

**ZONING BOARD OF APPEALS  
MINUTES OF JULY 10, 2013 – 7:00 P.M.**

**APPROVED**

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, and Gil Snyder, Chairman Mark Cwik and Frank Grieshamer, Eric Richard (Secretary), Village Attorney Matt Welch, John Schneider (Director of Community Development) and Patrick Ainsworth (Planner). Absent: Aaron Jimenez.
3. Member Grieshamer made a motion to accept the minutes of Special Meeting of June 5, 2013 and for Regular Meeting of June 12, 2013. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. New Business: ZBA 13-11  
Chhitubhai Patel & Jan “John” Czaicki  
9901 Pacific Avenue  
12-21-417-044-0000

Chairman Cwik stated that this hearing is for a Conditional Use for the operation of a Paper and Wood Products Manufacturing per 9-5D-3 of the Franklin Park Zoning Code.

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

Chairman Cwik called the petitioners up at this time. He asked if they can sign in and be sworn in. Mr. Chhitubhai Patel, property owner, Mr. Yogesh “Yogi” Patel, property representative, Mr. Jan “John” Czaicki, petitioner, and John Czaicki, petitioner’s son, came forward. They signed in and were sworn in.

Mr. Yogesh “Yogi” Patel gave a brief presentation on the property and the petitioner with his proposed business. The petitioner is looking to move a “paper wood products manufacturing/furniture manufacturing repair” into half of the 9901 Pacific Avenue property as shown on the drawing attached to the packet dated April 25, 2013.

He mentioned that his company, Pulsar, is no longer in business and is looking to rent out the building to a new business. Mr. John Czaicki, petitioner’s son,

mentioned that this potential company will have two to three employees with one to two company vehicles associated with this potential business.

Details of the operations include: all work will be done either inside or on the job site, there will be no chemicals and painting done at this property and that the majority of the tools are hand tools. Mr. Czaicki also mentioned all associated vehicles will park on-site.

Member Boreson asked if there will be customers coming to the site and what type of equipment will be used at this facility. Mr. Czaicki mentioned that there will be no customers visiting this property. Mr. Czaicki mentioned that there will be an air compressor, a bender machine and a lot of hand tools.

Member Grieshamer asked about the type of products and chemicals stored on-site, the exhaust system/ventilation system in the building and if there is a dumpster enclosure on the property. Mr. Patel mentioned that there is/will be a ventilation system in the building. Mr. John Czaicki mentioned that there will be no chemicals and that the business will be using water based glues. Mr. Yogesh "Yogi" Patel mentioned that there is not a trash enclosure on the property at this time

Member Grieshamer mentioned that the petitioner is looking to rent only half the building at this time and asked about the other half of the building.

Mr. Yogesh "Yogi" Patel mentioned that there is another tenant in the other half, but that tenant is leaving very soon. Mr. Patel also mentioned that this tenant was trying to buy this building, but that deal fell through.

Chairman Cwik asked about the vehicles that are currently parked on this property. Mr. Yogesh "Yogi" Patel mentioned that they are the current tenant and that he will tow them if necessary.

Member Grieshamer asked about the terms of the lease. Mr. Yogesh "Yogi" Patel mentioned that the lease will be for one year.

Chairman Cwik asked Mr. Yogesh "Yogi" Patel if he still has his company, Pulsar, operating out of this property. Mr. Yogesh, "Yogi" Patel stated that he does still have an office in the front of the building where he and his father come in to check emails and monitor the property. Pulsar still has an active Certificate of Occupancy for this address.

Member Boreson asked what type of hours of operation this business will have and if they plan on add any lighting to the outside of this property. Mr. John Czaicki mentioned that there the hours will be from 8 a.m. to 5 p.m.; he added that he will not add any additional lighting to the outside of the property.

