



VILLAGE OF NORRIDGE

4000 North Olcott Avenue • Norridge, Illinois 60706-1199
708/ 453-0800 FAX 708/ 453-9335
www.villageofnorridge.com
Zoning Board of Appeals

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VILLAGE TRUSTEE

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Janice J. Magnuson

SECRETARY

Allan J. Budnik

MEMBERS

Christian Giacalone

Christopher Miroslaw

Christopher O'Leary

Andrew Ronstadt

Richard Thompson

Zoning Board of Appeals Meeting Minutes Village of Norridge

The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois
Convened on the 7th day of October 2019, 7:00 P.M. at its regular meeting place,
4000 N. Olcott Avenue, Norridge, IL 60706

The meeting was called to order by Chairperson Magnuson and upon roll call the following named members answered present:

Roll Call: Present: Janice Magnuson, Chairperson
Richard Thompson, Member
Andy Ronstadt, Member
Christopher Miroslaw, Member
Christopher O'Leary, Member
Christian Giacalone, Member

Absent: Allan Budnik, Secretary

Also attending: Brian Gaseor, Village Engineer
Joan Cherry, Board Attorney
Cynthia Stifter, Court Reporter

MOTION - By Mr. Ronstadt, seconded by Mr. O'Leary that Mr. Miroslaw be appointed as Secretary pro-tempore. A voice vote was taken with no objections. **MOTION CARRIED**

Approval of Minutes - Motion

To approve the Board Minutes of September 9, 2019 was made by Mr. Ronstadt, seconded by Mr. O'Leary. A voice vote was taken with no objections. **MOTION CARRIED**

Update on Future Cases

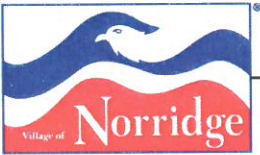
None

Hearing

The Chairperson opened the hearings reading the rules of the hearing and swearing in all present.

Case #636 - LEGAL NOTICE READ

NOTICE is hereby given that a public hearing will be held by the Zoning Board of Appeals on Monday, 7 October 2019, at 7:00 p.m. at the Village Hall, 4000 North Olcott Avenue, in the Village of Norridge, to consider a petition by the Village of Norridge, 4000 North Olcott Avenue, Norridge, Illinois, 60706, for a text amendment to Article IX "B-2" Restricted (Shopping Center) Business District pursuant to Article XV entitled "Administration" of the Village of



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Norridge Zoning Ordinance, so as to maintain its relevance to current land use and development patterns and trends, to encourage harmonious and integrated development in the Village and protect property values.

The topics to be addressed at the public hearing on the proposed text amendments to Article IX "B-2" Restricted (Shopping Center) Business District include, but may not be limited to the following:

- (1) Article IX - Section 2 - Required Conditions; Section 2.4 - to remove the "banking only" restriction on "drive-in" and "drive-through" special uses which are currently allowed only for banking establishments and allow other types of "drive-in" and "drive-through" retail and service uses as special uses in the B-2 Zoning District.
- (2) Article IX - Section 5 - Special Uses - to include the following proposed additional uses as special uses in the "B-2" Restricted (Shopping Center) Business District: Drive-In, Drive-Through Retail and Service Establishments.
- (3) Such other zoning amendments as may be determined to be appropriate as identified in the course of the public hearing.

All interested persons should attend and will be given an opportunity to be heard. If you have any questions please contact Brian Gaseor - Village Engineer at 708-453-0800 ext. 5757. The public hearing may be continued to a further date, time and place without additional notice.

Brian Gaseor presented on behalf of the Village of Norridge to petition the board to make a text amendment. The text amendment would remove "Bank Only" and allow any business to have a drive through.

Board Discussion

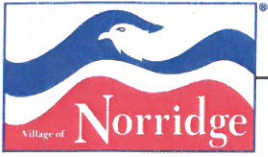
Mr. Ronstadt asked for clarity. He asked if this text amendment does not pass than the rest of the subsequent cases would not be heard.

Board Attorney Joan Cherry replied and stated he was correct.

Brian Gaseor provided a handout for the board's reference.

Visitors Comments:

Mary Szczech voiced concerns about fumes, however Chairperson Magnuson asked for her to hold her comments for the next case.



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Findings: -

- (a) That the existing uses of property within the general area of the property in question and their relationship to one another are compatible with the proposed additional uses and amendments in this district.
- (b) That the zoning classification of existing properties within the general area of this district and their relationship to one another are fully accommodated by the proposed additional uses and amendments in this district.
- (c) That existing properties are well suited in this district for the uses permitted under the existing zoning classification and for the proposed additional uses and amendments.
- (d) That the trend of development in this district, including changes, if any, which may have taken place since the day the existing properties in the district were placed in their present zoning classification is consistent with the proposed additional uses and amendments.
- (e) The proposed additional uses and amendments are designed to encourage redevelopment of property that has been vacant, underutilized or unutilized.
- (f) That the proposed amendment is reasonably necessary to the promotion of the public health, safety or general welfare of the Village.

