

ZONING BOARD OF APPEALS
MINUTES OF NOVEMBER 3, 2021 – 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, Kathy Mennella, Frank Grieshamer, Rhonda Santana, Jenny Corral, Chairman Mark Cwik, Lisa Manzo (Secretary), Peter Murphy (Village Attorney), John Schneider (Dir of Community Development), Nick Walny (Village Planner), Rudy Repa (Village Planner) and Ryan Adriatico (Village Planner). Absent: Wayne Bernacki.
3. Member Grieshamer made a motion to accept the minutes of October 6, 2021. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: ZBA 21-12
The Car Nuts LLC – Peter Spizziri
9300 Grand Avenue
12-27-301-010, 011-0000, 12-27-123-086, 153-0000

Chairman Cwik stated that staff requests that this hearing for a Conditional Use for “automobile repair” in the I-2 General Industrial District per Section 9-6B-3 of the Franklin Park Zoning Code be removed from the agenda at this time. Chairman Cwik stated that Mr. Spizziri withdrew his application for the special use at this time. Member Grieshamer made a motion to remove ZBA 21-12 from the agenda. The motion was seconded by Member Mennella and the motion was carried.

5. New Business: ZBA 21-16
Map Amendment - Village of Franklin Park
9500 W. Belmont Avenue

Chairman Cwik stated that this hearing is for a Map Amendment to the boundary lines of the DT-2 Downtown Mix District to zone and include the property commonly known as 9800 Franklin Avenue.

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

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Mr. Walny gave his presentation at this time. He stated that the Village acquired 9800 Franklin by the Cook County Land Bank. They wish to apply for a map amendment to re-zone the subject property within the DT-2 Downtown Mix district to be compatible with the surrounding land uses and zoning districts.

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 7:04 p.m.

There was minimal discussion regarding this hearing. The members thought it was cut and dry and made sense for the surrounding districts.

Board Discussion ended at 7:06 p.m.

Member Grieshamer made a motion to “approve ZBA 21-16 for a Map Amendment to the boundary lines of the DT-2 Downtown Mix District to zone and include the property commonly known as 9800 Franklin Avenue. Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Absent; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Six (6) Ayes, Zero (0) Nays, One (1) 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 21-17
Auto Pal Inc.
9211 Cherry
12-27-123-064-0000

Chairman Cwik stated that this hearing is for a Conditional Use for a “automotive repair” in the I-1 Restricted Industrial District per Section 9-6A-3 of the Franklin Park Zoning Code.

Chairman Cwik called the petitioners up at this time. He asked the petitioners to sign in and be sworn in. Mr. Chris Logisz and Mr. Jalal Nasir, petitioners, came forward. They signed in and were sworn in.

Mr. Logisz began the presentation at this time. He stated that he has purchased the property and intends to use it as a small, light auto repair business. He does not intend to tow vehicles at this property as he does have a contract with AAA Tow Truck. That portion of the business will be housed at their Glenview location, not Franklin Park. He stated that there will be no auto body work nor auto sales at this location. They will not store parts outside.

Member Mennella asked what the hours of operation will be. Mr. Logisz stated that they intend to operate Monday through Friday from 8 a.m. to 6 p.m. and Saturday from 8 a.m. to 2 p.m.

Mr. Logisz stated that they have room for approximately two (2) to three (3) service bays as well.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated anyone wishing to come forward to please sign in, state your name and be sworn in for the record. Public session began at 7:18 p.m.

Ms. Marian Hernandez of 9202 Cherry and Ms. Imelda Navarrete of 9208 Cherry came forward. They signed in and were sworn in. Ms. Hernandez handed two letters from their landlord for the properties to ensure that they could speak on this subject this evening. The letters were entered into the record as Exhibit A. Ms. Hernandez expressed their concerns at this time. She stated that they are concerned about parking in front of the property as well as an influx of traffic to the area. She was concerned

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about the hours of operation. She was inquiring about obtaining a speed limit sign as well as a resident parking only sign, as she has small children and was concerned about their safety.

Chairman Cwik thanked them for their input and their testimony. Chairman Cwik asked Mr. Vonesh, Code Enforcement Officer for the Village for his input from the Building Department perspective. He stated that as long as it is auto repair and not towing and restrictions are put into place to ensure that it shouldn't be a detriment. He also stated that the property owners must also make sure that the property is in compliance with any and all violations from their pre-sale inspection before a certificate of occupancy and business license are issued.

Peter Murphy, Village Attorney stated the same and also that there be no towing to the property and to regulate this would be a matter of enforcement by the Village departments. Mr. Walny also interjected that the list of violations would need to be remedied prior to an occupancy and business license being issued.

Public session ended and Board Discussion began at 7:30 p.m.

The members discussed the conditions at this time. They re-called the petitioner back up to address more questions from the members. Mr. Logisz came forward at this time. Chairman Cwik asked again if there would be any towing services conducted at the Franklin Park location. Mr. Logisz stated that there will be no towing services conducted whatsoever. He stated that they do not impound cars, there will be no parking on the streets, 90% of the trucks go home with their drivers from the Glenview location. He also stated that they are not a possession company.

Chairman Cwik also alerted the petitioners that if the property was purchased and there was an outstanding list of violations, that the list would have to be rectified along with any and all other violations that may be found on the occupancy inspection that would be conducted before an occupancy certificate and a business license would be issued.

Board Discussion ended at 7:36 p.m.

