



# VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET  
PALATINE, IL 60067-5339 – (847) 359-9050  
<http://www.palatine.il.us>

## ZONING BOARD OF APPEALS MINUTES • JULY 26, 2022

Village Hall - Council Chambers

Regular Meeting

7:00 PM

### I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Cindy Roth-Wurster	Commissioner	Present	
Jan Wood	Commissioner	Present	
Jerry Luszczyk	Commissioner	Absent	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Absent	
John Pirog	Commissioner	Present	

### II. MINUTES APPROVAL

1. Zoning Board of Appeals - Regular Meeting - Jun 28, 2022 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>AYES:</b>	Roth-Wurster, Wood, McGinn, Pirog
<b>ABSENT:</b>	Luszczyk, Cavanaugh

**III. PUBLIC HEARING**

1. 212 S. Bothwell Street

<b>RESULT:</b>	<b>WITHDRAWN</b>
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2. 936 S. Mallard Court

Notice was published in the Daily Herald on July 11, 2022 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey / Site Plan
4. Floor Plan
5. Elevations
6. Surrounding Property Consent letters
7. Existing Conditions
8. Public Notice

**Sworn in staff: Ms. Lyn Bremanis & Mr. Alex Bradshaw**

**Sworn in the petitioner: Mr. Andrew Hellman 936 S. Mallard Court**

Mr. Hellman stated they want to add a small addition to the rear and remove an aging deck. He stated they are looking to add a 3 season room that is 20ft wide by 12ft deep. He stated the current structure is 22ft off the rear of the property. Mr. Hellman explained the property is on an angle and they only have 33ft from property line to foundation so under restriction.

Ms. Wood asked about current deck size  
Mr. Hellman stated it is 22 by 18

Mr. Pirog asked if there are homes in the rear  
Mr. Hellman answered yes

Mr. Pirog asked if the neighbors have any issues  
Mr. Hellman stated they signed off consent along with all other neighbors in the rear

Ms. Wood asked the reason for the addition  
Mr. Hellman explained they are looking for additional living space for family gatherings and storage in winter

Mr. Bradshaw gave a brief overview explaining all signatures obtained are from immediate adjacent properties. He stated subject property received an Administrative Variation for rear yard setback relief for the existing deck in 1992. He explained the proposed addition will not encroach in the either side yard setback. Mr. Bradshaw stated Staff has observed that the two immediately adjacent lots on South Mallard Court have rear yard setbacks similar, between 25 feet - 30 feet, to that which is proposed at the Subject Property. He stated both building and lot coverage are well under the maximum allowed percentage and Community Services and Engineering have reviewed and have no issues.

Ms. Wood spoke to the unique shaped lot and asked without sunroom or deck would the home have the 45ft required setback  
Mr. Bradshaw answered no explaining it is closer to 35ft.

**STAFF RECOMMENDATION:**

The Petitioners are proposing to construct a sunroom home addition off the rear of their existing residence. The Subject Property previously received relief for a rear yard setback reduction for the existing deck. The proposed addition has a smaller footprint and will be setback further from the rear lot line than the existing deck. Additionally, the existing residence as a whole is existing non-conforming to the current required rear yard setback due to the unique layout of the residence on the lot.

Therefore, Staff recommends approval of the requested Special Use, subject to the following condition:

- 1. The Special Use shall substantially conform to the Site Plan and Elevations submitted by the Petitioners, Mr. Hellman & Katie Hellman, except as such plans may be changed to conform to the Village’s Codes and Ordinances.

There were no further questions. The public hearing was closed.

**Ms. Roth-Wurster made a motion to approve subject staff’s conditions; seconded by Mr. McGinn**

**DELIBERATIONS:**

Ms. Roth-Wurster stated standards have been met. She pointed out it is helpful to see neighbors with the same condition. She spoke to the standards of uniqueness

Mr. McGinn pointed out the lots on White Willow are large so it won’t encroach too much on them.