Findings were read and nothing noted.

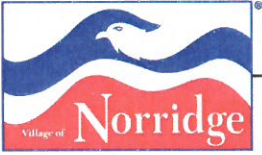
Motion: A motion was made by Mr. Thompson seconded by Mr. Giacalone to recommend to the Village Board to approve the text amendment.

A roll call vote was taken:

- Mr. Thompson – Yes
- Mr. Ronstadt – Yes
- Mr. Miroslaw – Yes
- Mr. O’Leary – Yes
- Mr. Giacalone – Yes
- Chairperson Magnuson - Yes

MOTION CARRIED.

The proposed change of the text of the Zoning Ordinance Article IX "B-2" Restricted (Shopping Center) Business District be and hereby is amended as follows:



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ARTICLE IX

"B-2" Restricted (Shopping Center) Business District

Section 2 – Required Conditions

Uses permitted in the B-2 District are subject to the following conditions:

2.4 - Establishments of the "drive-in" or "drive-through" type offering goods or services directly to customers waiting in parked motor vehicles are allowed only as a special use as set forth in this article below.

Section 5 – Special Use

The following is a special use in this zoning district and is subject to the conditions and requirements set forth in Article XV of this Zoning Ordinance for special uses:

Drive-In, Drive-Through Retail and Service Establishments.

Case Closed



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Case #637 - LEGAL NOTICE READ

Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals on Monday, October 7, 2019, at 7:00 P.M. at the Village Hall, 4000 N. Olcott Avenue in the Village of Norridge, to consider a petition requesting a Special Use under the requirements of Article IX – B-2 Restricted (Shopping Center), Business District, Section 5 – Special Use of the Zoning Ordinance of the Village of Norridge for the purpose of operating a drive-through only donut and coffee business on the following described property:

Lots 11, 12, 13, 14 IN BLOCK 1 IN CUMBERLAND AND LAWRENCE, BEING GEORGE GAUNTLETTS SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

The property is commonly known as 4914-4924 N. Cumberland Avenue, Norridge, IL

Architect Peter Parskis on behalf of the petitioner went through general items. Approximately a 600sf building, will be drive through only, presented the elevations, on property traffic pattern, entrance & egress, loading area, no baking to be done on premise, employee parking, landscaping, business hours 5 A.M.-10 P.M.

Mr. Ronstadt questioned that there was going to be no baking, no semi's for deliveries, and garbage pickup. The response from the petitioner was that there will be no baking done on site and deliveries will take place in off hours and they would use the secondary drive through lane. Also, garbage would be picked up twice a week but could be more if needed.

-No walk-up sales

-Lighting – Plans would be provided but there would be no light to spill over on adjacent properties.

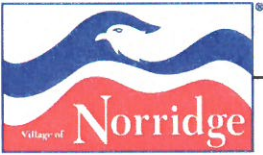
- Closed Hours Lighting – Lighting would remain on for security.

-Fence – All the way around property and 6' high. Showed a picture of what it will look like.

Mr. Thompson questioned how many garbage containers would be onsite. Answer was 1.

Chairperson Magnuson questioned if the garbage would be bagged and then deposited into the container. Answer was yes.

Chairperson Magnuson questioned the loudness of the intercom/speaker. Answer was that they have conducted tests before and can provide test results if needed. However, he also stated that the units have the ability to be adjusted as need.



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The board had a general discussion resulting in that the neighboring properties would be 26' plus a 16' alley and a 6' fence in-between away from the speaker/intercom.

Petitioner commented on that many people are using mobile apps now and not even using the ordering speaker/intercom to order anymore.

Chairperson Magnuson asked about landscaping along the rear fence line. Answer was use there will be along the entire rear and at least 2' off the fence of landscaping.

Mr. Thompson asked about snow removal. Answer was that all the snow would stay on the property and be put in the landscaping areas, and if needed would be melted or hauled off site.

Chairperson Magnuson asked about curb-cuts. Answer was they will deal with IDOT pending the zoning approvals.

Visitors Comments:

Resident Mary Szczech asked about the fence and location. Answer was a 6' high fence along the entire property and 6" off of the property rear property line / alley.

Resident Rose Marie Kingston asked about the location of the garbage. Answer was that it could be kept in a closed area on the property and there would be no access to the property/garbage from the alley.

Resident Dan Galuska wanted to verify the parking requirements. Brian Gaseor said they needed 4 and they have 5 spots, so they meet the requirement. He then asked about access from again, and Brian Gaseor stated that the only way to access the site is from Cumberland Avenue.

Mr. Ronstadt asked the board if there would be any conditions regarding this case. Joan answered that once approved the special use granted would be terminated upon any change to the business use or the business closing.

Resident Mary Szczech voiced concerns about vehicle fumes. Mr. Ronstadt replied that Cumberland Avenue is a very busy street and today's cars are held too much higher emissions standards.

