:7 54:13</p> <p>moved 50:14 52:16 53:11 71:9 85:6</p> <p>moving 53:10</p> <p>mowed 37:7</p> <p>multi 8:8 42:2 78:2,4</p> <p>municipalities 13:5 64:14 81:5 89:1</p> <p>municipality 11:15</p> <p>murphy 1:18</p> <hr/> <p>n</p> <hr/> <p>n 45:3 51:12 85:3</p> <p>name 5:9 34:20 34:21,23 39:18 40:10,13 41:12 41:16 45:2 49:17,19 50:10 51:9,11 52:14 56:16 75:17,18 85:2 89:11,13</p>	<p>names 39:4</p> <p>naperville 30:2 30:3</p> <p>necessarily 31:16 35:9</p> <p>need 23:24 43:13,15,16 45:16 47:10 50:23 57:4 63:11 87:1</p> <p>needed 84:10</p> <p>needs 51:4,19 57:6 88:22</p> <p>negate 73:9</p> <p>negatively 48:19</p> <p>neighbor 38:3 56:18 60:14</p> <p>neighbor's 37:16 48:22 50:2</p> <p>neighborhood 36:19 38:12,14</p> <p>neighborhoods 14:18 18:13 45:10</p> <p>neighbors 13:18 14:16 15:12 16:2,9 37:12 38:22 50:17,19 51:2 58:9</p> <p>never 51:20 53:24 54:8</p>
--	---	---	---

<p>nevermind 42:22</p> <p>new 4:15 9:8 10:20 15:2 16:3 24:10,21 25:13,19,22,24 26:3 51:14 67:23 70:16 86:3</p> <p>news 55:5</p> <p>nice 57:6</p> <p>night 50:20</p> <p>non 4:14 7:13 37:3</p> <p>nonresidential 7:16,19</p> <p>nope 88:17</p> <p>north 1:9</p> <p>notary 1:11 5:8 34:15</p> <p>note 3:5</p> <p>noted 48:1</p> <p>notice 60:18 61:8 74:22,24 82:6,21</p> <p>noticed 46:15</p> <p>notices 82:18</p> <p>notion 64:6 82:10</p> <p>number 4:17 4:19 11:7 13:21 16:17 40:19 42:8 64:21 65:7 66:21 68:8,11</p>	<p>69:6 81:1 89:15</p> <p>numbers 67:6 67:21 69:4</p> <p style="text-align: center;">o</p> <p>o 5:10 49:20 55:1,1</p> <p>oath 5:6 34:13</p> <p>objections 5:19</p> <p>observe 41:8</p> <p>obtain 35:22</p> <p>obtained 43:1</p> <p>occupancy 37:22</p> <p>occupant 44:17</p> <p>occupants 4:18 36:5 42:9 47:10,11,21 48:13</p> <p>occupation 28:11,17 29:3 29:8,9,10</p> <p>occupations 28:12,16,24</p> <p>occupied 10:19 82:23</p> <p>occupy 37:19 78:19</p> <p>occupying 82:16</p> <p>occur 69:4</p> <p>occurred 14:21</p> <p>occurring 14:17 81:20</p>	<p>offended 54:8</p> <p>offensive 53:22</p> <p>office 28:7,18 29:7 30:10,13 68:20</p> <p>offices 28:13,24 28:24</p> <p>okay 27:5 30:18 31:3 33:10 41:4,9 41:11 50:8 51:6 52:10 53:17 56:8 58:1 59:22 75:9 87:6 90:10</p> <p>old 25:20 26:3 57:6</p> <p>older 9:8</p> <p>olympics 54:11</p> <p>once 16:16 20:9 24:19 65:15 69:10 84:13</p> <p>ones 70:17</p> <p>ongoing 21:12</p> <p>online 4:1 6:9 6:10</p> <p>onus 43:10</p> <p>open 3:13 33:19 45:11</p> <p>operation 81:10</p> <p>operational 76:8,10 79:16</p>	<p>operations 14:17 79:22,24 81:19</p> <p>opinion 88:2</p> <p>opportunities 8:5,16 20:10</p> <p>opportunity 13:8,11 17:6 18:8 27:21 31:12 62:11 73:9</p> <p>oppose 35:3 38:23 45:7</p> <p>opposed 50:24</p> <p>order 3:1</p> <p>orderly 90:18</p> <p>ordinance 4:10 6:16,21,23 7:7 8:2,22 9:22 10:11,20 11:24 15:5 19:4,7 23:11 29:4 31:22 41:20 42:14 58:17,17 59:13 61:3,6 61:16 63:1,5,8 63:13,15,24 64:13 66:2 67:15 73:7 75:8</p> <p>ordinances 59:14 61:17,18 61:19 63:19 64:13</p>
--	--	--	---

