

**ZONING BOARD OF APPEALS**  
**MINUTES OF FEBRUARY 1, 2023 – 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, Kathy Mennella, Jenny Corral, Wayne Bernacki, Bruce Boreson, Frank Grieshamer, Chairman Mark Cwik, Lisa Manzo (Secretary), Ryan Morton (Village Attorney), Rudy Repa (Village Planner) and Ryan Adriatico (Village Planner). All members were present.
3. Member Grieshamer made a motion to accept the minutes of January 4, 2023. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: None
5. New Business: ZBA 22-19  
Text Amendment  
Village of Franklin Park

Chairman Cwik stated that this hearing is for a Text Amendment to Section 9-10-3(G)(2) of the Village of Franklin Park Zoning Code regarding accessory structure standards for fences, hedges and walls in residential districts.

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

Mr. Adriatico gave his presentation at this time. He stated that this amendment will revert regulations to match previous requirements, minimizing nonconforming fences throughout the Village ahead of the incoming construction season. Additions to the code are highlighted in yellow within the members packets and the deletions are struck through. He continued that the proposed amendment reverts setback standards to match what was done within the Village prior to the adoption of the new zoning ordinance. Rather than the rear setback being bound by the corner side yard, it will extend the full width of the lot. The current definition establishes that the corner side setback extends all the way to the rear lot line as opposed to ending at the rear façade of the principal building. This proposal will minimize the creation of nonconforming structures and maintain the character of the Village's residential districts.

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In conclusion, Mr. Adriatico stated that staff finds that this proposed Text Amendment provides the appropriate regulations regarding fences, walls, and hedges. The proposed amendment will equip staff with more tools to properly enforce the zoning ordinance in a manner that minimizes the potential for the non conformance on existing properties.

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 concur that it would be beneficial to have these rules put in place.

Board Discussion ended at 7:06 p.m.

Member Grieshamer made a motion to “approve ZBA 22-19 for a Text Amendment to Section 9-10-3(G)(2) of the Village of Franklin Park Zoning Code regarding accessory structure standards for fences, hedges and walls 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.

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6. New Business: ZBA 23-01  
Text Amendment  
Village of Franklin Park

Chairman Cwik stated that this hearing is for a Text Amendment to Sections 2.3 and 9.1 of the Village of Franklin Park Zoning Code regarding definitions of Mobile Food Vendor or Dispenser and Food Trucks, and the specific prohibition of Food Trucks as a use in the Village.

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

Mr. Repa gave his presentation at this time. Mr. Repa began with stating that this hearing for a text amendment to the Village's Zoning Code. It will touch upon Section 2.3 regarding definitions of Mobile Food Vendor or Dispenser and Food Trucks along with Section 9.1 regarding the specific prohibition of Food Trucks as a use in the Village.

Mr. Repa continued that the deletions and additions will be highlighted in yellow and struck through in certain sections that are within the members zoning packets. He stated that as mobile food vendors have become more prevalent over time, Village staff has observed that food truck operations can have a negative impact on the health and welfare of the community. In order to operate, food trucks must idle their engines which emits polluting fumes into the air and creates a noise nuisance for nearby residents. Moreover, given their mobile operations, food trucks do not have a permanent water connection, electricity hook up or waste disposal facilities. Food Trucks also occupy parking spots which could otherwise be allocated for local businesses.

The proposed amendment would prohibit Food Trucks throughout the Village in most situations and would provide clarity to ensure that non food truck operations, such as ice cream vans are still allowed to operate.

Mr. Repa concluded by saying that staff finds that the proposed Text Amendment provides improved clarity and appropriate regulations regarding the subject principal uses and definitions. The proposed amendment will equip staff with more tools to

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properly enforce the zoning ordinance in a manner that builds toward the goals and objectives of the Village's Comprehensive Plan while minimizing the potential for nonconformance on existing properties.

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.

There was minimal discussion regarding this hearing. The evidence was discussed and the Board concurred with the presentation.

Board Discussion ended at 7:14 p.m.

Member Grieshamer made a motion to “approve ZBA 23-01 for a Text Amendment to Sections 2.3 and 9.1 of the Village of Franklin Park Zoning Code regarding definitions of Mobile Food Vendor or Dispenser and Food Trucks, and the specific prohibition of Food Trucks as a use in the Village.” 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.

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7. Public Comment: None.
8. A motion was made by Member Griashamer 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 7:16 p.m.

Respectfully Submitted,

*Lisa M Manzo*

Lisa M. Manzo  
Zoning Board of Appeals Secretary