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Member Grieshamer made a motion to “approve ZBA 21-17 for 9211 Cherry for a Conditional Use for a “automotive repair” in the I-1 Restricted Industrial District per Section 9-6A-3 of the Franklin Park Zoning Code with the following conditions: 1. That all operations related to this use shall only be conducted within the primary structure; 2. That no outdoor storage of motor vehicles in disrepair shall take place on-site or in the public right of way; 3. That motor vehicles sales do not occur on the premises as part of business operations; 4. That the fenced-in area to the south if repaved and striped according to the submitted parking plan; 5. That the towing of vehicles seeking automobile repair services is only completed by third party relocation businesses; 6. That impounding and recovery of vehicles does not take place anywhere on the site or on Village right of way; 7. That all code violations identified on the pre-sale inspection are rectified prior to occupancy; 8. That this proposed use complies with all Village regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Absent; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Six (6) Ayes, Zero (0) Nays, One (1) 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 21-18
Ardien's
10211 Grand Avenue
12-28-300-029-0000

Chairman Cwik stated that this hearing is for a Conditional Use for a “banquet hall” in the C-2-1 Community Shopping District per Section 9-5B-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. Ms. Neidra Massie-Brown, petitioner, came forward. She signed in and was sworn in.

Ms. Massie-Brown began her presentation at this time. She stated that her intentions are to open up a banquet hall with an elegant atmosphere at an affordable price. Types of events included but not limited to would be banquets, baby showers, bridal showers, bar mitzvahs, birthday parties, etc. She continued that they will have the capacity to seat 100 guests with space for a dance floor. They will have the flexibility of catering their own food, access to warming chaffers with food table setup along with a cash bar, state of the art plug and play for D.J. setup that includes the use of speakers provided by Ardien's.

Chairman Cwik brought up that the food that will be catered and how and if the village can regulate that for licensing and sanitation.

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 7:46 p.m.

The members discussed the hearing at this time. They discussed that other entities in the Village that have services such as these, let the customers cater their own food in and haven't had issue. The condition should stipulate that the business shall follow all village codes and regulations.

Board Discussion ended at 7:52 p.m.

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Member Grieshamer made a motion to “approve ZBA 21-18 for the property located at 10211 Grand for a Conditional Use for a “banquet hall” in the C-2-1 Community Shopping District per Section 9-5B-3 of the Franklin Park Zoning Code with the following condition: that this proposed use complies with all Village regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Absent; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Six (6) Ayes, Zero (0) Nays, One (1) 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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8. New Business: ZBA 21-19
A+ Nail School
10231 Grand Avenue
12-28-300-029-0000

Chairman Cwik stated that this hearing is for a Conditional Use for a “commercial school” in the C-2 Community Shopping District per Sections 9-5B-3 of the Franklin Park Zoning Code.

Chairman Cwik called the petitioners up at this time. He asked the petitioners to sign in and be sworn in. Ms Eunyoung (Eunice) Mun, and Mr. Joshua Chou, came forward. They signed in and were sworn in.

Mr. Chou began the presentation by stating that Ms. Mun would like to open up a nail technician school. The school is accredited by the State of Illinois and they have been in business since 2004. She has had a nail school in the City of Chicago prior to this new location. She would like to move her school to Franklin Park to expand her business and obtain more students. The new location would be larger and attract not only more students but various vendors that will test out new products and skills to her students. Mr. Chou stated that the students can create their own schedule and that there will only be 13 desks in the spaces as of now per shift. He continued that the two school shift time spaces would be from 10 a.m. to 2 p.m. and from 2 p.m. to 6 p.m.

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 8:04 p.m.

The members discussed the hearing at this time. They made mention if there would be enough parking spaces for the school, especially if they would expand the student population. Mr. Adriatico stated that there would be more than enough parking due to the expansiveness of the shopping mall. Mr. Vonesh added that the fire prevention bureau would post a sign in the space with the appropriate occupancy load for the business.

Board Discussion ended at 8:06 p.m.

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Member Grieshamer made a motion to “approve ZBA 21-19 for the property commonly known as 10231 Grand for a Conditional Use for a “commercial school” in the C-2 Community Shopping District per Sections 9-5B-3 of the Franklin Park Zoning Code with the following condition: that this proposed use complies with all Village regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Absent; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Zero (0) Nays, Six (6) Ayes, One (1) 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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9. New Business: ZBA 21-20

Text Amendment - Village of Franklin Park
9500 W. Belmont Avenue

Chairman Cwik stated that this hearing is for a Text Amendment to Section 9-6B-9(b)(7)(a) 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. Nick Walny, came forward. He signed in and was sworn in.

Mr. Walny stated that the hearing this evening is amend to provide the appropriate minimum parking standards for industrial adult-use cannabis facilities within the I-2 Industrial District west of Mannheim Road. The current code is too restrictive, so by loosening the parking standard will mirror other municipalities and make the standard more adequate to the user.

The change would be to add to Section 9-6B-9(b)(7)(a) the following provision: Parking requirements shall be one (1) parking space for each two (2) employees, plus one (1) parking space for each vehicle used in the conduct of the enterprise.

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 8:10 p.m.

The members discussed the hearing at this time. They made mention that changing the parking standards and making it more stream line makes sense in this case.

Board Discussion ended at 8:12 p.m.

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Member Grieshamer made a motion to “approve ZBA 21-20 for a Text Amendment to Section 9-6B-9(b)(7)(a) of the Franklin Park Zoning Code.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Absent; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Zero (0) Nays, Six (6) Ayes, One (1) 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.

10. Public Comment: None.

11. 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 8:16 p.m.

Respectfully Submitted,

Lisa M Manzo

Lisa M. Manzo
Zoning Board of Appeals Secretary