<p>organized 39:9 39:16</p> <p>original 36:22</p> <p>originally 86:12</p> <p>outbidding 55:15</p> <p>outcomes 46:20</p> <p>outer 71:13</p> <p>outs 67:22</p> <p>outside 14:2 61:20</p> <p>overbearing 18:12</p> <p>overlap 47:1</p> <p>overload 47:12</p> <p>oversight 35:15</p> <p>overview 21:7 62:17</p> <p>own 12:10 31:8 31:15 47:13,18 48:23</p> <p>owned 12:4</p> <p>owner 10:19 18:13 36:13 38:21 66:11 77:14</p> <p>owners 13:18 18:8 37:18</p> <p>ownership 8:10</p>	<p>page 1:1,7 2:2 91:2,7</p> <p>paid 84:11</p> <p>paper 38:7</p> <p>paragraphs 44:5 48:6</p> <p>parcel 67:20 68:11 69:3</p> <p>pardon 42:21</p> <p>parked 13:21 43:19</p> <p>parking 4:20 43:8 71:1 81:1</p> <p>parks 50:16</p> <p>part 6:8 7:2,3 12:21,24 60:4 74:10</p> <p>particular 56:11 73:17 82:13</p> <p>particularly 39:8</p> <p>pass 10:5 23:12</p> <p>passed 7:18 9:23 63:8 75:8</p> <p>passenger 14:19 26:9 69:16,17,18,20 78:24</p> <p>passes 24:9 42:15 61:3 63:1,5</p> <p>past 85:24</p> <p>patios 47:19</p>	<p>paul 1:23 5:9 30:20 42:6 47:24</p> <p>pause 40:6</p> <p>pay 75:1</p> <p>pays 47:8</p> <p>people 10:12,13 10:14,17 11:7 11:10,17,18,21 11:24 12:6,6 12:16,20 13:13 14:5,11,19 16:13,19 18:11 18:16 20:11 26:10,16 27:6 27:8,20 29:12 30:7,13,21 33:14 34:10 35:19 39:9,11 40:19 42:6,11 42:16 44:19 49:12 50:7,22 52:7,20,22 54:18,21 55:16 55:16 57:4,4,7 57:9,16,17 60:22 62:3 64:19,21 65:4 65:9,15,20,23 65:24 66:8,13 66:22 67:10 68:8,18 69:8 70:4,6,20 71:4 71:15,17 79:18 79:22,24 80:9</p>	<p>80:12,17,19 81:12,16,18 82:1,2 83:20 84:11 85:8 86:14 87:3,13</p> <p>percent 32:14 38:11,12 55:9</p> <p>period 25:10,11</p> <p>permanent 46:3</p> <p>permit 24:2,7 32:3,10 42:1 42:24 43:5 44:4 58:19,23 59:10,11,15 60:7,13,18 61:5,7,11,12 62:14 63:18 73:11,15,19 75:2</p> <p>permits 3:19 16:22 29:2 35:23 62:22 76:22 80:5,5</p> <p>permitted 4:12 7:15 25:21 37:3 41:21 63:4,23 75:23</p> <p>person 9:7 34:3 40:9 53:15 57:20 66:11 80:14,18</p> <p>pervasive 38:1</p> <p>petition 4:8 41:18 42:23</p>
p			
<p>p 55:1</p> <p>p.m. 1:5</p> <p>packet 5:24 6:8 6:8</p>			

<p>43:17 44:4,11 48:2 49:9 89:17 petitioner 45:24 58:10 petitioner's 2:3 6:4 phone 87:20 physical 16:8 24:5 picked 57:10 pictures 56:19 piece 12:4 pin 53:4 piotrowski 54:24,24 56:10 88:5,9,15,21 place 10:7 12:13 14:4 23:6 26:11,12 26:21 27:23 36:12,16,21 51:3 57:11 60:22 63:3,18 63:19 69:13 76:9,21 79:18 86:4 91:14 placed 48:19,23 places 50:22 85:8 plan 43:1,2 planners 61:21 planning 1:23 5:10 33:2 77:21</p>	<p>plant 46:1 plate 48:10 plats 53:3 please 34:1,5 34:12,22 41:16 48:4 49:9 75:17 plumbing 35:19 59:6 plus 46:12 podium 58:4 point 5:22 12:12 20:16 25:9 26:5,7 27:14 30:8 32:4 36:5 42:7 42:18 51:22 55:9 56:9 66:10 67:9 pointed 64:7 pole 19:2 police 47:16 53:1 85:15 policies 4:1 18:6 pool 28:23 poorly 41:23 population 57:8 portal 4:1 6:11 portion 13:8,9 14:12 23:1 58:21 position 46:24 48:1</p>	<p>possibilities 36:2 possibly 38:6 53:8 potential 55:24 56:1,2,4,7 71:19 potentially 15:4 18:14 21:16 36:4 potting 50:5 pounds 69:21 practical 79:14 86:16 practically 80:3,4 practices 35:8 35:14 predicate 77:22 