

VILLAGE OF NORRIDGE

4000 North Olcott Avenue • Norridge, Illinois 60706-1199
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Zoning Board of Appeals

Zoning Board of Appeals Meeting Minutes Village of Norridge

PRESIDENT

Daniel Tannhauser

CHAIRPERSON

Janice J. Magnuson

SECRETARY

Allan J. Budnik

MEMBERS

Christian Giacalone
Christopher Miroslaw
Christopher O'Leary
Michael Straughn
Richard Thompson

The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois Convened on the 1st day of March 2021, 7:00 P.M. at its regular meeting place, 4000 N. Olcott Avenue, Norridge, IL 60706

Per Executive Order 2020-07 issued by Governor JB Pritzker on March 16, 2020, Section 6: During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that "members of a public body must be physically present" is suspended.

All present wore masks, had their temperatures checked and maintained social distancing. The meeting was called to order by Chairperson Magnuson and upon roll call the following named members answered present:

Roll Call: Present in person: Janice Magnuson, Chairperson
Allan Budnik, Secretary
Richard Thompson, Member
Christopher Miroslaw, Member
Christopher O'Leary, Member
Christian Giacalone, Member
Michael Straughn, Member

Absent: None

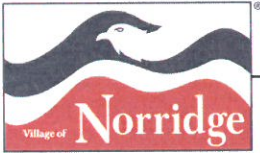
Also attending: Brian Gaseor, Village Engineer
Joan Cherry, Board Attorney
Diane Sofiak, Court Reporter
Jack Bielak, Village Board Trustee
Joanna Skupien, Village Administrator
Dominic Falagario, Village Employee

Approval of Minutes - MOTION

To approve the Board Minutes with a date of February 1, 2021 was made by Mr. Giacalone, seconded by Mr. Thompson. A roll call was taken:

Yes – Thompson, Miroslaw, O'Leary, Giacalone, Budnik, Magnuson
No – None
Abstain – Straughn

MOTION CARRIED



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Update on Future Cases

There may be one case next month.

Hearing – Case # 646 – 4750 N. Ozanam & 7801 W. Lawrence Avenue

Chairperson Magnuson read the rules of the hearing and swore in all present.

Mr. Budnik read the letter from the Petitioner.

Peter Parashis, Architect presented the case. He provided an overview of the site. He spoke of circulation of the site and pointed out on slides and discussed site plan and dimensions. He reviewed aerial photos of the site and showed proposed layout of the property which included the flow of traffic and by-pass lane of the drive-up. He presented prospective elevations. He presented to the Board a sample of the PVC fencing that would be part of the buffer between his property and adjacent properties.

Questions from the Board:

Q: If the PVC was the best option for fencing.

A: Yes, it is maintenance free and offers sound protection.

Q: If there were any proposed changes to the project.

A: No, still the best choices for the proposal.

Q: What is the area around the speaker box?

A: The speaker is directed back towards Dunkin and there is landscaping and other items around it.

Q: Where is the speaker box?

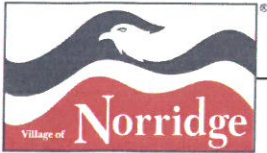
A: He showed it on the screen which is in front of the menu board.

Q: Any reaching out to the neighbors?

A: Have not heard of any objections from any of them.

Q: What is the direction of flow coming into the parking lot.

A: It is a left turn to get into the drive-up lane from Ozanam. He showed the route on the overhead display and stated they anticipate the most regular customers to utilize it.



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Visitors Comments:

Arun Sampanthavivat – 4744 Ozanam – stated he was unaware of the prior zoning hearing on this issue and that he lives right next door. He stated his property is residential and the property next door is residential and that it should stay that way and he is not comfortable with it changing. Mr. Sampanthavivat spoke several times during the course of the hearing and reiterated what he had stated previously. He also stated prior to the special use variance vote that he is not taking his fence down on the North side of his property.

Michael Balko – 7756 Giddings – stated that there is always garbage on the lot to keep up and he has lived there since 1982. He is aware the neighborhood is changing but was not for the change. Mr. Balko spoke several times during the course of the hearing stating that there was always a house on the adjacent property and reinstating the same ideas he previously mentioned.

