

**ZONING BOARD OF APPEALS
MAY 5, 2021 AT 7:00 P.M.
COUNCIL CHAMBERS-RM. 201**

A recording of this meeting is available on the Village of Oak Park Website: <https://www.oak-park.us/your-government/citizen-commissions/commission-tv>

Call to order and Roll Call

PRESENT: Acting Chair Jim Lencioni and Members Steve Ruszczyk, Deborah McQueen, David Brumirski and Don DeBruin

ABSENT: Michael Quinn and Mark Hansen

ALSO PRESENT: Rasheda Jackson, Counsel; Mike Bruce, Zoning Administrator

QUORUM: Acting Chair Lencioni called the meeting to order at 7:00 p.m. and declared that a quorum was present.

Rasheda Jackson, Village Assistant Attorney, read into the record a statement regarding the authority to conduct remote participation meetings.

Attorney Jackson announced that Vicki Scaman was sworn in as the new Village President.

Member Ruszczyk moved to have Jim Lencioni be the acting Chair. Member DeBruin seconded the motion. The motion was approved by a five (5) to zero (0) vote.

Public Comment

None

Introduction and Procedure Outline

Acting Chair Lencioni explains the procedure for the evening, indicating that we have four public hearing for the evening.

Public Hearings

CALENDAR NUMBER: 07-21-Z: 248 Madison Street

The Zoning Board of Appeals ("Board") will conduct a public hearing on a special use application filed by the Applicant, Donn Todd, to operate a hand car wash and detail center, Miller's Auto Detail LLC pursuant to Section 8.3 ("Table 8-1: Use Matrix) of the Oak Park Zoning Ordinance at the property located at 248 Madison Street, Oak Park, Illinois, Property Index Number 16-08-319-022-0000 in the MS Madison Street Zoning District.

The Applicant asks that the application be continued to the next regularly scheduled ZBA meeting on June 2, 2021.

Member Ruszczyk moved to continue the Application as requested. Member DeBruin seconded the motion. The motion was approved by a five (5) to zero (0) vote.

CALENDAR NUMBER: 08-21-Z: 221 Harrison Street

The Zoning Board of Appeals ("Board") will conduct a public hearing on a special use application filed by the Applicant, Sara Swiatlowski, to operate a physical therapy clinic, Real PT, LLC dba The Movement Guild pursuant to Section 8.3 ("Table 8-1: Use Matrix) of the Oak Park Zoning Ordinance at the property located at 221 Harrison Street, Oak Park, Illinois, Property Index Number 16-17-302-012-0000 in the HS Harrison Street Zoning District.

Adam Wolf gave a brief description of his family in Oak Park. Mr. Wolf describes that his office will be located within Cross Fit Spero at 221 Harrison Street. Mr. Wolf describes the services that would be provided at this location. Mr. Wolf goes through each special use standard and explains how each standard is met.

Dave Green, owner of Cross Fit Spero discusses his facility.

Member Ruszczyk asks how many patients he would see per day? Mr. Wolf says approximately 30 sessions per week at 45 minutes each.

The hearing was closed for deliberation.

Member DeBruin moved to authorize Rasheda Jackson to draft a positive Recommendation for the Village Board to approve Mr. Wolf's physical therapy office. Member McQueen seconded the motion. The motion was approved by a five (5) to zero (0) vote.

Member Ruszczyk moved to approve the draft Recommendation to the Village Board. Member McQueen seconded the motion. The motion was approved by a five (5) to zero (0) vote.

Mark Hansen, ZBA member, joined the meeting after working through technical issues.

CALENDAR NUMBER: 09-21-Z: 1021 Wesley Avenue

The Zoning Board of Appeals ("Board") will conduct a public hearing on an application filed by the Applicant, Keith Criminger, seeking variances from the following sections of the Oak Park Zoning Ordinance relative to expanding a structure devoted to a nonconforming use and allowing the maximum height of a principal structure to exceed 30 feet in height, to permit the construction of third floor addition with dormers at the property located at 1021 Wesley Avenue, Oak Park, Illinois, Property Index Numbers 16-18-408-028-0000 in the R-4 Single-Family Zoning District:

1. Section 15.2 (B) prohibits the expansion of a structure devoted to a nonconforming use. The structure is a legal nonconforming two-family dwelling unit located within a single-family zoning district; and
2. Section 4.3 (Table 4-1: Residential District Dimensional Standards) requires that a principal structure shall not exceed 30 feet in height. The proposed third floor addition is approximately 35 feet in height.