Resident Alan Kita voiced his concerns regarding the possibility of more U-turns on Cumberland. Brian Gaseor stated that it is something IDOT will look at when they get further along. Alan Kita also asked for more information regarding the signage. Petitioner explained that it will be 14'.



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Findings: -

- (a) The proposed special use will be in harmony with the general and specific purposes for which this Zoning Ordinance was enacted and for which the regulations of the district in question were established.
- (b) The proposed special use will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.
- (c) The proposed special use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.
- (d) The proposed special use will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries and schools, or the applicant will provide adequately for such services.
- (e) The proposed special use complies with all additional standards imposed on it by the particular provision of this Zoning Ordinance authorizing such use.

There were no absolutes against the Findings.

Motion: A motion was made by Mr. Ronstadt seconded by Mr. Thompson to recommend to the Village Board to approve the special use with the following two conditions:

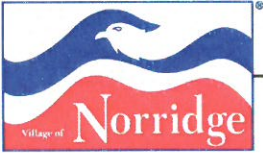
1. Text amendment be approved for a drive through
2. Approval shall be terminated upon the business closing

A roll call vote was taken:

Mr. Thompson – Yes
Mr. Ronstadt – Yes
Mr. Miroslaw – Yes
Mr. O’Leary – Yes
Mr. Giacalone – Yes
Chairperson Magnuson – Yes

MOTION CARRIED.

Case Closed



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Case #638 - LEGAL NOTICE READ

NOTICE is hereby given that a public hearing will be held by the Zoning Board of Appeals on Monday, 7 October 2019, at 7:00 p.m. at the Village Hall, 4000 North Olcott Avenue, in the Village of Norridge, to consider a petition by the Village of Norridge, 4000 North Olcott Avenue, Norridge, Illinois, 60706, for a text amendment to Article X-A-1 "B-5" Retail Business District pursuant to Article XV entitled "Administration" of the Village of Norridge Zoning Ordinance, so as to maintain its relevance to current land use and development patterns and trends, to encourage harmonious and integrated development in the Village and protect property values.

The topics to be addressed at the public hearing on the proposed text amendments to Article X-A-1 include, but may not be limited to the following:

- (1) Article X-A-1 - Section 1 - Intent and Purpose - to include the following proposed additional uses as stand alone uses (not part of a shopping center development) in the "B-5" Retail Business District: Certain types of medical clinics and medical offices and dental clinics, as set forth in Section 3 of Article X-A-1.
- (2) Article X-A-1 - Section 3 - Special Uses - to include the following proposed additional uses as special uses in the "B-5" Retail Business District: Medical Clinics and Medical Offices (including dialysis centers) (specifically excluding drug and alcohol rehabilitation facilities) and Dental Clinics as a stand-alone use (not located in a shopping center development).
- (3) Such other zoning amendments as may be determined to be appropriate as identified in the course of the public hearing.

All interested persons should attend and will be given an opportunity to be heard. If you have any questions please contact Brian Gaseor - Village Engineer at 708-453-0800 ext. 5757. The public hearing may be continued to a further date, time and place without additional notice.

Brian Gaseor presented the case to the B5 as a text allow for a stand-alone medical center. He provided the proposed ordinance. It would still exclude the same business types as prior but would allow a stand-alone business, as in not a business as part of a larger shopping center.

Visitors Comments:

Resident Rose Marie Kinston asked for more information on the types of excluded business.

Resident Michelle Jaroz asked if medical marijuana and or marijuana dispensaries would be allowed. Chairperson Magnuson replied no.

Resident Dan Galuska asked if plasma donation centers would be allowed. Chairperson Magnuson replied no.



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Findings: -

- (a) That the existing uses of property within the general area of the property in question and their relationship to one another are compatible with the proposed additional uses and amendments in this district.
- (b) That the zoning classification of existing properties within the general area of this district and their relationship to one another are fully accommodated by the proposed additional uses and amendments in this district.
- (c) That existing properties are well suited in this district for the uses permitted under the existing zoning classification and for the proposed additional uses and amendments.
- (d) That the trend of development in this district, including changes, if any, which may have taken place since the day the existing properties in the district were placed in their present zoning classification is consistent with the proposed additional uses and amendments.
- (e) The proposed additional uses and amendments are designed to encourage redevelopment of property that has been vacant, underutilized or unutilized.
- (f) That the proposed amendment is reasonably necessary to the promotion of the public health, safety or general welfare of the Village.

Findings were read and nothing noted.

Motion: A motion was made by Mr. Giacalone seconded by Mr. O'Leary to recommend to the Village Board to approve the text amendment.

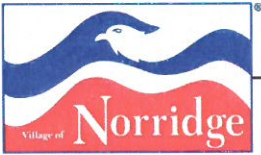
A roll call vote was taken:

- Mr. Thompson – Yes
- Mr. Ronstadt – Yes
- Mr. Miroslaw – Yes
- Mr. O'Leary – Yes
- Mr. Giacalone – Yes
- Chairperson Magnuson - Yes

MOTION CARRIED.