Brian Cassidy (via ZOOM) A.A.P. rep. 7757 Lawrence – had several questions....

Q: What is the window of construction?

A: Architect – pending approval would be about 9 months to get permits and applications but the actual paving and minor building renovation would be 60 – 90 days.

Q: Any idea of traffic flow?

A: Architect – most come in off Lawrence and expect 10% increase in customers.

Q: Any adjustments to the streets?

A: Architect – No, same entrances and exits

Mr. Cassidy stated his primary concern is the safety of traffic due to the increase and the construction pattern changes.

A: Architect stated that there is very little construction traffic and it will not be drawn out.

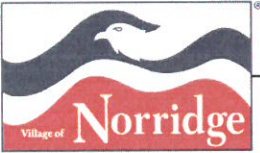
Q: Can they adjust construction hours to the evening or after business hours?

A: Architect – stated they are really just adding the driveway, no structures and that construction times are limited by the Village.

Mr. Cassidy stated that his alley is busy with Fed-ex trucks, UPS trucks and other delivery trucks and safety is his concern.

Architect Parashis stated his deliveries will remain the same and that the inside store will remain 24 hours but the drive-up will have non-24 hours.

Mr. Patel (Owner) stated that he bought the business in 1997 and took over a “not great store” but has improved it and now with the COVID situation needs the drive-up to help with his service. He stated he will work with the Village.



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Board Discussion:

Mr. Thompson stated that the adjacent property was always a residence since 1993 and was never a business.

Mr. Giacalone asked if the owner was willing to provide more sound-proofing as a barrier.

Mr. Patel stated that a full block wall in some other stores but PVC was most maintenance free.

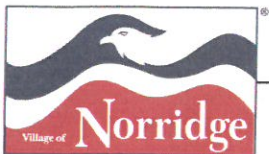
Mr. Straughn stated that the building is not changing and we can restrict the drive-up hours. He asked the architect what will be seen from Ozanam.

Architect stated landscaping and an aluminum fence and showed the building elevations.

Chairperson Magnuson read the Findings for the map amendment.

- a.) Existing uses of property within the general area of the property in question and their relationship to one another.
- b.) The zoning classification of property within the general area of the property in question and their relationship to one another.
- c.) The suitability of the property in question for the uses permitted under the existing zoning classification.
- d.) The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was placed in its present zoning classification and that the trend is consistent with the proposed amendment.
- e.) Where applicable, the length of time the property in question has been vacant or unutilized as currently zoned.

There were no absolutes against the Findings.



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MOTION

To Deny the map amendment for the property located at 4750 N. Ozanam & 7801 W. Lawrence Avenue by Mr. Thompson, seconded by Mr. Miroslaw. A roll call was taken:

Yes – Thompson, Miroslaw, Magnuson
No – O’Leary, Giacalone, Straughn, Budnik
Abstain – None

MOTION FAILED

Mr. Thompson asked to bring a discussion back to the Board asking what has changed for the Board members that changed their vote from the previous hearing.

Mr. Straughn stated he was in support of the change at the last hearing.
Mr. Giacalone stated that the business will work with the Village to accommodate changes to make it work with neighbors.
Mr. O’Leary stated he visited the site and that he thought it would only be busy at certain times of the day.

Board Attorney Cherry stated that if we were going to add conditions of the motion then then should be stated within the motion.

A short discussion took place as to if the motion with conditions should be to the special use or to the map amendment. The Attorney stated it will be with the special use.

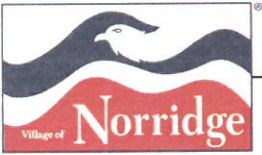
MOTION

To Approve recommending the map amendment for the property located at 4750 N. Ozanam & 7801 W. Lawrence Avenue by Mr. Straughn, seconded by Mr. Budnik. A roll call was taken:

Yes – O’Leary, Giacalone, Straughn, Budnik
No – Thompson, Miroslaw, Magnuson
Abstain – None

MOTION CARRIED

The Board proceeded to the Special Use (drive-through).



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Zoning Board of Appeals

Chairperson Magnuson read the Findings for the special use.

