

MEETING AGENDA



Planning and Zoning Commission

Village of Homewood

September 08, 2022

Meeting Start Time: 7:00 PM

Village Hall Board Room

2020 Chestnut Road, Homewood, IL

Commission Meetings will be held as in-person meetings. In addition to in-person public comment during the meeting, members of the public may submit written comments by email to pzc@homewoodil.gov or by placing written comments in the drop box outside Village Hall. Comments submitted before 4:00 p.m. on the meeting date will be distributed to all Commission members prior to the meeting.

Please see last page of agenda for virtual meeting information.

1. Call to Order

2. Roll Call

3. Minutes:

Approve minutes from the Planning and Zoning Commission meeting on August 11, 2022.

4. Public Comments

5. Regular Business:

A. Case 22-29: 18354 Governors Highway - Variance from required 1,000' separation of a Tattoo Parlor/ Body Piercing Facility from a Place of Worship

Case 22-30: 18354 Governors Highway - Special Use for Tattoo Parlor/ Body Piercing Facility

6. Old Business:

7. New Business:

8. Adjourn

The public is invited to the meeting using the link below to join Webinar:
<https://us06web.zoom.us/j/99184811606?pwd=UkU5TjBQc0QXkxektpaGRYdz09>

To listen to the Meeting via phone: Dial: 1-312-626-6799
Webinar ID: 991 8481 1606 Passcode: 573812

MEETING MINUTES



Village of Homewood
Planning and Zoning Commission
Thursday, August 11, 2022
7:00 p.m.

Village Hall Board Room
2020 Chestnut Road
Homewood, IL 60430

CALL TO ORDER: Chairman Sierzega called the meeting of the Planning and Zoning Commission to order at 7:00 p.m.

ROLL CALL: Members attended: Alfonso, Bransky, Cap, Johnson, O'Brien, Castaneda, and Chairman Sierzega; Present from the Village were Economic and Community Development Director Angela Mesaros, Village Planner Valerie Berstene, and Building Department Secretary Darlene Leonard. There were two people in the audience. The public was able to listen and watch the meeting via zoom webinar.

APPROVAL OF MINUTES:

Chairman Sierzega asked if there were any corrections or changes to the minutes of July 14, 2022.

Member O'Brien stated on page 1 in the middle change "suggested" to "corrected"

A motion was made by Member Bransky to approve the minutes of July 14, 2022, as amended; seconded by Member O'Brien.

AYES: Members Bransky, Cap, Castaneda, O'Brien.

NAYS: None

ABSTENTIONS: Member Alfonso, Member Johnson, and Chairman Sierzega

ABSENT: None

Case No. 22-17 – Variance from garage height at 17904 Park Avenue:

Village Planner Berstene stated the case has been withdrawn.

Case No. 22-23 – Site Plan Review and Case No. 22-24 Parking Variance at 810 Maple Ave:

Chairman Sierzega introduced the case and swore in the petitioner Mohammad Majid, 9200 S. 78th Ave. Hickory Hills, and Vincenzo Colella, 239 Concord Ln., Carol Stream.

Chairman Sierzega asked if the property had been purchased. Mr. Majid stated yes, and that he wants to renovate it into two store fronts.

Chairman Sierzega asked if it is the old Discount Tire building and how big it is. Mr. Majid stated, yes, it is the old Discount Tire building and it is roughly 12,000 square feet.

Chairman Sierzega stated there are 28 parking spaces, but the requirement is 48 and asked if research had been done on where the additional spaces would come from. Mr. Majid stated the number of spaces is correct. Mr. Colella stated they had reached out to Kohl's but had not gotten a response. Mr.

MEETING MINUTES

Colella added the building was constructed for auto repair with storage and the estimated number of staff and shoppers for each new use is five.

Chairman Sierzega asked if they reached out to Kohl's. Mr. Colella stated yes. Chairman Sierzega stated there was no communication from Kohl's. Mr. Colella stated they reached out, but have gotten no response or correspondence.