78:5 prejudice 31:6 premises 36:14 present 1:14,22 3:5 5:12 6:14 presentation 3:14 5:5 89:15 presented 90:19 preserves 45:11,13 presumably 32:22 presumed 15:3 presumption 10:1</p>	<p>pretty 12:21 77:10 primary 36:14 37:13 55:12 56:23 57:1 77:14 78:8,11 80:19 principal 7:12 9:3,21 10:15 10:18,21 11:8 17:5,8 42:9 66:5 67:6 69:1 78:16,20,21 79:21 81:8,11 83:18 prior 10:7 39:13 49:18 74:1 75:7 privacy 45:8,14 probably 14:20 21:19 problem 57:24 87:17 problems 13:17 14:10 74:2 proceedings 1:6 90:22 91:9 process 9:11,18 9:19 21:13 58:19 59:12 60:19,22 61:9 62:8,9 76:7,14 76:19 82:7,20 83:1,5</p>
--	---	--	---

<p>processed 82:19</p> <p>processes 76:16</p> <p>produce 8:5,16</p> <p>producing 56:5</p> <p>professional 35:12,18</p> <p>program 86:19</p> <p>prompt 47:10</p> <p>prompted 88:3</p> <p>proper 40:17</p> <p>properties 9:1 14:11 17:13 38:20 45:15 47:5 48:15,21 55:7,8,13,17,21 56:2 78:1 81:22 82:15 84:2</p> <p>property 9:3 10:22,24 11:7 12:4,7,9 13:2 13:14,17,18,22 14:3,7,10,20,21 15:7,8,9,10,15 15:16,17,18,21 16:14,18,20 17:1 18:8,10 18:13 19:23 26:19 27:7,21 36:13,20 37:4 37:6 38:3,4,13 38:18 39:22 42:2 43:19 45:8 46:10</p>	<p>47:3 48:18 49:2 50:3 56:5 57:2,10 66:11 66:12,22 67:11 67:13 68:3,13 68:18 69:10,17 70:4,6,8 71:9 73:12 78:8 79:1,8 80:17 81:2,9,20 82:3 82:13</p> <p>proposal 4:8 8:21 9:9,14 10:1,16 22:24 26:21</p> <p>proposed 1:3 4:8 5:19 12:24 18:19 21:8 22:8 43:17</p> <p>proposes 42:24</p> <p>proposing 10:11 11:2,6 12:23 14:1 19:16 20:6 63:2 66:1 76:12</p> <p>prospectively 9:23 81:3</p> <p>provide 35:8,9 45:19 87:2 88:13</p> <p>provided 4:3 7:20 26:19</p> <p>provides 45:11</p>	<p>providing 35:10,15 36:17 46:17</p> <p>provision 11:6 12:13</p> <p>public 1:11 3:10,11,12,16 3:17,19,20,23 3:24 4:6 5:15 6:9,15 9:11,18 19:9,12,23 20:4 33:15,17 33:18 73:1 90:14 91:10</p> <p>published 5:2 38:7</p> <p>pull 50:23</p> <p>purpose 6:13 65:8 72:22 76:6</p> <p>pursuant 29:3</p> <p>pursue 60:19</p> <p>put 18:14 26:2 37:15 44:19 52:7 55:17 67:2 74:24</p> <p>puts 43:9</p> <p>putting 17:19 18:20 43:20 71:1</p> <p style="text-align: center;">q</p> <p>qualified 1:11 32:22 91:4</p> <p>qualify 25:3 88:10</p>	<p>quality 48:20</p> <p>quarters 22:16 22:19 24:17,24 86:7,20</p> <p>question 40:14 51:13 63:21 69:7 72:19 73:13 82:1 83:9 84:18 85:17 88:1,3,5 89:23</p> <p>questionable 44:2</p> <p>questions 3:15 21:9 22:3,10 33:11 46:23 48:16 58:5 72:6,8,12,16,18 89:10</p> <p>quick 21:20 83:9 89:9</p> <p>quickly 12:21 48:4</p> <p>quiet 50:15</p> <p>quite 77:4,19</p> <p>quote 45:20</p> <p style="text-align: center;">r</p> <p>r 19:23 20:4,17 34:24 45:6 49:20 55:1 57:22</p> <p>rahman 1:20</p> <p>raise 34:5,11 50:15 57:11</p>
---	---	---	--

