

**ZONING BOARD OF APPEALS**  
**MINUTES OF DECEMBER 4, 2019 – 7:00 P.M.**

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Bruce Boreson, Jenny Corral, Rhonda Santana, Frank Grieshamer, Kathy Mennella, Chairman Mark Cwik, Wayne Bernacki, Lisa Manzo (Secretary), Matt Welch (Village Attorney), John Schneider (Dir of Community Development), Nick Walny (Village Planner) and Ryan Adriatico (Village Planner). All members are present.
3. Member Grieshamer made a motion to accept the amended minutes of November 6, 2019. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: ZBA 19-11 – Wayne Filosa, 9501 Franklin Avenue

Member Grieshamer made a motion to continue ZBA 19-11 to the next regularly scheduled meeting of January 8, 2020 at 7:00 p.m. in the Police Station Community Room. Member Mennella seconded the motion. All in favor. Motion carried.

5. New Business: ZBA 19-15  
Text Amendment – Village of Franklin Park  
9500 Belmont

Chairman Cwik stated that this hearing is for a Text Amendment to Sections 9-1-3, 9-5C-3, 9-5C-9, 9-6B-3 and 9-6B-9 of the Franklin Park Zoning Code regarding adult use cannabis and related activities in the C-3, General Commercial and I-2, General Industrial Districts.

Chairman Cwik called the petitioners up at this time. He asked the petitioners to sign in and be sworn in. Mr. John Schneider, petitioner and Mr. Ryan Adriatico, petitioner, came forward. They signed in and were sworn in.

Mr. Schneider gave his presentation at this time. He stated that the legalization of the sale and use of adult use cannabis will go into effect at the State level in Illinois on January 1, 2020. Because of this, the Village has identified the need to establish zoning regulations in order to responsibly facilitate the introduction of adult use cannabis related businesses should the opportunity presents itself.

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He continued that staff has researched and reviewed federal and state legislation regarding this. The definitions and terms proposed in the members packets utilize language sourced from the Illinois Municipal League. That is what is being proposed today, so that the Village will have these guidelines set in place.

Mr. Adriatico went through the standards at this time. He stated that there would be two (2) districts that would allow adult use cannabis and that would be in the C-3, General Commercial District adjacent to Mannheim Road and the I-2, General Industrial District west of Mannheim Road.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:10 p.m.

The members commended staff for their efforts on this subject and were pleased to have rules and regulations set in place for this.

Board Discussion ended at 7:12 p.m.

Member Grieshamer made a motion to “approve the Text Amendment to Sections 9-1-3, 9-5C-3, 9-5C-9, 9-6B-3 and 9-6B-9 of the Franklin Park Zoning Code regarding adult use cannabis and related activities in the C-3, General Commercial and I-2, General Industrial Districts.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Yes; Member Boreson-Yes; Member Santana-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

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6. New Business: ZBA 19-16  
Text Amendment - Village of Franklin Park  
9500 Belmont

Chairman Cwik stated that this hearing is for a Text Amendment to Section 9-8-3 of the Franklin Park Zoning Code.

Chairman Cwik called the petitioner up at this time. He asked the petitioner to sign in and be sworn in. Mr. Nicholas Walny, petitioner, came forward. He signed in and was sworn in.

Mr. Walny gave his presentation at this time. He stated that that currently the Village does not address parking space dimensions for semi-trucks, trailers or a combination of both. Staff is proposing to amend the code to include parking space dimensions for these. He further stated that the Village's engineering staff provide national standards for parking space and loading dock dimensions for semi-trucks, trailers and the combo of both. Further, staff is proposing the following changes to the code: stall width 12', stall length 55', loading dock depth 60' and loading zone aisle width 60'.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:16 p.m. There was minimum discussion regarding this hearing. Board Discussion ended at 7:18 p.m.

Member Grieshamer made a motion to "approve the Text Amendment to Section 9-8-3 of the Franklin Park Zoning Code." Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Yes; Member Boreson-Yes; Member Santana-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

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7. New Business: ZBA 19-17  
Conditional Use - Lawrence Duke  
3447 Lombard Street  
12-22-305-028-0000

Chairman Cwik stated that this hearing is for a Variance for 3447 Lombard for the construction of a new attached carport addition to the single family residence. (reduction of the required interior side yard setback from 3 feet to 2.46 feet in the R-2 Single Family Residence District.)

Chairman Cwik called the petitioner up at this time. He asked the petitioner to sign in and be sworn in. Mr. Samuel Pavlovich, architect, and Mr. Lawrence Duke, petitioner, came forward. They signed in and were sworn in.

Mr. Pavlovich stated that the homeowner is seeking to construct a 449 square foot attached carport addition on the south end of the property. The owner is looking to construct the carport in order to provide an additional covered/protected parking area and shorten the distance required to access his vehicle from the home. Designs specify an interior side yard setback of 2.46 feet on the south side of the property. The homeowner is seeking a variance to reduce the required front yard from the minimum of 3 feet to 2.46 feet due to a concrete foundation wall that has been identified as pre-existing on the south side of the property. In order to construct the carport without excavating the foundation wall or compromising the structural integrity, the outermost wall must be constructed 2.46 feet away from the property line as opposed to the 3 feet.

The homeowner claims that excavating the pre-existing foundation would cause a financial hardship on him.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:24 p.m.

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The members discussed this case and stated that this situation was created by the property owner because the initial foundation was poured by the homeowner 2.46 away from the property instead of the required 3 feet.

Board Discussion ended at 7:26 p.m.

Member Grieshamer made a motion to “approve for a Variance for 3447 Lombard for the construction of a new attached carport addition to the single family residence. (reduction of the required interior side yard setback from 3 feet to 2.46 feet in the R-2 Single Family Residence District.)” Member Mennella seconded the motion. Roll Call Vote. Member Corral-No; Member Bernacki-No; Member Boreson-No; Member Santana-No; Member Grieshamer-No; Member Mennella-No; Chairman Cwik-No. Seven (7) Nays, Zero (0) Ayes, Zero (0) Absent, Zero (0) Abstain. The motion was denied.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

8. Staff Update: None.

9. Public Comment:

Mr Ed Kosten came forward at this time. He asked the Zoning Board of Appeals members to please provide to him a copy of Section 9-8-8C of the Franklin Park Zoning Code.

Attorney Welch stated that the Village Clerk’s Office located in Village Hall is the holder of all records and would be able to assist him in locating his particular request.

Mr. Kosten thanked the members for their time.

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10. A motion was made by Member Grieshamer to adjourn the meeting of the Zoning Board of Appeals. It was seconded by Member Mennella. All in favor. Motion carried.

The meeting adjourned at 7:34 p.m.

Respectfully Submitted,

*Lisa M Manzo*

Lisa M. Manzo  
Zoning Board of Appeals Secretary