

**ZONING BOARD OF APPEALS
MARCH 6, 2019 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: Chair Michael Quinn and Members Steve Rusczyk, Mark Hansen, Jim Lencioni and Don DeBruin

ABSENT: Members David Brumirski and Deborah McQueen

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

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

Public Comment

None

Introduction and Procedure Outline

Chair Quinn explains the procedure for the evening, indicating that we have three public hearings scheduled tonight.

Public Hearings

Cal. No. 02-19-Z: 1032 Superior Street, James & Kelly Bonaccorsi

The Applicants James & Kelly Bonaccorsi seek variances from Section 9.4 (Table 9-1: Permitted Encroachments Into Required Setbacks) and Section 9.3 (A) (3) of the Oak Park Zoning Ordinance which regulate certain accessory structures permitted in required setbacks, to permit the construction of a one vehicle off-street parking space in the required front yard setback at the premises commonly known as 1032 Superior Street, Oak Park, Illinois.

The Applicants ask that the application be tabled and continued to the next regularly scheduled meeting held on April 3, 2019.

Member Rusczyk moved to table the application. Member Lencioni seconded the motion. The motion was approved by a 5-0 vote.

Cal. No. 03-19-Z: 6140 Roosevelt Road, Kim Rasmussen

The Applicant Kim Rasmussen seeks a variation from Section 8.3 (Table 8-1: Use Matrix) and Section 5.4 (K) (Table 5-12: RR District Use Restrictions by Building Type) of the Oak Park Zoning Ordinance, which sections requires that residential dwelling units be located above the ground floor in buildings in the Roosevelt Road District, to permit the construction of a residential dwelling unit at the front on the ground floor, inside a single-story shop front building at the premises commonly known as 6140 Roosevelt Road, Oak Park, Illinois.

The current property owner Richard Schuler spoke first on behalf of the application. He says that the property at 6140 W Roosevelt was acquired on June 1st of 2006. It was purchased as a showroom/warehouse for a business called Within Your Reach (WYR), a closet and home organizing business. After one year of vacancy and repairs to the building, the business moved to the 6140 location. Mr. Schuler says that numerous major construction projects on Roosevelt Road and the general weak commercial real estate market on the Oak Park side of Roosevelt Road has caused 6138 to go unrented for the majority of the time except for 14 months 2007-8 and 10 months 2012-13. Mr. Schuler says that the property has been listed with real estate agents David King and Jim Blaha for several years as both a rental and for sale. 1200 square feet have been vacant all of 2016 and 2017 and 2018. As of April 1, 2017 an additional 3200 sq feet of retail space has been vacant because of the closing of our business WYR.

The Applicant Kim Rasmussen, owner of It's a Sign, argues that unless the specific relief is granted the property will continue to remain vacant after two years of aggressive sales and leasing efforts. In addition, after serving the community for nearly 15 years, another local business will be forced to relocate elsewhere. She says that the building is an existing structure; nothing new is being built. The goal is to reclassify the use as mixed-use by receiving a variance for to add a first floor residence.

Rich Schuler, property owner, Pamela Kende and Bob Kane representing South East Oak Park Commercial Organization (SEOPCO) spoke in support of the proposal.

Member DeBruin moved to approve the application. Member Hansen seconded the motion. The motion was approved by a 5-0 vote.

The ZBA Attorney presented a draft Resolution approving the variance to the Board. Member DeBruin moved to approve the amended Resolution with added testimony of Rich Schuler, Pamela Kende and Bob Kane. Member Hansen seconded the motion. The motion was approved by a 5-0 vote.

Cal. No. 04-19-Z: 46 Lake Street, Robert Althouse

The Applicant Robert Althouse seeks a variation from Section 8.4 (M) (Place of Worship) of the Oak Park Zoning Ordinance, which requires that a place of worship in a non-residential district are subject to the dimensional standards of the R-7 District for a non-residential use, to permit the use of Zen Life and Meditation Center, a place of worship at the premises commonly known as 46 Lake Street, Illinois.

Mr. Althouse speaks about Zen Life & Meditation Center, Chicago. He says the purpose of the Zen Life & Meditation Center, Chicago (ZLMC) is of a religious nature, to provide training and practice in Zen Buddhism for lay people and priests. The training, practice and meditation is based fundamentally upon a clear individual realization of the Buddha's Way, as transmitted from Shakyamuni Buddha over 2,500 years ago in India, through the successive ancestors.

Julio Rufo, Mr. Althouse's agent, speaks on behalf of the applicant. Mr. Rufo says that the property at 46 Lake Street is an existing structure located in a commercial district and not designed pursuant to the R-7 regulations. To conform to the R-7 regulations, the building would need to be demolished to meet front, side setbacks and open space requirements of R-7 district.

He says that the property at 46 Lake Street is an existing two-story building with a total lot size of approximately 4,115 square feet. The building has party walls with buildings to the east and west. It is also built to the south lot line and adjacent to the public sidewalk. The building therefore cannot

be physically expanded to accommodate the R-7 zoning requirements for a place of worship in an NC District.

Mr. Rufo argues that the hardship for the current applicant is imposed by the current R-7 zoning dimensional requirements in that the applicant is restrained from purchasing the property for its use as a religious facility. The owner's hardship is evident in the loss of such a contract purchaser.

Member Lencioni moved to approve the application. Member Hansen seconded the motion. The motion was approved by a 5-0 vote.

The ZBA Attorney presented a draft Resolution approving the variance to the Board. Member Lencioni moved to approve the Resolution. Member Hansen seconded the motion. The motion was approved by a 5-0 vote.

The meeting was adjourned.