Ms. Wood agreed. She thinks it is good the sunroom is smaller than the deck and is happy neighbors are on board.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on August 8, 2022**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	Cindy Roth-Wurster, Commissioner
<b>SECONDER:</b>	Theodore McGinn, Commissioner
<b>AYES:</b>	Roth-Wurster, Wood, McGinn, Pirog
<b>ABSENT:</b>	Luszczak, Cavanaugh

## 3. 1835 N. Laurel Drive

Notice was published in the Daily Herald on July 11, 2022 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Neighbor Objection Letter- Antoniou
6. Public Notice

**Sworn in the Petitioner: Mr. Dennis Galang 1835 N. Laurel Drive**

Mr. Galang stated they are requesting a special use for a wooden fence in the front yard. He explained the fence will add additional security and privacy and give additional play area for kids. He stated it meets the standards to protect the homeowner and provide additional safety of area.

Mr. Pirog asked what danger

Mr. Galang pointed out the open space and location of kids' bedroom. He stated they have had multiple people cut through yard and have no privacy. He stated they have a ring doorbell and have had multiple notifications so need this fence for security.

Ms. Wood asked what is allowed.

Mr. Bradshaw explained the location being in front yard it can only be 3ft in height.

Ms. Wood asked if 3ft is not high enough.

Mr. Galang answered no because people can jump over it.

Mr. Pirog referred to existing conditions slide and asked what is to the left.

Mr. Bradshaw explained the portion in the picture is allowed and the relief is for the yellow line.

Mr. Pirog asked location to the sidewalk.

Mr. Bradshaw explained they are requesting 14ft from lot line but originally requested 9ft and moved back to accommodate the neighbor's line of sight concerns.

Ms. Roth-Wurster clarified location.

Mr. Bradshaw referred to slide to show the distance from lot line to the neighbors 6ft hedge.

Ms. Wood asked the height of current fence

Mr. Galang explained it is 6ft and transitions to approx. 3ft as it approaches the

sidewalk.

Discussion on location of fence.

Mr. Pirog clarified what area on site plan requires relief.

Mr. Bradshaw referred to the site plan slide and explained the red line is the initial proposal and the dashed blue line is the revised proposal and anything in front of the 30ft setback requires relief.

Ms. Wood asked about safety issues.

Mr. Galang stated they addressed the limited line of sight issue by moving the fence back to 14ft. He stated the neighbors prefer 27ft from sidewalk and that won't work because it will be right on top of the house. He stated they are willing to meet in the middle at 14ft.

Mr. Bradshaw gave a brief overview explaining the Petitioner is proposing to expand an existing 6 foot tall solid wood fence to enclose a portion of the required front and interior side yard. He stated the portion of the proposed fence abutting Aster Avenue will have a minimum setback of approximately 14 feet from the front lot line. Mr. Bradshaw stated the proposed fence abuts a portion of the 30 foot front yard of the adjacent neighbor to the east, 855 E. Aster Avenue which was countered by a submission of objection. He stated per the submitted application, the Petitioner provided a list of comparable fences on properties within the surrounding neighborhood including one directly across the street.

Mr. Pirog asked if the fence across the street was also 6ft.

Mr. Bradshaw stated it is 6ft solid wood fence. He stated staff reviewed the list and found all fences listed are either existing non-conforming or were permitted as a fence in a side yard abutting a street. He stated Community Services and Engineering have reviewed and had no issues.

**Sworn in Mr. Greg Antoniou 855 E. Aster Avenue (son of owner)**

Mr. Antoniou stated the letter of opposition was from him and his mother. He expressed concern with public safety, specifically the line of site when backing up down the driveway. He stated his mother is concerned about having a fence in her front yard, explaining she doesn't want to look out her kitchen window and see fence. Mr. Antoniou stated there is a lot of car traffic, so a restricted view will be an issue. He spoke to the unique shape of his mother's property which puts her driveway 10ft from fence line. He pointed out there is a school bus stop at the corner at Laurel and Aster. Mr. Antoniou stated he spoke to adjacent neighbors who all admitted they didn't take all factors into consideration, and may have had a different response. He stated the ordinance says a fence can't be in front of a home. Mr. Antoniou stated they asked if the fence can be back in line with his mother's home. He spoke to their shrubs which are higher to keep privacy due to the fence needing repair. Mr. Antoniou stated they signed off on the current fence which is 4ft high. He expressed concern with the impact to property values.

Ms. Wood asked if shrubs are usually lower  
Mr. Antoniou answered yes but have not trimmed because a portion of the fence is down and was looking for privacy.