<p>raised 16:13 69:24,24 72:12 75:14</p> <p>ralph 41:12 89:13</p> <p>rating 69:22 70:1</p> <p>read 42:7 82:14 90:1</p> <p>reading 42:8</p> <p>ready 33:15 49:4</p> <p>real 29:16 35:13</p> <p>really 33:22 56:17 58:10 65:11 80:6 87:4</p> <p>realm 36:2</p> <p>reason 11:12 12:23 14:23 15:5 39:7 60:13 68:11</p> <p>reasonable 44:20</p> <p>reasons 18:4 33:5 35:4</p> <p>reassessing 47:5</p> <p>recall 8:17 80:15</p> <p>received 3:24 6:10 82:21</p> <p>recently 46:14</p>	<p>recognize 41:10</p> <p>recommenda... 21:24 22:5 32:15</p> <p>reconversion 43:2 44:2</p> <p>record 5:3 6:14 8:20 24:2,8 39:24 40:3,9 60:4</p> <p>recourse 47:7</p> <p>reducing 46:10</p> <p>reference 77:7</p> <p>regard 20:13 20:15 21:5</p> <p>regarding 46:23</p> <p>register 47:21</p> <p>regular 27:9 48:15</p> <p>regulations 4:16 7:21 28:16 29:4 70:10 73:5 76:11,21 77:21 79:18 80:21,23 86:3 88:14</p> <p>rehabilitated 71:23</p> <p>rejected 62:13</p> <p>related 9:6 10:14,23 11:10 11:17 12:18 27:22 32:17</p>	<p>33:15 38:12 42:13 64:20 66:8 68:19 72:16</p> <p>relates 31:22 61:10 62:23</p> <p>relationships 67:5</p> <p>relative 1:3 4:10 20:24 58:14 62:19 86:4,22 87:5</p> <p>relatively 17:10</p> <p>relevant 56:9</p> <p>relief 86:8</p> <p>remain 35:16 48:11</p> <p>remarks 3:21 39:8 41:7 60:2 88:4 90:16</p> <p>remembering 40:17</p> <p>remote 23:20</p> <p>remove 41:7</p> <p>rendered 29:14</p> <p>rent 12:5 13:8 14:12 27:23 36:4,18 43:24 47:8 56:24 57:6,12</p> <p>rental 46:3 56:6</p> <p>rentals 8:9</p> <p>rented 10:23 36:24 56:23</p>	<p>renter 38:5 47:8 55:19</p> <p>renters 35:24 49:1</p> <p>renting 28:6 55:20</p> <p>rephrase 53:20</p> <p>report 91:13</p> <p>reported 91:9</p> <p>reporter 34:11 41:15 75:16 85:1 88:22 89:11 91:20</p> <p>represented 42:4</p> <p>represents 34:17</p> <p>request 22:7 40:3 49:5 91:6</p> <p>require 10:17 24:7 32:4 43:9 47:14 59:9</p> <p>required 33:19 35:21 43:4 44:3 48:14</p> <p>requirement 13:20 19:17 20:24 26:20 36:16</p> <p>requirements 4:16,19,21 12:2 74:16,18 77:14</p> <p>requires 9:11 19:7 44:4</p>
---	--	--	---

<p>requiring 24:2 58:20</p> <p>research 15:23 38:7 85:10 88:19</p> <p>reserve 18:22 18:23 19:3 20:2,5,20,23 21:2 22:4 89:21,22</p> <p>residence 36:15 37:1 42:16 56:23 78:11</p> <p>residences 35:17</p> <p>resident 35:2 37:13 46:5</p> <p>residential 81:22</p> <p>residential 4:14 4:15 7:13 8:24 9:16 30:17 35:15 45:10 55:8 78:6,9 86:10</p> <p>residents 45:5 45:19 46:1 50:13 51:5</p> <p>resources 36:9 37:23</p> <p>respect 3:17</p> <p>respond 58:5 59:24</p> <p>response 33:12 54:20 60:1</p>	<p>72:17</p> <p>responses 72:10,11 90:12</p> <p>responsible 47:6</p> <p>restaurants 7:23</p> <p>restrictions 42:1</p> <p>result 65:13</p> <p>retail 7:23</p> <p>retarded 53:21 53:23</p> <p>retroactive 73:11</p> <p>returned 36:22</p> <p>revenue 38:5 45:20</p> <p>reviewed 4:3 73:16</p> <p>revises 44:11</p> <p>rid 70:8</p> <p>ridge 5:21</p> <p>ridgeland 39:20</p> <p>right 7:12,19 8:3,20 9:15 12:1 14:13 17:9 19:6,12 27:11,15 28:1 28:9,19 32:8 34:12,18,20 43:13 49:12 53:12 57:17 69:15 70:20</p>	<p>75:22 76:2,3 76:11 77:16 78:23 81:5,23 82:20 83:4,16 83:18 84:18,19 86:14 89:7</p> <p>rights 35:24 36:8</p> <p>rises 46:16</p> <p>road 1:10 30:4 35:1 50:12 56:17 57:23 77:4 84:24 86:8</p> <p>roads 50:20</p> <p>robert 1:15</p> <p>rock 55:6</p> <p>rodents 37:8</p> <p>roll 