

**VILLAGE OF OAK LAWN**  
9446 Raymond Avenue Oak Lawn Illinois 60453  
**ZONING & PLANNING COMMISSION**  
Village Hall Auditorium  
Monday, April 5, 2021  
Meeting Minutes #2021-13

**I. ROLL CALL:** Meeting called to order at 7:30 p.m.

- A. Chairman:** Vernon Zumhagen
- B. Members:** Dave Bennett Pina Paruta (*ABS*)  
Tom Duhig (*ABS*) Rich Piazza  
Bill Lundy Vernon Zumhagen  
Mike Moriarty (*ABS*)
- C. Staff:** Kevin McGuinness, Village Planner  
Kevin Casey, Village Planner  
Deanne Adasiak, Recording Secretary

**II. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Commissioner Zumhagen.

**III. APPROVAL OF PRIOR MEETING MINUTES:**

*A motion to approve the Regular Meeting Minutes #2021-2 dated March 15, 2021 was made by Commissioner Piazza and seconded by Commissioner Lundy.*

Roll call: Zumhagen, yes; Piazza, yes; Moriarty, Lundy, yes; Bennett, yes.

Motion passes: 4-0-0.

The Oath was administered by Commissioner Zumhagen.

**IV. MISCELLANEOUS PETITION:**

A.) Pet. #2021-4 – Request for Second Driveway and Garage Height Variations at 9615 S. Brandt Ave., Maria Grana-Smith, Petitioner

*Mrs. Maria Grana-Smith, 9615 S. Brandt, Oak Lawn, Illinois*

The petitioner explained her request to construct a new garage at the rear of the property. She stated that she is requesting a height variance for the garage, which will be three feet taller than the permitted 16 foot height. The petitioner stated that she is also seeking a second driveway variation. The petitioner said the height variation will allow for storage. She explained that her home does not have any storage space. She stated that her attic was converted into living space and that their basement serves as a playroom for her children. The petitioner stated that her husband has a large collection of tools and materials that they would like to store in the garage as well as park their car there.

The petitioner said she has an existing driveway that needs to be repaired. She indicated that the rendering shows how small the garage is, which will not accommodate a car, and that they have only used it for storage up to this point. She said the apron at the back will be used to go into the

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**Monday, April 5, 2021**  
Meeting Minutes #2021-13

garage. The petitioner said that she would prefer to convert the garage to a shed rather than demolish it.

Commissioner Bennett asked the petitioner to clarify that she needs the second driveway to get into the garage. The petitioner responded that the driveway is more of an apron that they will use for access to the garage. Commissioner Bennett asked about the materials of the new garage. The petitioner responded that they will absolutely use the same color to maintain their home's style and aesthetic.

Commissioner Piazza stated that when he met the petitioner's husband, he mentioned the difference in height of 19 feet versus 16 feet; he stated that the petitioner's husband indicated his intention to have a walkable storage area that included a staircase for their children. Commissioner Piazza said the petitioner's husband also provided the dimensions of the existing garage (19' x 16'); Commissioner Piazza said it is a very small garage. The petitioner stated that the existing garage is off center, requiring a slight angle to access the garage with a car. The petitioner said that they have never parked their car in the garage. Commissioner Piazza said it appears the petitioner's neighbors support the petition. Commissioner Piazza said that the petitioner's husband also mentioned another home in the area that has a 19' peak and he took a ride to that location. The petitioner responded that the address is 9611 50<sup>th</sup> Ct.

Commissioner Zumhagen mentioned to the petitioner that he is a neighbor and lives at 97<sup>th</sup> Street and 49<sup>th</sup> Avenue. Commissioner Zumhagen said he feels the petitioner's existing garage was made for a different time and he likes what the petitioner is doing and he feels it will be an improvement. Commissioner Zumhagen said he did have a conversation with the petitioner's neighbors across the street and they were very supportive.

