

ZONING BOARD OF APPEALS
MINUTES OF MARCH 13, 2013 – 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. Marzena Szubart, Kathy Mennella, Bruce Boreson, Chairman Mark Cwik and Frank Grieshamer, Lisa Manzo (Secretary), Village Attorney Matt Welch, John Schneider (Director of Community Development) and Patrick Ainsworth (Planner). Absent: Aaron Jimenez and Gil Snyder.
3. Member Grieshamer made a motion to accept the minutes of February 13, 2013. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: ZBA 13-02
Antonio Ramirez & Roxana Ventura
La Mexicana Produce
3019 Rose Street
12-27-106-015, 016, 017, 018, 019-0000

Chairman Cwik stated that this continued hearing is for a Conditional Use for the operation of a restaurant per Section 9-5B-3 of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all department reports, memos, reports, answers to the standards new parking plan and any new reports, information and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner(s) up at this time. He asked if they can sign in and be sworn in. Mr. Joseph Garcia, attorney, Mr. Antonio Ramirez, petitioner, Mr. Filemon Ventura, translator for petitioner, and Mr. Ray Hazemi, property owner, came forward. They signed in and were sworn in.

Mr. Garcia gave a brief presentation on this continued hearing and discussed the updated, new parking plan as presented to the members.

Member Grieshamer asked Mr. Hazemi if he will agree to erect an eight (8) foot privacy fence at the rear of the property. Mr. Hazemi agreed. Member Grieshamer further questioned Mr. Hazemi if there is an agreement with any other person or company to rent parking spaces on the property. Mr. Hazemi stated that there is no agreement with any other person or company.

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Member Grieshamer asked if there is a dumpster enclosure on the property. Mr. Hazemi stated that there is a space for a dumpster; however it is just a slab with no enclosure. Member Grieshamer asked if the property owner has issue with enclosing the dumpster, as it is per the code. Mr. Hazemi stated that he has no problem with enclosing the dumpster.

The members discussed the lighting on the property and asked Mr. Hazemi how the lot will be lit. Mr. Hazemi stated that there are two (2) light poles and the lighting will face the property, not the neighbors.

Member Mennella asked what the hours of operation will be for the prospective business. Mr. Garcia stated that the hours will be from Monday through Friday, 8:00 a.m. to 8:00 p.m. and Saturdays and Sundays from 7:00 a.m. to 8:00 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 7:11 p.m.

The members discussed this hearing and also discussed the use of the drive-thru window. The members also discussed any conditions that they wish to place on this particular case.

Board Discussion ended at 7:13 p.m.

Member Grieshamer made a motion to “approve ZBA 13-02 for 3019 Rose Street, for the operation of a restaurant per Section 9-5B-3 of the Franklin Park Zoning Code with the following conditions: 1. that the property is improved with a solid, privacy fence along the eastern property boundary to block any headlight pollution entering the adjacent residential zoning district within 90 days of being issued a Certificate of Occupancy; 2. that the petitioner cannot operate the drive-thru window unless a future application(s) is/are submitted with the Zoning Board of Appeals requesting such permission and; 3. that the use of the property complies with all other codes and ordinances of the Village of Franklin Park.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Five (5) Ayes, Zero (0) Nays, Two (2) Absent, Zero (0) Abstain. The motion was carried.

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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.

5. New Business: ZBA 13-03

Debbie Wisowaty- St. Paul's Church of Franklin Park
3333 Atlantic Street
12-21-414-027-0000

Chairman Cwik stated that this hearing is for a Subdivision for the property commonly known as 3333 Atlantic Street, in the R-2 Single Family Zoning District as per Section 10-1 and 10-2 of the Franklin Park Village Code.

Member Grieshamer made a motion to enter in any and all department reports, memos, reports, answers to the standards and any new reports, information and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked if he can sign in and be sworn in. Mr. John Grier, attorney for the petitioner, came forward. He signed in and was sworn in.

Mr. Grier gave a brief presentation to the members stating that they are requesting this subdivision to create a "sell-able" lot. He further stated that his client would like to re-subdivide this property from one parcel to two parcels in order to sell the property at 3333 Atlantic. He further explained that the original lot size was 23,941.5 square feet and that this particular lot is being re-subdivided into two (2) smaller lots. Lot 1 is the vacant portion of the lot and will be 16,004.7 square feet and Lot 2 is currently improved with the residential property of 3333 Atlantic Street, which will be 7,936.9 square feet.

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 7:21 p.m.

The members discussed the case at this time and reviewed all the paperwork in the packets.

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Board Discussion ended at 7:22 p.m.

Member Grieashamer made a motion to “approve ZBA 13-03, for a Subdivision for the property commonly known as 3333 Atlantic Street, in the R-2 Single Family Zoning District, as shown in the St. Paul’s United Church of Christ Re-subdivision dated December 6, 2012, as per Section 10-1 and 10-2 of the Franklin Park Village Code.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Chairman Cwik-Yes; Member Grieashamer-Yes. Five (5) Ayes, Zero (0) Nays, Two (2) 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 03-04

Nick Cosentino – “All Star Wings”
9507 Grand Avenue
12-27-300-019-0000

Chairman Cwik stated that this hearing is for a Conditional Use for the operation of a restaurant per Section 9-5B-3 of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all department reports, memos, reports, answers to the standards and any new reports, information and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner(s) up at this time. He asked if they can sign in and be sworn in. Mr. John Cassidy, petitioner, Mr. Nick Cosentino, petitioner, and Mr. Rick Heidner, building owner, came forward. They signed in and were sworn in.

Mr. Cassidy gave a brief presentation on this hearing and discussed their prospective new business. He stated that this will be a sports themed restaurant specializing in the sale of wings in a variety of flavors. They will also have burgers, chicken sandwiches, beef, sausage and various fries and appetizers. They will have flat screen televisions and surround sound for all the ball games and sporting events.

Member Grieshamer asked how many tables will there be for customer seating. Mr. Cassidy replied that there will be approximately six (6) to eight (8) tables.

Member Mennella asked what the hours of operation will be. Mr. Cassidy stated that the hours will be Monday through Thursday from 10:30n a.m. to 11:00 p.m., Friday and Saturdays from 10:30 a.m. to Midnight, and Sundays from 11:00 a.m. to 10:00 p.m.

Member Grieshamer asked if they plan to have a bar in the restaurant. Mr. Cosentino replied that there will be no bar, just a restaurant.

The members discussed the parking for the new restaurant and by looking at the plat of survey, parking is adequate for the business.

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

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Board Discussion began at 7:30 p.m.

The members further discussed parking at the property and the number of spaces they will have. The members discussed placing conditions on this hearing.

Board Discussion ended at 7:32 p.m.

Member Grieshamer made a motion to “approve ZBA 13-04, for 9507 Grand, for a Conditional Use for the operation of a restaurant per Section 9-5B-3 of the Franklin Park Zoning Code with the following conditions: 1. that all employees park on the property and off the street; 2. that this proposed use complies with all applicable regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Five (5) Ayes, Zero (0) Nays, Two (2) 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.

7. Old Business: None.

8. Public Comment: None.

9. 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 7:38 p.m.

Respectfully Submitted,

Lisa M. Manzo
Secretary