3:4</p> <p>ronald 49:19</p> <p>roofline's 71:12</p> <p>room 12:10 50:4</p> <p>rooms 12:10 24:11 28:23</p> <p>rose 45:2</p> <p>row 49:13 51:7 54:19 84:22</p> <p>rule 32:14 74:3</p> <p>rules 3:18 70:9</p> <p>rutledge 39:19 39:19 41:6,7</p>	<p>s</p> <p>s 2:1 5:10,10 40:14 51:12,12 55:1 57:22</p> <p>safe 35:10</p> <p>safely 57:11</p> <p>safety 45:14 75:24 76:19,20</p> <p>sanitation 35:20</p> <p>saw 30:20 39:9</p> <p>saying 8:12 14:23 42:15 54:4 57:24 66:6 67:8 78:7 78:14,15 89:24 90:4</p> <p>says 27:6 42:8 42:12,17 61:6 83:11 90:1</p> <p>scale 8:5,15 85:21</p> <p>scales 18:10</p> <p>schiller 57:21 57:21 59:17,20 60:9</p> <p>school 52:23 67:18</p> <p>schools 46:12 47:10 53:16</p> <p>schultz 1:19 26:22,23 27:5 27:11 64:7</p> <p>scope 17:4 68:7 80:24 81:10</p>
---	---	--	---

<p>second 8:1,12 25:2 36:11 39:23 40:1 48:20 55:23 68:2 78:12</p> <p>secondary 56:24</p> <p>section 7:10 89:20</p> <p>sections 4:13</p> <p>secure 35:11</p> <p>security 45:8</p> <p>sedan 69:23</p> <p>see 34:7,8 37:6 38:5 40:21 48:24 50:4,6 53:6 55:13 58:16 89:17</p> <p>seen 18:5 22:15 55:5</p> <p>sees 61:5</p> <p>sells 55:16</p> <p>semantics 67:18</p> <p>senese 51:9,9 51:12,12 52:2 52:11 54:3</p> <p>senior 65:10</p> <p>seniors 46:11</p> <p>sense 32:11,13 32:13 75:10,12</p> <p>separate 31:8 31:10,11,15 47:14,20 53:3 53:4 68:11,21</p>	<p>septic 20:18 31:11 40:16,20 48:11 59:21 61:13 80:5</p> <p>service 7:3,4 31:13 35:18 52:17</p> <p>services 29:13 29:15,16 35:20 40:17 47:11,16 50:2,20 84:10</p> <p>session 22:5</p> <p>set 10:3 91:14</p> <p>setback 4:19</p> <p>seven 27:8 67:13</p> <p>several 36:6 87:10</p> <p>sewer 19:24 20:5,21 30:22 31:10 61:13</p> <p>shaking 39:9</p> <p>shape 72:1</p> <p>share 12:8,8,10</p> <p>shared 56:18</p> <p>shed 44:18 57:13,13 70:23 70:23 72:2</p> <p>sheds 47:19 50:5</p> <p>sheet 5:13</p> <p>sheila 39:19</p> <p>shift 45:18</p> <p>shock 16:5 71:5 71:5</p>	<p>shocked 16:2</p> <p>shocking 16:9</p> <p>shopping 7:24</p> <p>shorthand 91:9 91:20</p> <p>shoulder 54:16</p> <p>shouldered 38:19</p> <p>show 5:3 35:7 75:4</p> <p>showerhead 48:9</p> <p>sidestep 85:20</p> <p>sight 37:12</p> <p>signature 91:19</p> <p>similar 7:21 8:21 14:20 68:9</p> <p>simply 13:10 39:12 43:20 67:14 73:10</p> <p>single 7:1 8:8 8:24 9:16 12:2 12:17 13:24 17:11 26:11 36:19 42:4 45:9 65:21 66:3 67:2,23 68:2,10,21 69:14 77:6,12 77:18,19,22,22 78:1,4,9,12,14 78:17,23 79:5 79:6,8,12,12,15 80:1,12,15,22</p>	<p>81:9,17,22</p> <p>sir 41:11 44:22 50:9 52:13 54:23 58:2 59:23 87:24</p> <p>sit 37:1</p> <p>situation 13:5 20:3 36:7 59:2 69:5 83:15 84:6 85:14</p> <p>situations 12:16 50:18 68:15 83:18,22 85:14</p> <p>six 13:22 14:18 16:18 26:9 52:22 67:13 69:16 70:4,7 78:24 79:3</p> <p>sixfold 38:18</p> <p>size 17:4,24 19:9,24 20:18 20:22 26:14 42:19 44:12,16 44:17 47:23 48:7 68:7 71:11 78:18 80:1,24 81:10 89:16 90:2</p> <p>sized 40:20</p> <p>slammed 37:21</p> <p>slight 38:6</p> <p>slowly 27:19</p> <p>small 17:10</p>
--	--	---	---