The proposed change of the text of the Zoning Ordinance Article X-A-1 "B-5" Retail

Business District be amended as follows:



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ARTICLE X-A-1

"B-5" Retail Business District

Section 1 – Intent and Purpose

The "B-5" Retail Business District is designed primarily to encourage a diverse mix of smaller and larger retail uses whose service area may extend outside the immediate neighborhood of the facility, and which uses are served by enhanced access to Harlem Avenue and to highway access and which are buffered from nearby residential areas. It is the intent of this Article that at least 75% of the gross leasable area of a shopping center development in the "B-5" Retail Business District shall consist of those uses that generate retail sales tax on any such business' retail sales of general merchandise, food, drugs or medical appliances, and theater, restaurant and amusement establishment uses. With the exception of: theater; government; amusement establishment uses; and, certain types of medical clinics and medical offices and dental clinics, as set forth in Section 3 of this Article X-A-1, non-retail stand-alone (not part of a shopping center development) uses are not permitted.

Section 1A – Definitions [. . .]

Section 2 – Permitted Uses [. . .]

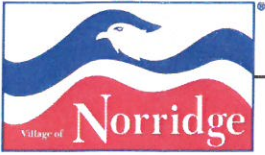
Section 3 – Special Uses

1. Amusement Establishment.
2. Motor Vehicle Dealer (New) with Open Sales Lots.
3. Banks and financial institutions (including drive-in or drive-through banks).
4. "Drive-through" type offering goods or services directly to customers waiting in parked motor vehicles.
5. Therapeutic massage.
6. Any accessory use to a principal use involving the outdoor storage of goods or merchandise.
7. Medical Clinics and Medical Offices (including dialysis centers) and Dental Clinics as a stand-alone use (not located in a shopping center development) and specifically excluding the following uses: drug and alcohol rehabilitation facilities; 24-hour Medical Clinics; and, Surgical Centers.

Section 4 – Prohibited Uses

A use that is not specifically listed in this zoning district, or does not fall within a generic definition as specified in this Article, or is not necessarily similar and compatible to uses in this Article, is prohibited.

Case Closed



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Case #638 - LEGAL NOTICE READ

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The topics to be addressed at the public hearing on the proposed text amendments to Article XV Administration include, but may not be limited to the following:

(1) Article XV - Section 2 "Jurisdiction and Procedures" including Section 2.3 "Public Hearing Required; Notice of Public Hearing; Findings of Fact and Report and Recommendations", and including, but not limited, to: Section 2.3(a) "Public Hearing Required" (proposed revisions and technical changes) including "planned unit development" in zoning board of appeals recommendations; Section 2.3(c) "Published Notice" (proposed revisions and technical changes) including additional information regarding the date, time, place and purpose of hearing, legal description of property, and other technical changes and additions to published notice requirements; Section 2.3(d) Notice to Adjacent and Nearby Property Owners and 2.3(d) (proposed revisions and technical changes) "Mailed Notice" including, new and revised procedures for processing applications for zoning relief for properties located R-1 and R-1A, and new and revised procedures for processing zoning relief applications in all zoning districts other than R-1 and R-1A; Section 2.4(e) "Posted Notice" (proposed revisions) expanding time for posted notice; and, Section 2.3(f) "Notice for Village Initiated Amendments", Section 2.3(f) (proposed revisions and technical changes) "Mailed Notice for Applications Initiated by the Village" including new and revised notice procedures for Village owned properties, Village initiated text amendments to the zoning ordinance, and Village initiated map amendments.

(2) Article XV - Section 2.3(g) (proposed new) "Notice for Continued Hearings or Meetings" including procedures for continuing zoning hearings or meetings.

(3) Such other zoning amendments as may be determined to be appropriate as identified in the course of the public hearing.

All interested persons should attend and will be given an opportunity to be heard. If you have any questions please contact Brian Gaseor - Village Engineer at 708-453-0800 ext. 5757. The public hearing may be continued to a further date, time and place without additional notice.

Brian Gaseor presented the case. Changes to the zoning book about how the Village notifies residents of any possible changes to any zoning issue/requirement. He provided a document reflecting the change. The change would help residents but commercial properties would have to do all the work themselves. He also went through the document and explained the new proposed procedures.



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Visitors Comments:

Resident Rose Marie Kingston explained that she thought 300' should be bigger. Brian Gaseor explained that it is in every direction from the subject property.

Findings: -

- (a) That the existing uses of property within the Village and their relationships to one another are compatible with the proposed amendments.
- (b) That the zoning classification of existing properties within the Village and their relationship to one another are fully accommodated by the proposed amendments.
- (c) That existing properties are well suited in the Village under the existing zoning classification for the proposed amendments.
- (d) That the trend of development Village wide, including changes, if any, which may have taken place since the day the existing properties were placed in their present zoning classifications is consistent with the proposed amendments.
- (e) The proposed amendments are designed to encourage redevelopment of property that has been vacant, underutilized or unutilized and to make the zoning application process and notice provisions clear and concise.
- (f) That the proposed amendments are reasonably necessary to the promotion of the public health, safety or general welfare of the Village.