*A motion was made by Commissioner Bennett to approve Pet. #2021-4 – Request for a Second Driveway and Garage Height Variations at 9615 S. Brandt Ave., Maria Grana-Smith, petitioner. The motion was seconded by Commissioner Lundy.*

Roll call: Bennett, yes; Lundy, yes; Piazza, yes; Zumhagen, yes.

Motion to approve passes: 4-0-0.

*A motion was made by Commissioner Piazza to advance Pet. #20201-6 – Request for a Special Use Permit for Residential Use in a C-2 District at 9725 Southwest Hwy., Samera Zayad, Petitioner. The motion was seconded by Commissioner Lundy.*

Roll call: Bennett, yes; Lundy, yes; Piazza, yes; Zumhagen, yes.

Motion to approve passes: 4-0-0.

*The Public Hearing was opened at 7:44 p.m.*

The Oath was administered by Commissioner Zumhagen.

**VILLAGE OF OAK LAWN**  
9446 Raymond Avenue Oak Lawn Illinois 60453  
**ZONING & PLANNING COMMISSION**  
Village Hall Auditorium  
Monday, April 5, 2021  
Meeting Minutes #2021-13

**V. PUBLIC HEARING:**

B.) Pet. #2021-6 – Request for a Special Use Permit for Residential Use in a C-2 District at 9725 Southwest Hwy., Samera Zayyad, Petitioner.

*Mr. Nehad Zayyad, 11555 S. Harlem, Worth, Illinois.*

*Mr. Muhamad Zayyad, 2 Wild Cherry Lane, Palos Park, Illinois*

The petitioner explained their request for a zoning variance to convert a portion of the ground floor of the building into a studio apartment. He stated that they will not make any drastic changes in terms of renovations; the studio apartment will have one bathroom as well as a kitchen and living area. He said the front part of the ground floor will include an office. He said that if they added a one-bedroom apartment, he would need two egresses, but that Village Code only requires one egress for a studio apartment. He said there is already an egress in the back. He said the office space will have an egress at the front. He stated that if it is in the best interest of the Village and the property, he can build a hallway and add two doors on the side to allow for multiple entrances and exits for both the office and the apartment.

Commissioner Piazza asked the petitioner if he will add a window at the back. The petitioner said they can add a window or because it is a flat top roof they can add a sky light. The petitioner said it is not required by Code but he can do it to add more lighting. Commissioner Piazza asked the petitioner if he will be making that change or is he only putting it under consideration. The petitioner replied that he will add a window. Commissioner Piazza inquired if the applicant had any plans for the back. The petitioner responded they are going to leave it as is. Commissioner Piazza said parking does not seem to be a problem. The petitioner said that is correct.

Commissioner Lundy asked the petitioner if he owns the building next to the subject property. The petitioner explained that 9723-25 is one building with two PINS. He said his family has owned the property the past 24 years.

Commissioner Bennett asked the petitioner if he was previously before this Board. Mr. McGuinness explained that the petitioner was approved by this Zoning Board in December 2019 but denied by the Village Board of Trustees. He said the petitioner was required to repetition. Commissioner Bennett asked why the Village Board denied the petition.

*Trustee Paul Mallo, District 3, 9937 Elm Circle, Oak Lawn, Illinois*

Trustee Mallo said he met with the petitioner after the Village Board denied his original petition. He stated that the discussion previously included the addition of a second floor, which he thought was a good idea at the time, but he now realizes that this is the best fit for the property and abutting neighbors. Trustee Mallo said there is no parking variation required with the new proposal and there were parking concerns with the original petition.

Commissioner Bennett said his concern is the absence of a second entrance. He believes it is extremely dangerous if there is ever a fire and only one exit. Commissioner Bennett said that is a huge concern for him. The petitioner said a window can be considered an emergency exit. The petitioner said he is trying to accommodate everyone's needs and concerns. He stated that the Codes exist for a reason, and that they are attempting to address everyone's concerns.