<p>smaller 17:4 78:19 79:20</p> <p>social 47:11</p> <p>socialization 65:11</p> <p>solutions 8:4 8:14,14</p> <p>somebody 22:14 54:15 56:23 57:12,13 84:19</p> <p>someone's 16:7 60:17</p> <p>somewhat 39:15</p> <p>son 54:7</p> <p>sorry 8:11,13 21:6 34:9 59:22</p> <p>sort 7:4 15:19 18:4 27:16,18 32:14 64:8 82:13</p> <p>sounds 23:17 85:7</p> <p>space 23:5,9 45:9,11 50:15 74:12,13</p> <p>spaces 81:1</p> <p>speak 34:4,7</p> <p>speaker 39:1 39:13 53:20 54:15 57:20 59:18 72:7</p>	<p>speakers 49:18</p> <p>special 54:10</p> <p>specifically 7:11 58:16 61:15 86:21</p> <p>spell 34:20 40:12 41:15 51:11 85:1</p> <p>spells 28:16</p> <p>spent 89:10</p> <p>spillover 38:7</p> <p>spirit 39:5</p> <p>spoke 34:1</p> <p>spur 55:7</p> <p>square 9:4 11:1 11:4 17:13,14 17:16,17,21 18:2 19:8,14 19:15,18 20:1 20:6,8,19,23 26:20 29:10 44:12 47:24 52:3,6 53:14 77:9,10 89:24</p> <p>squat 36:6</p> <p>squatter 47:9</p> <p>ss 91:1</p> <p>st 40:11</p> <p>staff 6:18</p> <p>stand 58:4</p> <p>standard 32:11 33:1 65:1</p> <p>standards 29:8 29:9 51:20 61:24 74:19</p>	<p>standpoint 62:12 79:14,16 79:17 86:16</p> <p>start 14:9 27:19 63:12,16 73:3</p> <p>started 86:12</p> <p>starts 78:6</p> <p>state 1:12 37:2 64:15 69:24 75:16 91:1,5</p> <p>stated 77:17 88:2 90:17</p> <p>statement 51:8</p> <p>states 42:24</p> <p>station 7:3,5</p> <p>stations 4:14 6:20,23,24 7:5 7:8,19</p> <p>stay 26:21 72:24</p> <p>store 30:11</p> <p>stormwater 43:15 61:14 62:5,16 73:22</p> <p>strategies 46:17</p> <p>stream 38:5</p> <p>street 19:2 31:17 51:13 52:15 75:19</p> <p>stress 18:4</p> <p>strive 46:21</p> <p>strongly 38:23 45:7</p>	<p>structural 79:16</p> <p>structure 9:21 10:4,6,7 14:15 16:8 31:23 43:22 44:10 47:23 63:3,5 63:17 70:21 74:1,6</p> <p>structures 10:4 41:21 46:4 78:17 79:4</p> <p>struggling 46:8</p> <p>stuck 17:18</p> <p>study 52:23,24 53:1,1,2</p> <p>stuff 50:6 58:7 70:3</p> <p>subdivide 68:12</p> <p>subdivision 40:15</p> <p>subject 33:18 91:7</p> <p>submit 6:2</p> <p>submitted 4:4 6:9</p> <p>subordinate 78:15 79:7,21 79:23</p> <p>sudden 16:3 66:18</p> <p>suddenly 43:23</p> <p>suggest 54:9</p>
---	--	---	--

<p>suggesting 60:8</p> <p>suitable 71:22 71:24 74:12</p> <p>supplement 60:2</p> <p>support 57:23</p> <p>supporting 51:2</p> <p>supposed 37:18 72:10</p> <p>supposedly 55:8</p> <p>sure 30:20 37:24 39:19 44:24 57:17 75:18 76:1 80:20,20 87:23</p> <p>sworn 34:5,6 49:13 51:8 54:19,22 72:20</p> <p>syndrome 54:7</p> <p>system 18:15 40:20 84:12</p> <p>systems 48:11</p>	<p>72:18 82:6</p> <p>86:11 87:20</p> <p>89:1</p> <p>taken 1:7,8 40:7 42:18 57:8 90:14,23 91:10,13</p> <p>talk 43:7,8 81:6</p> <p>talked 15:24 40:16 68:4 69:11,13 70:14 71:6 86:10</p> <p>talking 7:11 30:15,16 33:3 48:8 55:3 58:15,19 74:7 78:13 82:24</p> <p>tap 31:13,17</p> <p>task 85:24 86:23</p> <p>tax 53:2,3 56:3 68:22 69:3 84:12</p> <p>taxation 67:20</p> <p>taxed 47:4 56:4 56:6 68:21</p> <p>taxes 46:10 47:3 56:13 83:13</p> <p>taxpayer's 84:9</p> <p>tear 52:8</p> <p>technically 30:7 80:4</p> <p>tell 32:23 51:18 59:7 82:11</p>	<p>85:18</p> <p>temporary 46:1</p> <p>ten 