Findings were read and nothing noted.

Motion: A motion was made by Mr. Ronstadt seconded by Mr. Thompson to recommend to the Village Board to approve the text amendment.

A roll call vote was taken:

- Mr. Thompson – Yes
- Mr. Ronstadt – Yes
- Mr. Miroslaw – Yes
- Mr. O'Leary – Yes
- Mr. Giacalone – Yes
- Chairperson Magnuson - Yes

MOTION CARRIED.



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The proposed change to the text of the Zoning Ordinance Article XV, Administration, Section 2, Subsection 2.3 - Public Hearing Required; Notice of Public Hearing, Findings of Fact and Report and Recommendations be and hereby is amended as follows in this Section 4, paragraphs A - I below.

A. Subsections 2.3 (a)(b)(c) be and hereby are amended with the addition of the word “Zoning” before the phrase “Board of Appeals”, 2.3 (a) and (c) include the term “planned unit developments”, and Section 2.3 (c) adds the date, time, place and purpose of the hearing, and legal description of the property to the published notice as follows:

2.3 - Public Hearing Required; Notice of Public Hearing, Findings of Fact and Report and Recommendations.

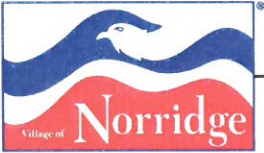
a) Public Hearing Required. The Zoning Board of Appeals (or such other commission or committee designated by the Board of Trustees) shall make no recommendation regarding a variation, special use, amendment of this Ordinance, planned unit development, or any other matter before it, except in a specific case, and after a public hearing conducted by the Zoning Board of Appeals (or such other commission or committee).

(b) Report and Recommendations; Findings. The Zoning Board of Appeals (or such other commission or committee designated by the Board of Trustees) report and recommendation shall be to the Board of Trustees. Such report and recommendation shall be accompanied by findings of facts specifying the reason or reasons for making the recommendation.

(c) Published Notice. Notice of the time and place of such public hearing shall be published in a newspaper of general circulation in the Village at least once, not more than thirty (30) days nor less than fifteen (15) days previous to the hearing. Such notice shall contain the date, time, place and purpose of the hearing, address or location of the property and the legal description of the property for which the variation, special use, amendment, planned unit development, or other ruling by the Zoning Board of Appeals is sought, as well as a brief description of the nature of the appeal or relief sought.

B. Subsection 2.3 (d) Notice to Adjacent and Nearby Property Owners be and hereby is repealed and is replaced in its entirety with new text which be and hereby is enacted as Subsection 2.3 (d) and titled “Mailed Notice”.

B.1. Subsection (d)(1) applies only to variation applications for properties located in R-1 and R-1A zoning districts. It continues the current system for Mailed Notice but only for R-1 and R-1A variation requests. Subsection (d)(1)(a) provides that Mailed Notice be based on Cook County real estate tax records and recodifies the 300-foot Mailed Notice distance requirement. Subsection (d)(1)(b) requires that the notice be mailed not less than fifteen (15) nor more than



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thirty (30) days prior to a hearing date and specifies the notice's contents and envelope form showing that the notice is an official Village document and not a commercial solicitation. Subsection (d)(1)(c) provides that initial Mailed Notice is sufficient notice for any continued hearing. Subsection (d)(1) amendments are as follows:

2.3 - Public Hearing Required; Notice of Public Hearing, Findings of Fact and Report and Recommendations.

(d) Mailed Notice.

(1) Request for Variation From the Requirements of the Zoning Ordinance for R-1 and R-1A Properties Only.

(a) Concurrently with the filing of an application for a variation from the requirements of the Zoning Ordinance only for properties zoned R-1 and R-1A the Village shall provide a list of the names and addresses of the owners and occupants of all property located within three hundred (300) feet of the subject property boundaries including streets and alleys as reflected by the Cook County real estate tax records. The three hundred (300) feet shall be measured from all directions along the perimeter of the subject property.

(b) Written notice of the time and place of such public hearing shall be sent by the Village by first class mail, postage prepaid to each person whose name appears on such list, at the address shown on such list, not less than fifteen (15) nor more than thirty (30) days prior to the date of such public hearing. The notice must include the application number (if any), date, time, place and purpose of such hearing, the name of the applicant and the address of the subject property. The notice must be mailed in a plain white envelope bearing the words "Village of Norridge Public Notice Enclosed" which must be on the front of the envelope to indicate that the contents are an official notice and not a commercial solicitation. The failure of any person to receive such written notice shall not invalidate, impair or otherwise affect any such variation subsequently granted by the Board of Trustees following such public hearing before the Zoning Board of Appeals (or such other commission or committee designated by the Village Board of Trustees).

(c) Such notice shall be sufficient notice for the initial hearing. Subsequent notices are not required for continuances of a hearing, if any.