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**ZONING & PLANNING COMMISSION**  
Village Hall Auditorium  
**Monday, April 5, 2021**  
Meeting Minutes #2021-13

Commissioner Bennett asked if there will be two exits. The petitioner responded yes. The petitioner reiterated his proposal to build a corridor that will provide additional exits for the studio apartment and the office. If the Commission wishes to rule in favor of the petition, Village Counsel suggested that they apply a condition to it to resolve the concerns.

Commissioner Zumhagen expressed a similar concern, mentioning the fact that the door and window are in the kitchen, which he believes is the most possible location for a fire to start. He asked if the door on the east end is off the private office. The petitioner explained that the rendering shows a front door at the far top for the office space and also shows the parking lot at the bottom of the rendering with a back door for the studio apartment. He stated that the hallway would run from front to back and that a door would be installed. He said there are a number of ways they can do it to avoid any safety concerns so both units have access to the hallway.

Commissioner Lundy reminded Commissioner Bennett that the petitioner had previously been before this Board; he stated that the neighboring dental office was concerned because they have solar panels and that a second story may have impacted the storage power of the panels. He explained that they had originally planned to build a second story, but that they now are requesting to convert the ground floor adding a studio apartment in the back.

*The Public Hearing closed at 7:58 p.m.*

*A motion was made by Commissioner Lundy to approve Pet. #2021-6 – Request for a Special Use Permit for Residential Use in a C-2 District at 9725 Southwest Hwy., Samera Zayyad, Petitioner.*

*There was no second. Motion fails.*

*A motion was made by Commissioner Bennett to approve Pet. #2021-6 – Request for a Special Use Permit for Residential Use in a C-2 District at 9725 Southwest Hwy, Samera Zayyad, Petitioner with a condition to add two exits for the apartment. The motion was seconded by Commissioner Piazza.*

Roll call: Bennett, yes; Lundy, yes; Piazza, yes; Zumhagen, yes.

Motion to approve passes: 4-0-0.

**IV. MISCELLANEOUS PETITION** *(resumed to original agenda):*

The Oath was administered by Commissioner Zumhagen.

B.) Pet. #2021-5 – Request for Rear Yard and Impervious Surface Variations at 9136 S. Karlov Ave., Ricardo Vazquez, Petitioner

*Mr. Ricardo Vazquez, 9136 S. Karlov, Oak Lawn, Illinois.*

*Mrs. Claudia Vazquez, 9136 S. Karlov, Oak Lawn, Illinois*

The petitioner explained that his request for a variance includes the construction of a patio cover in the back, but the issue was that it might be too close to the property line. He stated that they made a change to move it over 1 foot. He said that they had pavers installed last summer and that there

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**ZONING & PLANNING COMMISSION**  
Village Hall Auditorium  
**Monday, April 5, 2021**  
Meeting Minutes #2021-13

was old cement in the back that they wanted to upgrade and extend. He said he was unaware that he could not exceed 50% of the lot coverage and believes that they are at 53%. Mrs. Vazquez stated that the patio cover extends west and that they require a variance for it; she commented on the unusual position of the house at the back end. The petitioner stated that the area is very hot, and that they intend to use the patio cover in the spring and summer to allow them to spend more time in the backyard. He stated that when it is sunny, it is difficult to enjoy the yard. He mentioned that they had discussed their plans with both neighbors and that they had no concerns about flooding or other problems.

Commissioner Lundy commented on the permeable pavers that are already on the property that provides drainage. The petitioner responded yes.

Commissioner Piazza said he was at the property. He asked if there are ever issues with standing water. The petitioner responded no. Commissioner Piazza mentioned that the neighbor to the south has a concrete patio and a pool. The petitioner said that is correct.

Commissioner Zumhagen asked if the patio cover will be a permanent fixture or will it be movable. The petitioner responded that it will be permanent. Commissioner Zumhagen asked the petitioner if he swapped out the concrete for pavers. The petitioner replied yes.