Chairman Sierzega asked if they had other ideas or options for parking. Mr. Majid stated no.

Member Bransky asked what the uses would be in the spaces and added that the materials stated beauty supply and tobacco, and asked if they could elaborate to get an idea of the foot traffic and business hours. Mr. Majid stated the beauty supply location will sell hair, wigs, accessories, etc.

Member Bransky asked if the building will be split 50/50. Mr. Majid stated no, closer to 70 (beauty supply)/30 (tobacco). The other side will sell cigars, cigarettes, and have a humidor for premier cigars. Mr. Majid stated the hours are expected to be 8 AM to 8 PM, and close earlier on Sundays, around 5 PM. Mr. Majid stated most customers for the smoke shop are in later in the day during the week and early on Saturdays.

Mr. Majid stated has 10 other locations for tobacco store and rarely has more than 5-6 people in at the same time.

Member Bransky stated that it is not a high traffic use, and asked if there would be a smoking area or lounge. Mr. Majid stated no, it is strictly retail. The beauty place has business early in the day when the smoke shop has less business.

Mr. Majid stated, for the beauty supply store, the customers will buy their supplies and leave. There is strong business at both businesses, but not at the same time.

Member Bransky asked the number of employees at both locations. Mr. Majid stated the salon will have two employees and the smoke shop will be one, but may have an additional employee in the evenings.

Member Alfonso asked how much of the building will the businesses use. Mr. Majid stated the tobacco shop is 4,000 square feet with a back storage area.

Member Alfonso asked if there would be a third business at the location. Mr. Majid stated no, and the beauty store would not have storage in the back as everything will be on display. They will have a "back area," but it will be for receiving items only.

Member Cap asked how the building would be transformed. Because the drawing does not indicate where the doors will be, how the building will be divided, or how the parking will serve both uses. Mr. Majid stated the beauty supply will be on the south end. Mr. Colella stated the entry will be on the east.

Member Cap asked if the door on the northwest corner would be a secondary or staff entrance. Mr. Majid stated the door in the middle would be closed off. Mr. Colella stated both doors are being closed off and the primary entrance will be on the east side by the parking lot.

MEETING MINUTES

Member Cap stated that doing so would put a premium on the parking on the east side of the building and the parking on the west side would be a long walk. Mr. Majid stated the parking on the west side would be for staff.

Member Cap stated that Village Staff shared the Site Plan Review Committee's memo and asked if there is any issue with implementing their recommendations. Mr. Colella stated it is not a problem and they can implement all of it.

Member Cap asked if they had done any research about Homewood. Mr. Colella stated he did a little, but his partner is more familiar.

Member Cap stated the Village usually want something in writing for parking, and it is not the first time they have requested it. Member Cap added that Kohl's isn't the only adjacent property, there is the office building to the west or even possibly, Best Buy. Mr. Colella stated they ruled out the others because of safety concerns for the patrons.

Member Cap stated it is not unusual and fairly common to have patrons cross a street when having a parking agreement.

Member Cap stated these are the rules and the Village has to look to implement them fairly.

Member O'Brien asked staff, regarding the parking requirement, if it has been determined that any approvals are in the new ordinance so since it has not been approved yet it should be the current code. Village Planner Berstene stated the reference to the current labeling in the ordinance reflects the number from the current Village Code updated in October 2021.

Member O'Brien asked if content has been added or updated. Staff Liaison Mesaros stated the content has not changed.

Member Johnson asked if Kohl's owns the entire parking lot to the north or if Saucy Crab owns some of it or if it is owned by the shopping center.

Member Johnson stated that it's a lot of spaces being used. Member Johnson stated even with a huge sale there is not a lot of demand, so he does not believe parking is a big concern.

Member Castaneda asked how many people may be in the beauty shop. Mr. Majid stated 4-5.

Member Castaneda asked the square footage of the beauty shop. Mr. Majid stated 7,000 square feet.

