

**ZONING BOARD OF APPEALS**  
**MINUTES OF OCTOBER 5, 2022 – 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. Rhonda Santana, Bruce Boreson. Kathy Mennella, Frank Grieshamer, Jenny Corral, Wayne Bernacki, Chairman Mark Cwik, Rudolph Repa (Secretary), Ryan Morton (Village Attorney), Ryan Adriatico (Village Planner). All members were present.
3. Member Grieshamer made a motion to accept the minutes of September 5, 2022. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: None
5. New Business: ZBA 22-16  
Village of Franklin Park  
9500 W Belmont Avenue

Chairman Cwik stated that this hearing is for the discussion, consideration and adoption of a text amendment to sections 2.3, 9.3, 10.3, and tables 9-1 and 10-1 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. Ryan Adriatico, a village planner for the Village of Franklin Park, came forward. He signed in and was sworn in.

Mr. Adriatico began his power point presentation at this time. He stated that the amendments will clarify and enhance the existing Village Zoning code. Updated sections in the text amendment included definitions for pools or permanent water features, massage establishments, setbacks, and yards; use standards for adult-use cannabis dispensing organizations; massage establishments as a conditional use in the C-3 General Commercial District; and accessory structure standards for fences and permanent water features.

Mr. Adriatico continued stating the amendments to the Zoning Code are intended to address omissions or errors, changed conditions, or changes in Village policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party.

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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 7:08 p.m.

There was some discussion regarding this hearing. The members discussed several of the proposed sections in the text amendment, starting and ending in the order in which the sections were presented.

Regarding the section on pools or permanent water features, members discussed the proposed requirement that any pool be enclosed by a 4ft tall fence, rather than a 6ft tall fence. Ryan Adriatico confirmed that a 4ft tall fence enclosing a pool was required under the previous Village zoning code. Village Attorney Ryan Mortan confirmed that a 4ft tall fence enclosing a pool is required as per the 2015 International building code, which is used by the Village Building Department.

Regarding massage establishments, members briefly discussed the importance of the inclusion of the massage establishments as a prohibited use. Ryan Adriatico confirmed that massage establishments were a prohibited use under the previous Village zoning code.

Regarding cannabis dispensing organizations, members discussed a variety of topics related to industrial and retail cannabis businesses. Ryan Adriatico confirmed that cannabis dispensing organizations are allowed as a conditional use in the C-3 District west of Mannheim Rd., the same as under the previous Village zoning code. Additionally, members discussed the changes to signage and operating hours for cannabis dispensing organizations. Ryan Mortan clarified that Illinois State statues apply to cannabis dispensing organizations and that signage cannot appeal to children or minors.

Regarding setbacks in the corner-side and rear yards, members discussed the effects of the proposed setback changes involving permitted fence heights. Chairman Cwik and other board members showed concern regarding 6ft tall fences being too tall near the alley, causing potential conflicts between vehicles and pedestrians. Ryan Adriatico expressed concern that only permitting 4ft tall fences would create many non-conformities throughout the Village.

Board Discussion ended at 7:32 p.m.

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Member Grieshamer made a motion to “approve ZBA 22-16 for a text amendment to sections 2.3, 9.2, 9.3, 10.3, 10.4 and tables 9-1 and 10-1 of the Village of Franklin Park Zoning Code regarding definitions for pools or permanent water features, massage establishments, setbacks, and yards; use standards for adult-use cannabis dispensing organizations; massage establishments as a conditional use in the C-3 General Commercial District; and accessory structure standards for fences and permanent water features; with exception to section 10.3.G2 regarding Fence, Wall, and Hedge Height in Residential Districts”

Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Yes; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-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.

6. Public Comment: None.

7. 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 7:39 p.m.

Respectfully Submitted,

*Rudolph Repa*

Rudolph Repa  
Planner on behalf of Lisa Manzo, Zoning Board of Appeals Secretary