Mr. McGuinness asked the petitioner if the pavers are permeable or regular pavers. The petitioner said he was told by the contractor that they were pervious and there would not be standing water. Mr. McGuinness said he is not 100% sure if the pavers are permeable as it relates to the Building Permit. Mr. McGuinness said the calculation was not based on the pavers being permeable. Commissioner Zumhagen said if the pavers are permeable, the impervious lot coverage would be reduced. Commissioner Bennett also commented that the patio structure will be a benefit. The petitioner distributed renderings of the proposed patio cover.

*A motion was made by Commissioner Piazza to approve Pet. #2021-5 – Request for Rear Yard and Impervious Surface Variations at 9136 S. Karlov Ave., Ricardo Vazquez, Petitioner. The motion was seconded by Commissioner Bennett.*

Roll call: Zumhagen, yes; Piazza, yes; Lundy, yes; Bennett, yes.

Motion to approve passes: 4-0-0.

**V. PUBLIC HEARING** *(resumed to original agenda):*

*The Public Hearing opened at 8:12 p.m.*

A.) Pet. #2021-3 – Request for Parking and Sign Variations at 4040 W. 111<sup>th</sup> St., Richard Wagner, Petitioner.

*Mr. Richard Wagner, 4040 W. 111<sup>th</sup> Street, Oak Lawn, Illinois*

The petitioner distributed copies of the proposed floor plan.

**VILLAGE OF OAK LAWN**  
9446 Raymond Avenue Oak Lawn Illinois 60453  
**ZONING & PLANNING COMMISSION**  
Village Hall Auditorium  
**Monday, April 5, 2021**  
Meeting Minutes #2021-13

The petitioner explained that the space was formerly used as a medical facility and he needs a parking variance because of the increased capacity of cars. The petitioner said the sign variation is for the existing monument sign. He said that they would like to attach their sign to the monument sign, but that the monument sign is out of code, requiring the variance. Commissioner Zumhagen asked the petitioner to clarify that when he says monument sign, he means the pole sign. The petitioner responded yes.

The petitioner stated that he has made several trips to the location and that he has no concerns about parking. According to the petitioner, this is the only retail space in the Village of Oak Lawn that will be able to accommodate cars during Hog Wild's lunch and dinner rush.

Commissioner Bennett asked the petitioner to clarify that the pole sign will be replaced in 2022. Mr. McGuinness explained that the sign code has a standard abatement date/schedule for non-confirming signs. He said non-confirming signs have to be removed to meet the new code standards no later than June 2022. Commissioner Bennett asked the petitioner if he will have another sign. The petitioner replied that he will have a tenant panel sign added to the pole sign on 111<sup>th</sup> Street.

Commissioner Piazza asked the hours of operation. The petitioner replied that they will be open seven days a week from 10:30 a.m. – 9:00 p.m. Commissioner Piazza asked the petitioner if he has been to them property during Reilly's busy time. The petitioner replied yes. The petitioner said he has been there at least 12-13 times. He said Reilly's gets busy around 10:30 p.m. The petitioner expressed that Reilly's will not be an impact because Hog Wild will be closed by 9:00 p.m. He reiterated that he feels that there is ample parking. Commissioner Piazza mentioned that Reilly's will occasionally have bands performing during afternoon hours. The petitioner replied that he is very familiar with Reilly's for the last 30 years.

Commissioner Lundy expressed that he has been to Hog Wild many times and he believes it is a great establishment and the food is excellent. He said this is a great addition to Oak Lawn. Commissioner Lundy said he understands parking variances are difficult but the petitioner is familiar with the required parking for Hog Wild and the turnover times for a lunch or dinner rush. The petitioner said that the Oak Lawn store will be set up identical to the Midlothian location. Commissioner Lundy asked the petitioner if he has applied for a liquor license. The petitioner responded yes. Commissioner Lundy asked the petitioner if he is also adding gaming. The petitioner responded yes. The petitioner explained that the proposed floor plan is new as he initially leased 3,500 sq. feet but added additional space and now their space is approximately 5,100 sq. feet. He said they are making the gaming in its own box within the restaurant.