B.2. Subsection (d)(2) applies to Mailed Notice for any type of zoning relief application for properties located in any Village zoning district (except for R-1 and R-1A property variation requests). It limits Village responsibility for Mailed Notice and requires applicant participation in the process. All such applicants are responsible for: the accuracy of the information in mailed notifications (Subsection (d)(2)(a)); ensuring the correct notification of owners and occupants utilizing Cook County tax records for identification of those owners and occupants to be notified; and verifying the accuracy of notice contents. Subsection (d)(2)(a) recodifies the 300-foot Mailed Notice distance requirement and makes the timing of such notification to be consistent with Subsection (d)(1)(b). The applicant provides the Village with the stamped and addressed notices (Subsection (d)(2)(b)) and the Village seals and deposits them in a United States postal



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facility for delivery. The required notice content and envelope form are consistent with R-1 and R-1A variation application notices. Planned unit development notice requirements are now included.

Subsection (d)(2)(c) requires that the applicant provide the Village with a sworn affidavit containing a complete list of the names and last known addresses of the persons entitled to notice and the property identification numbers (PIN) of all Mailed Notice recipients. The affidavit must be filed with the Village at least ten (10) days in advance of the scheduled hearing exclusive of the date of the hearing or meeting. The public hearing will not proceed unless the requisite affidavit has been filed. Initial notice is sufficient for any continued hearing. Subsection (d)(2) amendments are as follows:

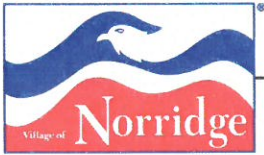
2.3 - Public Hearing Required; Notice of Public Hearing, Findings of Fact and Report and Recommendations.

(d) Mailed Notice.

(2) Requests for Relief From the Requirements of the Zoning Ordinance (Not Including Variation Requests for Properties Zoned R-1 and R-1A)

(a) For All Properties (except those properties zoned R-1 and R-1A requesting a variation from the requirements of this Zoning Ordinance as set forth in Article XV, Section 2.3(d)(1) herein) concurrently with the filing of an application for variation, special use, planned unit developments, or where a proposed amendment involves a change in the zoning classification of particular property, the applicant shall provide the list of the names and addresses of the owners, and addresses of the occupants of all property located within three hundred (300) feet of the subject property boundaries including streets and alleys as reflected by the Cook County real estate tax records. For public hearings written notice shall be on forms provided by the Village and shall be mailed by regular mail no less than fifteen (15) but not more than thirty (30) days prior to the public hearing to the owners and occupants of all properties located within three hundred feet (300) feet from the property line of the subject property boundaries including streets and alleys. The notice shall include the date, time, place and purpose of such hearing, the name of the applicant and the address of the subject property.

(b) The applicant shall provide the stamped and addressed notices to the Village who shall seal and deposit them in a United States postal facility for delivery. The notice must be mailed in a plain white envelope bearing the words "Village of Norridge Public Notice Enclosed" which must be on the front of the envelope to indicate that the contents are an official notice and not a commercial solicitation. The applicant shall also provide a list of the parties to whom a notice is being mailed along with an affidavit stating that the stamped notices include each property within three hundred (300) feet of the subject property as reflected by the Cook County real estate tax records. The three hundred (300) feet shall be measured from all directions along the perimeter of the subject property. In the event of a planned development, the distance shall be measured from the outermost property line of the entire planned development.



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(c) The applicant must provide the sworn affidavit to the Village, on a form provided by the Village, containing a complete list of the names and last known addresses of the persons entitled to notice, the property identification numbers (PIN) of all notice recipients and the method by which notice is to be delivered to each of them. This affidavit must be filed with the Zoning Administrator not less than ten (10) days in advance of the scheduled hearing or meeting, exclusive of the date of the hearing or meeting itself. The Zoning Board of Appeals shall not proceed with the public hearing until the requisite affidavit has been filed.

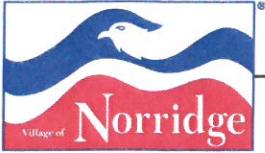
(d) Such notice shall be sufficient notice for the initial hearing. Subsequent notices are not required for continuances of a hearing, if any.

C. Subsection 2.3 (d) be and hereby is amended by enacting Subsection 2.3 (d)(3) “Notice - Appeals From Decisions of the Administrative Officer”. This subsection makes notice procedures for hearings from appeals taken from decisions of the Zoning Administrator charged with enforcement of the Zoning Ordinance in Article XV, Section 6 to be the same as for R-1 and R-1A variations set forth in 2.3(d)(1).

(3) Notice - Appeals From Decisions of the Administrative Officer. Notice of all Zoning Board of Appeals hearings from appeals taken from decision of the officer charged with enforcement of this Ordinance in Section 6 of this Article XV, shall be made in the same manner as notice of applicants for R-1 and R-1A variations as set forth in Subsection 2.3(d) herein. A public hearing on all appeals shall be conducted by the Zoning Board of Appeals.