Ms. Roth-Wurster asked if the discussion with the neighbors was about the 9ft original request.  
Mr. Antoniou answered, yes.

Ms. Wood asked if they have tested their line of site at 14ft.  
Mr. Antoniou answered yes and has pictures of his mother's car in the driveway. He stated they get a lot of deliveries and there is a lot of traffic in driveway.

Ms. Wood asked about pedestrian traffic.  
Mr. Antoniou stated there is quite a bit with the school bus stop and Aster Avenue being the entrance to the neighborhood. He stated the area was annexed into the Village so most fences were put up under Cook County ordinance.

**Sworn in Ms. Debra White 842 Aster Avenue**

Debra stated she lives across street and signed off to approve before safety issues were raised. She stated she wants the petitioner to have their fence but hopes they come up with a safe solution.

**Sworn in Ms. Roxanne Galang 1835 N Laurel Drive owner**

She stated she found a small cigarette right outside her son's window so is looking for a fence to provide security for her kids. She stated she wants the neighbors to be happy and safe so they moved the fence back but wants the same safety for her two sons. Roxanne stated the neighbors' proposal of 1ft from their house is pointless.

Mr. Pirog asked if a 5ft fence was considered.  
Roxanne stated they were not given any option other than 3ft or 6ft.

Discussion on possibly tapering down.

Mr. Antoniou proposed a 4ft fence at the first setback request but the petitioner wanted more privacy with a 6ft.

Ms. Wood asked what the thoughts on 5ft are.  
Mr. Antoniou stated he would have to consult with his mother.

Mr. Galang stated they are willing to go back up to 19ft, but doesn't know if neighbor will agree.

Mr. Bradshaw requested a continuance for neighbors to come with an agreement.  
Mr. Galang agreed to continue the request to the next ZBA meeting.

**Mr. McGinn made a motion to continue the matter to the August 9<sup>th</sup> ZBA agenda; seconded by Ms. Roth-Wurster  
Unanimous voice vote of 4-0**

**Ms. Wood summarized that this request will be continued to the August 9, 2022 ZBA meeting.**

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 8/9/2022 7:00 PM</b>
<b>MOVER:</b>	Theodore McGinn, Commissioner	
<b>SECONDER:</b>	Cindy Roth-Wurster, Commissioner	
<b>AYES:</b>	Roth-Wurster, Wood, McGinn, Pirog	
<b>ABSENT:</b>	Luszczak, Cavanaugh	

## 4. 16 N Brockway Street

Notice was published in the Daily Herald on July 11, 2022 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use & Variation
2. Proof of Ownership
3. Plat of Survey
4. Business Plan
5. Floor Plans
6. Elevations
7. Signage
8. Public Notice

**Sworn in Mr. Tony DeFilppis 16 N. Brockway Street**

Mr. DeFilppis explained they are looking to expand current business of 15 years in Palatine to a full sit down local pizzeria. He stated they are keeping the menu the same but adding liquor license to have sit down beer to add to the community and demand of customer base. He explained the signage variation is for the sign in the front and along the side that faces the bank to add a mural that will add to the architectural value of the building. Mr. DeFilppis pointed out the building is a historic figure in the town and he would like to bring back to life and be a destination spot for the community.

Ms. Wood asked for more information about the sign with animation.

Mr. DeFilppis explained they looking to have it move slowly to be the typical Italian hand motion for "Bellissima" or beautiful.

Ms. Wood asked if the animated sign will be illuminated.

Mr. DeFilppis stated no.

Ms. Wood asked about material of the flag colors on the front of the building.

Mr. DeFilppis stated they are unsure but possibly vinyl.

Mr. McGinn asked if there will be lights.

Mr. DeFilppis answered yes.

Ms. Wood asked if those are the colors for the ribbons.

Mr. DeFilppis answered yes.

Ms. Wood asked purpose of side mural.

Mr. DeFilppis stated it is to enhance the area. He stated it won't be for advertising rather adding to the beautification.

Mr. McGinn asked if it will be painted.

Mr. DeFilppis answered yes.

Mr. McGinn asked if it will the mural remain the same.  
Mr. DeFilppis stated touchups may be required.