Chairman Cwik mentioned that this building needs to be brought up to compliance. Mr. Yogesh “Yogi” Patel acknowledged that he needs to bring this up to compliance including the sprinkler system. Mr. Patel mentioned that he has been working with staff to get this building up to code. Mr. John Schneider talked about the importance of getting this property in compliance and how that ties in with the timeline to properly have this business start operating. Mr. Schneider stated that until the existing tenant is moved out and that that the building be brought up to all pertinent codes including a new sprinkler system, there will be no Certificate of Occupancy will be issued for any business. He added that the potential business cannot move in machinery and other items until a Certificate of Occupancy is issued by the Village of Franklin Park. Mr. Matt Welch mentioned that the Zoning Department, the Building Department and all other pertinent Village Departments will work with the property owner and the business owner, according to Village Code, to get this property in compliance and then follow the steps to properly issue a Certificate of Occupancy.

Chairman Cwik asked for a motion to open this hearing to the public. Member Grieshamer made a motion to open this hearing to the public. It was seconded by Member Mennella. All voted yes, motion carried. Chairman Cwik asked if anyone from the public would like to come forward at this time.

Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:20 p.m.

The members discussed this hearing and discussed the use and the property. The members also discussed several topics including: the building improvements needed, the compliance issues, how to address the violations of this building and any conditions that they are looking to place on this particular case. The members had a couple of more questions for the applicants.

Board Discussion ended at 7:27p.m and asked the applicants to come back up.

Chairman Cwik asked about the existing tenant and how long it will take to move them out. Mr. Yogesh “Yogi” Patel mentioned that he told the existing tenant on Friday, July 5, 2013 that they have to vacate the property in a timely manner. A



discussion took place on the occupancy and the timeline of potentially moving this new business in their facility. A discussion took place on deliveries on the size of truck and the frequency of deliveries.

Board Discussion began at 7:32 p.m.

The members discussed about getting this building in compliance and how that relates with all other Village Departments.

Board Discussion ended at 7:47 p.m.

Member Grieshamer made a motion to “approve ZBA 13-10 for 9901 Pacific Avenue, for the operation of a Paper and Wood Products Manufacturing per 9-5D-3 of the Franklin Park Zoning Code with the following conditions: 1. that the applicant only occupy the portion of the building as shown in the Plat of Survey/Site Plan dated April, 25, 2013 and if the petitioner plans to expand to the rest of the building, then they must come before the Zoning Board of Appeals; 2. that all parking associated with this business remain on the property at all times; 3. that the property owner provide a certificate that this petitioner have three reserved spots on the off-street parking lot; 4. that all operations and storage takes place inside the building; 5. that all signs indicating that any cars will be towed next to the Village parkway be removed. Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Snyder –Yes; Member Mennella-Yes; Member Boreson-No; Chairman Cwik-Yes; Member Grieshamer-Yes. Five (5) Ayes, One (1) 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.

5. ZBA 13-12  
Scott Flynn & Al Uscinski  
11142 Addison Street  
12-20-300-069-0000

Chairman Cwik stated that this hearing is for a Conditional Use for the operations of a “Garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding and Other manufacturing, processing, storage or commercial uses” per 9-6B-3 of the Franklin Park Zoning Code.

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

Chairman Cwik called the petitioners up at this time. He asked if they can sign in and be sworn in. Mr. Scott Flynn, petitioner, and Al Uscinski, petitioner, came forward. They signed in and were sworn in.

Mr. Scott Flynn and Mr. Al Uscinski gave a brief presentation on the property and the petitioner with his proposed business. The petitioner is looking to move a “Garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding and Other manufacturing, processing, storage or commercial uses” into 11142 Addison Street. Their particular company caters to racing vehicles and they will work on aspects of cars including: custom part fabrication to race car part installation.

Chairman Cwik asked how many employees will be employed at this location and the hours of operation. Mr. Flynn mentioned that there will be six employees at this site and the hours will range from 7 a.m. to 6 p.m. Monday through Friday and 7 a.m. to 4 p.m. on Saturday.

Member Grieshamer asked about the specifics of their vehicle operations and background. Mr. Flynn mentioned that they will be refurbishing vehicles which range in amount of time needed to fix each vehicle. The time can range from one hour to over a month. He added that their business will manufacture custom parts for any vehicle as needed, but no hazardous chemicals and paints will be used at this location. Currently, all of the cars being worked on are all stored inside.

There will be no vehicles sales conducted on this site.