The Applicant Keith Criminger describes the proposed addition and the building code issues associated with the construction. He says that he works from home and his wife will be working from home and needs a work space. He says his plan to build up another level is the best solution for his property. Mr. Criminger discusses his plans and then discusses each variance standard and how his proposal meets each standard.

The hearing was closed for deliberation.

Member Rusczyk moved to approve the variances as requested by the Applicant. Member Hansen seconded the motion. The motion was approved by a five (5) to one (1) vote. Member Brumirski voted in opposition.

Member Rusczyk moved to approve a Resolution approving the variances as requested by the Applicant. Member Hansen seconded the motion. The motion was approved by a five (5) to one (1) vote. Member Brumirski voted in opposition.

CALENDAR NUMBER: 10-21-Z: 1107-1109 Westgate

The Zoning Board of Appeals (“Board”) will conduct a public hearing on an application filed by the Applicant, Michael F. Salerno D.D.S., P.C., seeking a variance from Section 8.3 (Table 8-1: Use Matrix) of the Oak Park Zoning Ordinance, which section prohibits dental clinics/offices from being located within the first 50 feet of the street lot line at grade level or on the ground floor of any building within the DT-1 and DT-2 Sub-Districts of Downtown, to allow an dental clinic on the ground floor within 50 feet of a street line at the premises commonly known as 1107-1109 Westgate Street, Oak Park, Illinois, Property Index Number 16-07-125-015-0000 and 16-07-125-035-0000 in the DT Downtown Zoning District.

David King, David King and Associates, spoke on behalf of the Applicant. Mr. King says that the property has been vacant for 18 months. Mr. King details his efforts to market the space. Mr. King says the space is not acceptable to a restaurant as you cannot get black iron to the top of the building. He says retail is hard to get on the cul-de-sac street. Mr. Kings says that historically this area has been made up of medical/dental uses and other office uses over the past 50 years.

Michael Salerno, Applicant, discusses his proposed use and where his office is currently located. He says that this will be a nice space for his practice.

Down Town Oak Park provided a letter of support which Mr. Bruce read into the record.

David King details the reasons why each variance standard is met.

The meeting was closed for deliberation.

Member McQueen moved to approve the variance as requested. Member DeBruin seconded the motion. The motion was approved by a six (6) to zero (0) vote.

Member McQueen moved to approve the draft Resolution. Member DeBruin seconded the motion. The motion was approved by a six (6) to zero (0) vote.

CALENDAR NUMBER: 11-21-Z: 1010 Lake Street

The Zoning Board of Appeals (“Board”) will conduct a public hearing on an application filed by the Applicant, OP Office Partners, LLC, on behalf of US Bank National Association, seeking a variance from Section 9.3 (E) (Automatic Teller Machines) (ATM) of the Oak Park Zoning Ordinance, which requires that outdoor ATMs must be attached to and physically part of a building occupied by a financial institution, to permit the re-installation of an ATM to a non-residential use building (not a financial institution) located at 1010 Lake Street, Oak Park, Illinois, Property Index Numbers 16-07-120-064-0000 in the DT Downtown Zoning District.

David King, David King and Associates speaks on behalf of the Applicant. Mr. Kings says that the location had an ATM which was removed a few years ago. The space has been vacant since. Mr. King

discusses the buildings history of vacancies. He says the 45 square foot space proposed for the ATM has been vacant since 2019. He discusses the lease for the space and who would operate the ATM.

Down Town Oak Park submitted a letter in support of the variance.

Mr. King details why the standards are met to receive a variance.

The meeting was closed for deliberation.

Member Brumirski moved to approve the variance as requested. Acting Chair Lencioni seconded the motion. The motion was approved by a six (6) to zero (0) vote.

Member Brumirski moved to approve the draft Resolution. Member Hansen seconded the motion. The motion was approved by a six (6) to zero (0) vote.

Minutes

Member Brumirski moved to approve the draft minutes from April 7, 2021. Member Ruszczyk seconded the motion. The motion was approved by a six (6) to zero (0) vote.

The meeting was adjourned.