55:10</p> <p>term 78:6</p> <p>terms 15:23 67:6 68:7,7,8 69:6 78:17 81:18 91:8</p> <p>test 58:10</p> <p>tested 81:3</p> <p>testimony 1:6 90:23 91:10,13</p> <p>testing 18:4</p> <p>text 1:3 4:7,9 5:5,20 6:1 8:18 12:24 18:19 20:7 21:8 33:16</p> <p>thank 38:24 41:4,8,9 44:22 49:11,22 50:8 51:6 52:10,12 52:17 53:17 57:19 58:1 76:23 90:11,19</p> <p>thankful 45:13</p> <p>thanks 60:9</p> <p>theory 63:14</p> <p>thing 14:22 30:15 37:24 42:4,6 44:20 49:24 62:15,16 67:16 70:13 71:15,19 88:6</p>	<p>things 7:24 8:10 13:23 14:2 16:21 26:24 29:15 31:9 43:3,9 52:2 55:5 58:15 68:4 69:1,4,10,12 70:24 71:2,6 72:5 73:6 77:24 78:20 87:14</p> <p>think 16:11,20 18:3,7 27:18 28:1 30:3,5,10 40:23 43:12,13 48:24 49:13 50:1 51:23 54:1 56:9 57:5 57:20 63:10,14 63:20 67:16,24 69:7 71:5,20 72:5,12,17 74:9,10 76:20 78:3 85:16</p> <p>third 21:18</p> <p>thought 21:4 39:8,10</p> <p>thousand 44:12 47:24</p> <p>threaten 45:8</p> <p>three 3:22 19:5 23:6 29:11 34:3 35:5 37:8 40:4 52:17</p>
t			
<p>t 1:3 2:1 4:7,8 6:1,15 41:17 41:17,18 45:3 49:10,20 55:1</p> <p>take 3:22 9:4 10:19 21:9 23:1 33:15,17 43:11 44:18 48:17,20 58:4 61:2 63:16</p>			

<p>53:13,14 54:22 61:23 64:23 66:17 74:21 75:6 83:21 tim 50:11 time 3:19,22 9:22 14:21 29:13 39:6 63:23 70:17 72:22 91:13 timeline 21:20 times 77:23 90:15 title 60:16 titled 38:7 today 18:20 together 12:9 39:2 65:6,17 65:20 toilet 48:9 told 37:19 tomorrow 87:20 tonight 6:3 9:15 21:23 41:8 tonight's 6:13 took 86:17 total 11:6 19:5 27:6 42:8 81:19 touched 50:1 tour 48:18,21 townhouses 8:9</p>	<p>township 62:5 73:23 toys 71:1 traffic 36:4 52:23 trafficking 85:4,11 86:1,2 86:5,6,22 trailer 43:19,23 tranquility 45:14 transcript 91:12 transparency 35:8 transportation 62:6 travel 43:18,23 treat 68:5 treated 68:20 83:17 treating 85:9 tremendous 52:18,18 tried 56:24 truck 69:23 trucks 70:2 true 91:12 truly 68:5,24 81:7,10 try 8:4,15 26:17 44:15 trying 26:15 31:6 59:24 72:23</p>	<p>tuesday 21:19 turn 22:15,18 23:8 24:16 36:8,8 53:13 66:18 83:20 turning 24:3 twice 3:10 75:1 two 5:14 6:17 16:24 19:5,6,7 24:11 26:18 30:21 36:18 43:3 48:6 54:22 55:3 56:1 57:10 65:6,18 70:7 79:15 80:22 81:8 86:1 89:9 type 14:16 19:9 19:13,18 29:13 types 20:1 78:5 typical 28:18 68:9 typically 7:5 13:24 18:24 69:22</p>	<p>uncharted 53:6 unclear 36:23 under 22:17 45:19 46:19 67:15 understand 45:16 51:22 54:17 68:23 70:19,23 71:2 71:8 73:12 75:13 77:4,20 87:16 understanding 15:14 understands 85:17 undesirable 57:9 unenforceable 57:16 unfortunately 41:22 unidentified 39:1 54:15 59:18 72:7 unincorporated 39:21 41:14 45:4,6 49:21 51:10 60:6,12 75:20 88:6,13 88:14 89:1,4 unit 10:9,22 16:4,14 17:20 22:18 23:2,3,4 23:20 24:4,22</p>
		u	
		<p>u 34:24,24 40:14 45:3 49:20,20 ultimate 9:12 ultimately 10:2 umbrella 7:4 unacceptable 57:15</p>	