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

To Approve recommending the special use (drive through) for the property by Mr. Budnik, seconded by Mr. Straughn.

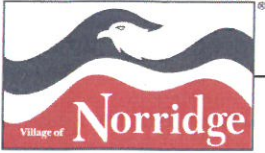
The Board then discussed “Conditions” of the motion which would include Hours of Operation, Landscaping items for light and sound barrier and taller fencing both in the back and along the side.

Short discussions took place which included demolition requirements from Cook County and Village construction items. The Village has a “No more than 1 Foot candlepower spillover” of lighting on to adjacent properties. The discussion included landscaping to block and vehicle headlight towards Ozanam in the new parking area.

MOTION

To Approve recommending the special use (drive through) for the property by Mr. Budnik, was amended to include the following conditions of approval:

1. The hours of the drive-through be limited to 5 A.M. – 10 P.M.
2. Eight (8) foot heavy duty PVC fencing on the side and back of the property.
3. Additional landscaping as a sound barrier along-side the property and around the speaker.



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A roll call was taken:

Yes – O’Leary, Giacalone, Straughn, Budnik, Magnuson

No – Thompson, Miroslaw,

Abstain – None

MOTION CARRIED

The Zoning Board would recommend to the Village Board the passing of these items.

The Zoning Board had a short discussion on what, if any, voted should take place on the Parking area requirement from 30 feet to 8 feet that was passed in the first hearing.

Attorney Cherry read the minutes from the first hearing regarding this item. She stated we should ratify the previous vote and add, if any, conditions to the motion.

The board discussed this item with the following result:

MOTION

To ratify the previous vote to recommend reducing the 30 feet parking setback to 8 feet for the property located at 4750 N. Ozanam & 7801 W. Lawrence Avenue by Mr. Straughn, seconded by Mr. Giacalone with the following condition: Landscaping on the Ozanam parking area to be “evergreen” type, dense enough year-round to block headlights from exiting the property but not to be taller than the 4 foot fencing.

A roll call was taken:

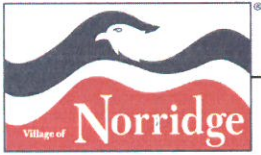
Yes – Thompson, O’Leary, Miroslaw, Giacalone, Straughn, Budnik, Magnuson

No – None

Abstain – None

MOTION CARRIED

CASE CLOSED



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Discussion: CMAP Recommendations

Tabled at this time.

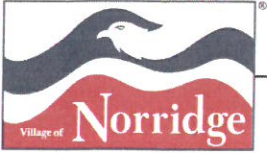
Public Comment – None

MOTION - By Mr. Budnik, seconded by Mr. Thompson that the meeting be continued to March 22, 2021 at 6:30. A roll call was taken:

Yes – Thompson, Miroslaw, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

MEETING ENDED at 8:40 P.M. Continuance meeting scheduled for March 22, 2021, 6:30 P.M.



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The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois Re-Convened on the 22nd day of March, 2021, 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; all present had their temperatures taken prior to entering, wore face coverings and remained socially distant. Upon roll call the following named members answered present:

Roll Call: Present: Janice Magnuson, Chairperson
Allan Budnik, Secretary
Richard Thompson, Member
Christopher O'Leary, Member
Christian Giacalone, Member
Michael Straughn, Member

Absent: Christopher Miroslaw, Member

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

Update on Future Cases

One case will be scheduled for April for the property of 8022 Leland.

The Board was informed there are three items on the ballot under referendum which are cannabis, video gaming and auto service facilities.

Discussion: CMAP Recommendations

The board continued to discuss at length the items on the upcoming ballot for referendum as they pertain to the new proposed Zoning Ordinance. No other actions taken on these items.

Public Comment – None

MOTION - By Mr. Giacalone, seconded by Mr. Thompson that the meeting be adjourned.

A voice vote was taken with no objections. **MOTION CARRIED.**

MEETING ENDED at 8:38 P.M. Next meeting scheduled for April 12, 2021, 7:00 P.M.

Respectfully submitted,

Allan J. Budnik
Secretary

Janice Magnuson
Chairperson