Mr. Pirog asked if the lights and motion on signs will stop when closed.  
Mr. DeFilppis answered that is correct.

Ms. Bremanis gave a brief overview stating this is located in the downtown district and zoned B1 but follows the downtown shopping center requirements. She spoke to the floor plan of the 3-story building pointing out there are a total of 82 seats and a pickup window so customers can pick up their food and not have to go inside. Ms. Bremanis stated the basement will be used primarily for food prep and storage and the 3<sup>rd</sup> floor will be used for office and storage. Ms. Bremanis stated the downtown parking is reviewed and approved administratively. She stated staff has no concerns showing on the aerial the available parking lots including off Palatine Road and newly at BMO on nights and weekends. Ms. Bremanis stated the Petitioner noted they have an agreement with Palatine Bank and Trust for deliveries. She spoke to the hours of Operation being Monday-Thursday 10am-10pm, Friday-Saturday 10am-midnight, and Sundays 10am-9pm. She stated the signage request was reviewed and found acceptable referring to slides to show similar signage in area.

Mr. Pirog asked if the examples of downtown signs are nonconforming.  
Ms. Bremanis stated all have been approved and meet code.

Mr. Pirog asked about Tap House.  
Ms. Bremanis stated they got zoning relief.

Ms. Wood asked if there is a concern with other businesses having parking issues  
Ms. Bremanis stated they have not had anyone express concern and staff feels there is adequate parking in the area. She referred to aerial to show all available parking

Ms. Bremanis stated Community Services, Engineering, Environmental Health and Fire Prevention have reviewed and had no issues.

Ms. Roth-Wurster asked if there have been any issues with Pizza Bella.  
Ms. Bremanis answered not that she was aware of.

Ms. Roth-Wurster asked if the main floor includes the current garage area.  
Ms. Bremanis answered yes.

Ms. Roth-Wurster asked about the ribbon piece clarifying that is over the existing garage.  
Ms. Bremanis answered yes.

**Sworn in Ms. Maryann Rodriquez works at 15 N Brockway Street, Mexico**

**Uno.**

Ms. Rodriguez expressed concern with parking stating their customers already complain there are no spots available. She asked about BMO parking agreement.

Ms. Bremanis clarified all customers will be able to park there on nights and weekends.

Ms. Rodriguez stated there is no parking by Bank of America and 2 spots were taken away for snow storage but was never used for that. She stated she wants to ensure their customers have adequate parking.

Ms. Bremanis stated the downtown is a shared parking area with no designated spots. She again referred to aerial showing parking options.

Ms. Wood asked if there will be signage added for the public parking at BMO.

Ms. Bremanis answered yes.

**STAFF RECOMMENDATION:**

The proposed restaurant, to be located within the Central Business District, would be located in an area where restaurants are common and would be compatible with the downtown area. With the available public parking, Staff is comfortable with the parking requirements. In addition, the employees will be required to utilize the downtown employee parking areas.

The proposed signage is unique as there is main signage on the front of the building and painted signage of the side that adds architectural interest at a more pedestrian scale (and will not be lit). Staff does not believe that the proposal will alter the essential character of the downtown.

Therefore Staff recommends approval of the Special Use and Variations subject to the following conditions.

1. The Special Use shall substantially conform to the Business Plan, Floor Plan, and Sign Elevations submitted by the Petitioner, except as such plan may be changed to conform to the Village of Palatine's Codes and Ordinances.
2. All employees of Pizza Bella shall enroll in and utilize the designated downtown employee parking areas.

There were no further questions. The public hearing was closed.

**Mr. Pirog made a motion to approve subject staff's conditions; seconded by Mr. McGinn**

**DELIBERATIONS:**

Mr. Pirog stated this meets standards of both special use and variation and thinks the area needs more restaurants like this.