25:2,4,15,20 26:1 31:8,10 31:20,24 32:3 32:7 38:8 42:10 53:15 63:7 65:6 66:4 66:4,20 67:8 68:6,10 71:3 71:22 73:10 77:12,23 78:7 78:12 79:1,6 79:12,14,19 80:8,10,13 81:7,13,14 82:17 84:8 units 1:4,4 4:11 4:12,17,18,20 8:6,7,8,16,23 9:2,20 10:13 13:10 16:24 17:15 18:9,10 18:11,14,16 40:16 46:7 52:5,6 53:13 66:10 67:21 68:5,16,18 78:6 79:15 81:9 83:11 85:22 university 38:10 unkempt 57:2 unquote 45:22 unregulated 53:9	unrelated 3:12 11:11,19,22,24 12:11 13:13 14:6,13 16:19 26:10 33:17 36:18 52:20,21 65:24 66:9,13 69:8 70:6 86:14 unruly 90:15 unsightliness 37:14 unstated 73:7 updated 61:23 upkeep 35:10 upstairs 24:11 urgency 21:13 usage 44:7 use 4:15 7:12 7:14 9:1,10,18 12:3 17:21 41:22 42:2 44:4 68:7 75:2 75:22,23 76:4 76:4,7,14,18 78:8 79:7 used 15:11,18 15:19 16:6,6 16:10 30:12 47:15 53:21 70:24 72:2 84:1 uses 4:13 7:11 7:15,21,22 79:2 83:19	using 13:10 50:5 usual 32:14 91:8 utilities 19:10 19:13,19 20:14 20:16 21:1,5 31:15,18,19 59:8 <hr/> v <hr/> vague 33:4 41:24 53:5 value 38:3,6,13 38:18 68:22 values 14:3,10 45:8 49:2 vanguard 55:6 variations 68:17 83:24 various 73:16 vehemently 50:24 vehicle 4:13 6:20,22,24 7:8 7:18 69:17,18 69:20,21,21,22 70:1 vehicles 1:3 4:11 13:21 14:19 16:17 26:9 69:17,19 78:24 81:1 verify 36:16,21 veritext 91:8	vested 49:1 vet 76:2,7 vetted 43:14,15 43:17 vetting 62:9 victory 46:2 view 37:5,10 41:23 village 5:16,21 violate 29:7 violation 60:18 60:19 61:8 74:22,24 82:5 82:6,7,15,18,21 83:6 violative 60:23 virtual 48:17 voluntarily 87:11 vote 47:21 49:9 52:6 voting 49:8 vulnerable 57:7 85:8 <hr/> w <hr/> w 34:24 41:17 55:1 wait 21:23 24:14 walking 60:9 want 21:11 25:14 26:17 28:7 30:7,20 31:6 33:23 34:7 37:14
---	---	---	--

51:8 58:3 59:8 60:24 63:16 66:2,18,23,24 67:1 72:14 73:2 88:1,2 89:1 90:13 wanted 5:22 52:8 87:24 wants 13:1 32:9 34:4 ward 46:1 washington 55:1 water 19:24 20:5 30:23 31:10 35:20 59:21 61:13 watt 41:1,12,12 41:17 42:21,23 44:15 89:9,13 89:13,23 90:4 way 12:7 19:12 27:18 42:7 43:13 44:19 53:8 65:17 76:15 79:24 84:15 90:18 ways 46:9 we've 5:14 6:8 12:20 15:23 18:5 24:7 27:17 50:12,18 50:19,21 58:7 58:8 68:16 69:11,13 81:3	85:15 90:14 wealth 45:20 weeks 52:17 weight 69:22 70:1 west 39:21 51:10 53:9 55:2 75:20 wheaton 1:10 35:1 46:14 57:23 whoa 39:3,3 wife 66:17 wife's 32:21 wild 53:9,9 windows 57:18 winfield 35:1 40:11 41:13 45:4,6 46:14 49:20 50:12 56:17 57:22 77:4 84:24 86:7 wisdom 22:6 72:15 witness 90:5 witty 56:16,16 wives 64:10,11 women 87:10 wondering 55:4 word 53:21 wording 42:7 words 21:22 22:5 42:14,18	44:18 55:24 73:12 work 28:8 35:23 52:4,8 56:14 86:23 workforce 8:13 working 8:3 18:7 27:15 81:5 works 28:1 84:15 world 46:1 worry 43:12 wow 26:2 wrap 26:16 38:16 44:14 48:3 wraps 52:1 written 41:23 44:20 60:3	46:12 50:13 55:11 58:6 61:24 64:18 74:21 75:6 86:2 87:9
			z
			z 45:3 zain 1:20 zba 6:14 41:18 zone 77:24 zoned 19:23 20:4 30:10 zoning 1:1,7,23 3:3 4:9,14 5:10 5:11 6:16,21 7:2,13,16,19 8:18,22 9:16 12:2 19:4,7,20 20:17 35:3 36:13 41:20 45:6 47:2 49:6 58:17 61:15,18 62:12,19 63:13 64:12 73:17 76:15 78:2,9 82:7 86:8 91:7 zoom 3:7
		x	
		x 2:1 44:18	
		y	
		yard 37:8,15 59:21 yards 45:12 yeah 23:14 24:23 26:6,23 32:12 41:4 54:17 72:23 75:11 year 45:5 years 9:8 12:15 35:2 37:8	