



Village of Poplar Grove – Board Meeting Memo

Karri Miller
Village Clerk/Collector

August 6, 2026

Subject: Proposed Amendment to the Zoning Variance Approval Process

1. Background:

The Village's current zoning ordinance provides that zoning variance applications are heard and finally decided by the Planning and Zoning Commission. These applications do not proceed to the Village Board of Trustees for final consideration. The Village has not experienced any issues with its current Planning and Zoning Commission members. This proposed amendment is a proactive measure intended to protect the Village in the future, as similar procedural issues have arisen in other municipalities in our area. The Village should consider amending the ordinance so that the Commission conducts the public hearing and makes a recommendation, with the Board of Trustees making the final decision.

2. Current Status:

Under the current process, a variance request ends with the Planning and Zoning Commission. The proposed process would require the Commission to conduct the public hearing, review the evidence, make the required findings, and forward a recommendation to the Board. The Board would then approve or deny the variance as the Village's final decision-making body.

3. Fiscal Impact:

No significant fiscal impact is anticipated. The Village may incur customary legal and publication costs associated with reviewing, drafting, and adopting the ordinance amendment.

4. Legal Review (if applicable):

A final variance decision made solely by the Planning and Zoning Commission may be characterized as an administrative decision and may be reviewed under standards applicable to administrative decisions. A final zoning decision made by the Board of Trustees may be characterized as a legislative decision and may receive greater judicial deference if challenged. The Village Attorney should confirm the appropriate procedure under Illinois law and draft the ordinance amendment to preserve all required notice, hearing, findings, and voting requirements.

5. Recommendation:

Staff recommends directing the Village Attorney to prepare an amendment to the zoning ordinance establishing the Planning and Zoning Commission as the recommending body for zoning variances and the Village Board of Trustees as the final approval authority. This change

would provide elected-official oversight, promote consistency with the Village's broader land-use goals, and strengthen the Village's position if a variance decision is challenged in court.

6. Supporting Documents (if applicable):

☐ Attached

☒ Not Applicable

Signature:

Karri Miller, Village Clerk/Collector