Ms. Wood stated everyone loves to have businesses and restaurants come to

downtown area and this is a well-known business. She stated it is great to have the building updated. She stated the board has to be conservative with signage but this fits in nicely. Ms. Wood spoke to parking and how the new availability of the BMO lot will be perfect. She stated this will be a great welcome addition to downtown Palatine

Ms. Roth-Wurster stated she was pleasantly surprised with the signage because it is being done subtly. She stated the standards have been met.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on August 1, 2022**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	John Pirog, Commissioner
<b>SECONDER:</b>	Theodore McGinn, Commissioner
<b>AYES:</b>	Roth-Wurster, Wood, McGinn, Pirog
<b>ABSENT:</b>	Luszczak, Cavanaugh

## 5. 375 W. Northwest Highway

Notice was published in the Daily Herald on July 11, 2022 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use Amendment
2. Proof of Ownership
3. Business Plan
4. Floor Plan
5. Public Notice

**Sworn in the petitioner: Mr. Manny Rafidia owner & Mr. Amir Rafidia son of owner 2 Star Lane South Barrington**

Mr. Rafidia asked for addition to existing 1 taco dos tequila- doing phenomenal- asking for addition to add gaming room- addition was part of salon with 12 nail stations and bringing 6 games which will be less parking - presented permit requirements and have plenty of parking to accommodate.

Mr. Bradshaw zoning board is strictly reviewing only the expanded floor space, not the proposed ancillary of video gaming use.

Mr. Bradshaw gave a brief overview explaining the existing One Taco Dos Tequilas is proposing to expand their operation into the tenant space to the north which is all within the Century Plaza Shopping Center. He explained the proposed floor plan change will be a special Use Amendment and the limited seating for the proposed gaming use will not have an impact on the parking requirements. Mr. Bradshaw stated there are no proposed changes for the hours of operation with the expanded floor plan. He stated both Community Services and Engineering have reviewed and had no issues.

**STAFF RECOMMENDATION:**

The Petitioner is proposing to expand the floor plan of their existing restaurant into a vacant tenant space directly adjacent to the current location. As the additional seating associated with the expanded floor plan is limited the parking requirement will remain the same. Furthermore, the new space's proposed ancillary use will not change the current hours of operation. Therefore, Staff recommends approval of the requested Special Use Amendment with the following condition:

1. The Special Use shall substantially conform to the Floor Plan submitted by the Petitioner, Manny Rafidia, except as such plans may be changed to conform to the Village's Codes and Ordinances.

There were no further questions. The public hearing was closed.

**Mr. Pirog made a motion to approve subject staff's conditions; seconded**

by Ms. Roth-Wurster

**DELIBERATIONS:**

Mr. Pirog stated the standards have been met. He pointed out there is no effect on parking so sees no issues.

Ms. Roth-Wurster agreed with Mr. Pirog.

Mr. McGinn stated it won't alter the character of the locality.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on August 8, 2022**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	John Pirog, Commissioner
<b>SECONDER:</b>	Cindy Roth-Wurster, Commissioner
<b>AYES:</b>	Roth-Wurster, Wood, McGinn, Pirog
<b>ABSENT:</b>	Luszczak, Cavanaugh

## 6. 1565 N. Quentin Road

Notice was published in the Daily Herald on July 11, 2022 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use Amendment
2. Proof of Ownership
3. Business Plan
4. Floor Plan
5. Plat of Survey
6. Objectors Letter
7. Public Notice

**Sworn in the petitioner: Mr. Manny Rafidia owner & Mr. Amir Rafidia son of owner 2 Star Lane South Barrington**

Mr. Amir Rafidia read into record a prepared letter by Manny Rafidia: He spoke to the amount of retail experience they have along with other businesses they currently operate. He pointed out they acquire centers that are in distress and fix them up. Mr. Amir Rafidia stated their business is a family run business. He addresses the concerns of the neighbor and stated the parking will be sufficient without overflow because customers will be in and out.

Ms. Wood asked if they will have wine tasting.

Mr. Manny Rafidia answered no explaining it requires an additional license and he doesn't feel he has the parking.

Mr. McGinn asked about access.

Mr. Manny Rafidia agreed it is difficult. He stated he thinks the nice signage will pull in customers.

Ms. Wood asked if there is overflow parking.

Mr. Manny Rafidia state there is sufficient parking for people to run in and out.

Mr. McGinn asked about lights with signage.

Mr. Manny Rafidia stated the sign will be all black with reverse LED lights that will only illuminate the letters.

Ms. Wood asked how many other vacancy are in the center.