## ZONING BOARD OF APPEALS MINUTES OF JULY 10, 2013

---

Chairman Cwik asked for a motion to open this hearing to the public. Member Grieshamer made a motion to open this hearing to the public. It was seconded by Member Mennella. All voted yes, motion carried. Chairman Cwik asked if anyone from the public would like to come forward at this time.

Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:58 p.m.

The members discussed this hearing and discussed the use and the property. The members also discussed any conditions that they wish to place on this particular case.

Board Discussion ended at 7:59 p.m.

Member Grieshamer made a motion to “approve ZBA 13-12 for 11142 Addison Street, for the operation of a Garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding and Other manufacturing, processing, storage or commercial uses per 9-6B-3 of the Franklin Park Zoning Code with the following conditions: 1.that all storage and work being done any vehicle be conducted completely inside of the building; 2. that all parking associated with this business remain on the property at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Snyder –Yes; Member Boreson-Yes; Chairman Cwik-Yes; Member Grieshamer-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.

6. ZBA 13-13  
Steven D. Smith  
9333 – 9377 W Grand Avenue  
12-27-302-005-0000, 12-27-302-007-0000,  
12-27-302-008-0000, 12-27-302-012-0000,  
12-27-302-014-0000 & 12-27-302-015-0000

Chairman Cwik stated that this hearing is for a variance to reduce the west side yard setback from 5' (five feet) to 2' (two feet) and to reduce the rear yard setback from 24' (twenty-four feet) to 0' (zero feet) per 9-6B-5 of the Franklin Park Zoning Code at 9333-9377 W Grand Avenue located in the I-2 General Industry Zoning District per section 9-6B-5 of the Franklin Park Zoning Code.

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

Chairman Cwik called the petitioners up at this time. The Chairman asked if they can sign in and be sworn in. Mr. Steven Smith, petitioner Mr. Bernard Citron, representative for petitioner, and Mr. Neil Sheehan, architect for petitioner, came forward. They signed in and were sworn in.

Mr. Bernard Citron introduced the application and the reason as to why they are requesting the variance. He mentioned that the part of the property that needs a variance, 9355 W Grand Avenue, was built in the 1960s which predated the current Franklin Park Zoning Code and leads to the pre-existing, legal non-conforming condition.

Mr. Steven Smith came up and talked about the company and the proposed improvements to the property.

Mr. Neil Sheehan came forward and talked about the proposed improvement to all the buildings including the exterior skin improvement which results in the need for the variance. The material of the exterior skin is being improved and will potentially encroach 8 to 10 inches into the rear and side yard. This material is being used around the entire structure and not just these two sections of the building.

Chairman Cwik asked for a motion to open this hearing to the public. Member Grieshamer made a motion to open this hearing to the public. It was seconded by

Member Mennella. All voted yes, motion carried. Chairman Cwik asked if anyone from the public would like to come forward at this time.

Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 8:23 p.m.

The members discussed this hearing and discussed the use and the property. They also discussed the existing conditions and the properties and the potential improvements.

Board Discussion ended at 8:25 p.m.

Member Grieshamer made a motion to “approve ZBA 13-13 for a variance to reduce the west side yard setback from 5’ (five feet) to 2’ (two feet) and to reduce the rear yard setback from 24’ (twenty-four feet) to 0’ (zero feet) per 9-6B-5 of the Franklin Park Zoning Code at 9333-9377 W Grand Avenue located in the I-2 General Industry Zoning District per section 9-6B-5 of the Franklin Park Zoning Code”. Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-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.

7. OLD BUSINESS: None

8. PUBLIC COMMENT: None

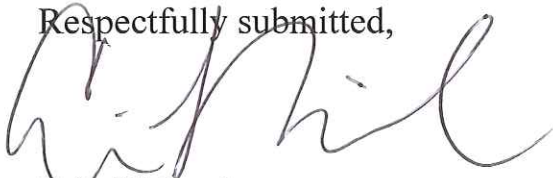


9. A motion was made by Member Griashamer to adjourn the meeting of the

Zoning Board of Appeals. It was seconded by Member Mennella. All in favor.  
Motion carried.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Richard", written in a cursive style.

Eric Richard

Assistant Village Planner/Acting Secretary