D. Subsection 2.3 (d) be and hereby is amended by enacting Subsection 2.3 (d)(4) Failure to Receive Notice. Failure of any person to receive written Mailed Notice will not invalidate or impair any zoning relief granted by the Village Board of Trustees following a public hearing before the Zoning Board of Appeals nor will it deprive the Zoning Board of Appeals or the Village Board of Trustees of jurisdiction to hear any such matter. Subsection 2.3 (d)(4) recodifies the current text of Zoning Ordinance Article XV, Section 2.3 (d) a certain portion of which is repealed and replaced herein below.

(4) Failure to Receive Notice - This section is intended to be a directive and failure of any such person to receive such written notice shall not invalidate, impair or otherwise affect any such variation, special use, planned unit development or amendment subsequently granted by the Village Board of Trustees following such public hearing before the Zoning Board of Appeals (or such other commission or committee designated by the Village Board of Trustees) nor shall it deprive the Zoning Board of Appeals or the Village Board of Trustees of jurisdiction to hear any such matter.



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E. Subsection 2.3 (d) be and hereby is amended by enacting Subsection 2.3 (d)(5) Mailed Notice Recipients. Subsection 2.3 (d)(5) recodifies the text of the current Zoning Ordinance Article XV, Section 2.3 (d) which is repealed and replaced herein. Subsection (d)(5)(a) defines “Owners” and “Occupants” and requires verification using Cook County real estate tax records. Consistent with Illinois law and current Village practices, Subsection (d)(5)(b) provides for first class mail delivery, that notice is given when deposited in the mail, and deems notice to be sufficient where notice is returned as undeliverable. It codifies notice procedures for trust companies and condominiums.

(5) Mailed Notice Recipients.

(a) Owners and Occupants.

(i) Owners are defined as persons who receive current real estate tax bills as shown on Cook County real estate tax records.

(ii) Occupants are defined as occupants of all residential, business and institutional properties.

(b) Mailed Notice Delivery. Mailed notices may be delivered by United States Mail.

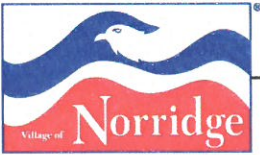
(i) Any notice that is delivered by mail must be sent to the person's last known address by first-class mail. Notices delivered by mail are deemed to have been given when deposited in the United States Mail.

(ii) Any notice that is mailed to an occupant may be addressed simply to "Occupant" at the appropriate address, without the actual name of the occupant being specified. Notices delivered by mail are deemed to have been given when deposited in the United States Mail.

(iii) If after a bona fide effort to serve such written notice, there are returned notices, the notice requirements of this section shall be deemed satisfied or if, after a bona fide effort to determine such by the applicant the owner cannot be found, the notice requirements of this section shall be deemed satisfied upon filing by the applicant (or the Village in Section (d)(1) above) of an affidavit evidencing the inability to serve such notice.

(iv) If written notification is sent to a trust company or lending institution of record the notice requirement of this section shall be deemed satisfied.

(c) Condominiums. If any part of a condominium property is located within three hundred (300) feet of the property which is the subject of a hearing, written notification, as outlined above, shall be sent to each taxpayer of record within all condominium buildings that are located within or partially within the required distance from the property lines as well as the condominium association.



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F. Subsection 2.3 (e) Posted Notice be and hereby is amended by extending the time for posting notice before a hearing and is consistent with the time frame for mailed notice prior to a hearing.

(e) Posted Notice. Not less than fifteen (15) nor more than thirty (30) days prior to such hearing notice of such hearing shall be posted on the Subject Property in such a way as to be plainly visible from the roadway or right-of-way passing the frontage of the land. The notice posted on the land shall be maintained until the date of hearing, on a weatherproof sign that is a least three (3) feet by four (4) feet in size. The sign shall have a white background and contain the word "NOTICE" at least in six (6) inch high, red capital letters. The remaining lettering shall be a minimum of three (3) inches in height and in black capital letters. The Notice shall contain at least the following language: "This property is the subject of a zoning hearing before the Norridge Zoning Board of Appeals on (date) at (time) at (location)."

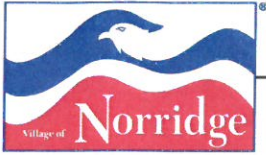
G. Subsection 2.3 (f) Notice for Village Initiated Amendments be and hereby is repealed and replaced by Subsection 2.3 (f) Notice for Applications Initiated by the Village. Article XV Subsections 2.3(c), 2.3(d)(1), and 2.3(e) adopted herein apply when the Village seeks zoning relief for Village-owned lots. Subsection 2.3 (f) enacted herein provides special notice procedures for those instances where a Village initiated map or text amendment renders specific properties to be non-conforming or substantially changes the permitted uses on such properties, but does not apply if the proposed amendment is a comprehensive amendment to the Zoning Ordinance. If a Village amendment is technical in nature, adds to or increases the permitted or special uses allowed on an affected lot, or does not substantially affect the existing or permitted uses on properties affected by such proposed amendments, notice by publication is sufficient.