Mr. McGuinness explained that the new floor plan increases occupancy so the parking variance will increase to 55.86% or 13 additional parking spaces. Commissioner Piazza asked if employees will park in the lot. The petitioner replied yes.

Commissioner Lundy said we have to keep in mind the turnover times as the cars will not be sitting in the parking lot for 2 hours. The petitioner said he anticipates that lunch turnover is 15-20 minutes. He said dinner is typically the same and allows them to turn their tables more frequently. Commissioner Lundy asked staff if turnover times are taken in consideration for parking variations. Mr. McGuinness explained that we do not use a shared parking factor within our Code. He said the timing of restaurants or how long people are in a store, is not a factor and we do not go that in

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9446 Raymond Avenue Oak Lawn Illinois 60453  
**ZONING & PLANNING COMMISSION**  
Village Hall Auditorium  
**Monday, April 5, 2021**  
Meeting Minutes #2021-13

depth with our calculations. Commissioner Zumhagen said that is commonly addressed as a mitigating factor at our meetings and then readdressed at the Board of Trustees meeting.

Commissioner Piazza mentioned the other tenants, Silencer Athletics, the bank, and an attorney. He asked the petitioner if he had any discussions with the other tenants to let them know that Hog Wild was coming in; the petitioner said he has not had a discussion with the other tenants but that he spoke to one of the managers of the center who has communicated with the other tenants. The petitioner said Silencer Athletics operates early in the morning and later in the evening. The petitioner said he had a conversation with the new owner of Birdies Sports Bar, also a new tenant to the center.

*The Public Hearing closed at 8:29 p.m.*

*A motion was made by Commissioner Lundy to approve Pet. #2021-3 – Request for Parking and Sign Variations at 4040 W. 111<sup>th</sup> St., Richard Wagner, Petitioner. The motion was seconded by Commissioner Bennett.*

Roll call: Zumhagen, yes; Piazza, yes; Lundy, yes; Bennett, yes.

Motion to approve passes: 4-0-0.

**VI. OTHER BUSINESS:**

A.) Chairman:

The parking variation for the Oak Lawn Park District discussed at the previous meeting, according to Commissioner Zumhagen, was approved by the Village Board. He also wanted to express his agreement with Commissioner Bennett's remarks that if we had more information, we could have avoided confusion. Commissioner Zumhagen acknowledged that the Oak Lawn Park District cannot sell land and must instead donate it. He stated that they must donate the land to the Village, and that the Village must sell the land and distribute the proceeds to the Park District. Village Counsel said in a very high level way that is how it works. Commissioner Zumhagen said even at that level there are a lot of relevant details that probably would have helped the discussion at that meeting.

Commissioner Lundy commented on his vote against the parking variation for the Dunkin Donuts petition. He said he confirmed with Mr. McGuinness that the former Village Manager stated in one of the previous meetings that there would be no problems with extending the wall. He stated that the site plan did not show the wall, but if you are in the audience and hear a Village Manager make that statement, he understands why residents are upset because they likely believe they are being misled about the project. Commissioner Lundy said his issue was not the wall, it was the substantial parking variance.

Commissioner Zumhagen stated that he has not yet followed up with Trustee Mallo regarding the concerns about cars driving over the cul-de-sac. He stated that he believes the residents have spoken with the Trustee about the matter.

B.) Members:

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9446 Raymond Avenue Oak Lawn Illinois 60453  
**ZONING & PLANNING COMMISSION**  
Village Hall Auditorium  
**Monday, April 5, 2021**  
Meeting Minutes #2021-13

Commissioner Lundy expressed that it is great to see businesses like Hog Wild want to come to Oak Lawn.

C.) Staff: *None.*

**VII. ADJOURNMENT:**

*A motion to adjourn was made by Commissioner Bennett and seconded by Commissioner Lundy.*

Voice vote: All in favor, aye.

Motion carries.

The meeting adjourned 8:45 p.m.