Mr. Manny Rafidia answered 2. He stated he has one tenant looking at opening a healthy shakes and vitamin store. He spoke to the center on Northwest Hwy being almost full capacity and in total they have almost 300 tenants throughout other centers. Mr. Manny Rafidia stated he sees the last tenant space being more of an office use that doesn't create much traffic.

Ms. Wood asked how long they have owned the Center on Northwest Hwy.

Mr. Manny Rafidia stated they have owned since 1995. He stated that was his

first center acquired and have since owned and operated approx. 50 centers. He stated he was attracted to this center for location and pointed out currently it is an eye sore that needs stability. Mr. Manny Rafidia stated he thinks this is the most effective use for this spot.

Ms. Wood asked about concern of dumpsters.

Mr. Manny Rafidia stated there will not be much garbage. He stated they plan on wrapping and keeping all cardboard inside and have a special service pick up after hours.

Mr. Bradshaw gave a brief overview stating the space was previously granted a special use to operate a health club which has since closed leaving the vacancy since April 2017. He stated the proposed hours of operation are Monday - Thursday: 11 AM - 9 PM, Friday - Saturday: 11 AM - 10 PM and Sunday: 12 PM - 8 PM and plan on selling in addition to alcohol candy, prepackaged snacks and soft drinks. Mr. Bradshaw stated per the submitted Business Plan, the Petitioner will utilize the rear door to the alley behind the building for all deliveries which will be limited to between 1-3 PM and all trash and recycling will be stored in the premises and will have a nightly service for disposal of all discarded cardboard/recycling materials. He referred to the slide to show the back area which is a fire lane. Mr. Bradshaw stated the business plan indicates that there will be four part-time employees and three full-time employees, all of which will be obtain Basset certification. He stated the parking requirement would not change with this proposed use. Mr. Bradshaw stated Community Services, Engineering, Fire Prevention and Police have all reviewed and have no issues.

Ms. Wood asked staff is there has been any issues with the center owner with other plazas he owns.

Mr. Bradshaw answered, no, not that staff is aware of.

#### **Sworn in Mr. Ken Raczek 769 W. Misty Drive**

Mr. Raczek expressed concern with access. He stated he has lived there for 16 years. He spoke to the right turn access on Dundee and how traffic has to go onto Quentin multiple times. He spoke to the gate that had to be installed to prevent truck access.

#### **STAFF RECOMMENDATION:**

The subject tenant space was previously granted a Special Use to operate as a health club, but has been vacant since 2017. The Petitioner is proposing to open a liquor store to fill the space and take advantage of the busy Dundee Road and Quentin Road intersection. The surrounding area consists of residential town homes to the north and Jelly Café to the south.

Staff understands that the proposed hours of operation are significantly later than the other tenants within the Plaza. However, the impact on the adjacent residential properties is diminished due to the tenant space being located on the far south end of the Plaza, by having deliveries occur only during the day, between 1 and 3 PM, and by scaling back the hours of operation to be open no

later than 10 PM on Friday and Saturday. Therefore, Staff recommends approval of the proposed Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Business Plan and Floor Plan submitted by the Petitioner, Munir Rafidia, except as such plans may be changed to conform to the Village of Palatine Codes and Ordinances.

Mr. Pirog asked if other businesses follow those delivery hours and if they will be enforced.

Mr. Bradshaw answered, yes, as it is part of the proposed business plan.

There were no further questions. The public hearing was closed.

**Mr. McGinn made a motion to approve subject staff’s conditions; seconded by Ms. Roth-Wurster**

**DELIBERATIONS:**

Mr. McGinn stated they have clear evidence showing the petitioner will operate consistent with the public health safety and welfare of the community. He stated it won’t alter the character of the location. He spoke to the uniqueness and the petitioners plan to do it in a nice way including the signage so he thinks it meets the standards.

Ms. Roth-Wurster stated it meets the standards. She pointed out the petitioner has plenty of experience operating such businesses and a lot of thought has been given to make it a worthwhile property.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on August 8, 2022**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	Theodore McGinn, Commissioner
<b>SECONDER:</b>	Cindy Roth-Wurster, Commissioner
<b>AYES:</b>	Roth-Wurster, Wood, McGinn, Pirog
<b>ABSENT:</b>	Luszczak, Cavanaugh

**IV. COMMUNICATIONS**

**V. ADJOURNMENT**