(f) Notice for Applications Initiated by the Village.

(1) Where the Village seeks a variation, special use, planned unit development, or zoning map amendment which is limited to a single, specific village-owned lot or contiguous group of village-owned lots, the Village shall follow the notice requirements in Article XV Sections 2.3(c), 2.3(d)(1), and 2.3(e).

(2) For zoning map amendments and text amendments initiated by the Village, the Village shall provide written notice not less than 15 nor more than 30 days prior to a hearing thereon by certified mail or hand delivery to owners and occupants of all lots which will be rendered non-conforming as to the uses allowed thereon or for whom the permitted uses shall be substantially changed by such proposed map amendment or text amendment. Notice by certified mail need not be provided by the Village for parcels in any district if the amendment is a comprehensive amendment to the zoning ordinance.

(3) For those amendments to the zoning map or text of this Ordinance which are initiated by the Village and are technical in nature, which add to or increase the permitted or special uses allowed on an affected lot, or which do not substantially affect the existing or permitted uses on



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properties affected by such proposed amendments, notice by publication shall be sufficient. Any additional notice requirements of this Section shall not apply to any amendments initiated by the Village.

H. Section 2.3 be and hereby is amended by the enactment of Subsection 2.3 (g) Notice of Continued Hearings or Meetings codifies current practices and provides that if a hearing or meeting is continued to a date certain, the date and time of the continued hearing or meeting shall be announced at the time and place of the hearing being continued, and the continued hearing's notice requirements shall be deemed satisfied. This section describes notice if an already continued meeting date needs to be changed or where a majority of the Zoning Board members are unable to attend requiring rescheduling of the meeting or hearing.

(g) Notice of Continued Hearings or Meetings. In the instance a hearing or meeting is continued to a date certain, the date and time of the continued hearing or meeting shall be announced at the time and place of the hearing being continued, and the continued hearing's notice requirements shall be deemed satisfied. If for any reason a continued hearing or meeting date or time needs to be changed, the Zoning Administrator shall, in his or her best effort, provide the public with the new date and time of the continued hearing by:

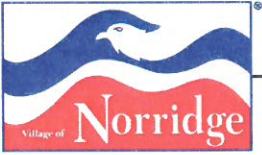
- (1) Posting the continued meeting or hearing notice at Village Hall; and
- (2) Posting the continued meeting or hearing notice on the Village website.

Failure to provide such notice, however, shall not invalidate any such continued hearing or meeting. In the event a quorum is not present for the initial hearing or meeting or a continued hearing or meeting, a majority of the Zoning Board members present may reschedule the hearing or meeting to a new date and time. No additional mailed or published notices shall be required for hearings or meetings continued as provided in this Section.

I. Section 2.3 be and hereby is further amended by the enactment of Subsection 2.3 (h) Recording which codifies the current practice providing the presence of a court reporter at all zoning hearings.

(h) Recording. A court reporter will be present for hearings to enable the transcription of a verbatim account of the hearing. In the event a copy of the hearing transcript is requested, the requestor will be responsible for the costs to produce the transcript.

Case Closed



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Discussion: CMAP Recommendations

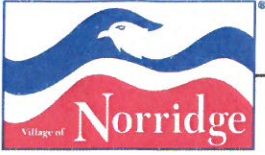
Tabled at this time

Public Comment - None

MOTION - By Mr. Ronstadt, seconded by Mr. Giacalone that the meeting be continued to October 22, 2019 at 6:30 P.M. A voice vote was taken with no objections. **MOTION CARRIED.**

MEETING ENDED at 8:20 P.M. Next meeting scheduled October 22, 2019, 6:30 P.M.

Minutes recorded by Mr. Miroslaw and typed by Allan J. Budnik - Secretary



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The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois
Re-Convened on the 22nd day of October, 2019, 6:30 P.M. at its regular meeting place,
4000 N. Olcott Avenue, Norridge, IL 60706

The meeting was called to order by Chairperson Magnuson and upon roll call the following named members answered present:

Roll Call: Present: Janice Magnuson, Chairperson
Allan Budnik, Secretary
Andy Ronstadt, Member
Richard Thompson, Member
Christopher O'Leary, Member

Absent: Christopher Miroslaw, Member
Christian Giacalone, Member

Also attending: Brian Gaseor, Village Engineer
Joan Cherry, Board Attorney

Update on Future Cases

No cases scheduled for November or December.

Discussion: CMAP Recommendations

The board continued review of the CMAP recommendation and documented recommendations to the ordinance. Reviewed items in Article XIV in the new ordinance draft.

MOTION - By Mr. Thompson, seconded by Mr. Ronstadt that the meeting be adjourned. A voice vote was taken with no objections. **MOTION CARRIED.**

MEETING ENDED at 8:32 P.M. Next meeting scheduled for November 4, 2019, 6:30 P.M.

Respectfully submitted,

Allan J. Budnik
Secretary

Janice Magnuson
Chairperson