Member Castaneda stated the building at this location is not the tight footprint downtown is, and she thinks the 28 spaces would cover it.

Member Branksy stated on the application it says 48 spaces, and it is asking to be reduced to 26, but elsewhere it says 28. Staff Liaison Mesaros stated during the site plan review the Staff requested that the parking lot be restriped and the parking was changed to 26.

Chairman Sierzega asked which portion is the beauty supply and asked if it will be open to the public. Mr. Colella showed a hard copy of the property to the Commission members. Mr. Majid stated yes, it will be open to the public.

Chairman Sierzega stated the smoke shop door will open to the parking lot on the east side, and asked where the beauty supply entrance will be located. Mr. Majid stated the same side.

Chairman Sierzega asked if the rear doors will be for employees and how many employees both locations would have. Mr. Majid stated the rear doors are employee access and two employees at each location.

Chairman Sierzega asked what products the smoke shop will sell and if it will include hookah jars and asked what the hours of both locations will be. Mr. Majid stated there will be a full line of tobacco products, but they will only sell the tobacco for hookahs. The hours for the smoke shop are Monday-Saturday 8AM to 9 PM or 9 AM to 9 PM, and Sundays t open at 8 AM or 9 AM and close around 6 PM. The beauty shop will have the same hours.

Chairman Sierzega asked if the employees will park in the rear. Mr. Colella stated there will be seven striped spaces.

Chairman Sierzega stated he is concerned about reaching out to the adjoining properties for additional parking if necessary and recommends researching the ownership of the lot to the north and trying to lease spaces.

Chairman Sierzega asked if there will be a humidor. Mr. Majid stated yes.

Chairman Sierzega asked if the beauty shop is a chain. Mr. Majid stated it is not, there are multiple locations, but it is not a franchise.

Chairman Sierzega asked if they are able to meet the recommendations from the staff regarding the bollards, regrading, etc. Mr. Majid stated yes.

Chairman Sierzega asked if the landscaping is in. Village Planner Berstene stated it is not included. There were comments from the Arborist, but they were very technical and they will be reviewed by the Appearance Commission next month.

Member Cap asked if the traffic circulation as one-way traffic had been addressed. Mr. Colella stated the concern is the northeast corner because of a blind spot. They are willing to address it and there will be stop signs and clear lane markings. Mr. Colella stated they are not doing the one-way traffic because the angled parking decreased the number of parking spaces.

Member O'Brien asked how truck delivery is being accommodated and where the loading dock is located. Mr. Majid stated there is no loading dock, just the rear door on the west side and stated the delivery vehicles will be the size of Amazon delivery vehicles.

Chairman Sierzega asked if the parking lot will be torn out. Village Planner Berstene stated the lot will be milled down to the base.

Chairman Sierzega asked about the timeline to open. Mr. Majid stated that both locations should open before the end of 2022.

MEETING MINUTES

Member Bransky asked if it can be added to Case 22-24 to have a good faith effort for contact about the parking lot to the north as a recommendation to the Village Board.

Member Cap stated he is comfortable with that.

A motion was made by Member Bransky to approve Case Number 22-23 Site Plan Review for the property located at 810 Maple Avenue; seconded by Member Alfonso.

AYES: Members Alfonso, Bransky, Cap, Castaneda, Johnson, O'Brien, and Chairman Sierzega.

NAYS: None

ABSTENTIONS: None

ABSENT: None

A motion was made by Member Bransky to approve Case Number 22-2 Parking Variance for the property located at 810 Maple Avenue incorporating the Findings of Fact with the recommendation to attempt to contact the owner of the parking lot to the north for use of parking spaces; seconded by Member Johnson.

AYES: Members Alfonso, Bransky, Cap, Castaneda, Johnson, O'Brien, and Chairman Sierzega.

NAYS: None

ABSTENTIONS: None

ABSENT: None

Chairman Sierzega stated that the applicant should try to contact the owner and have it in writing to show the Village Board.

NEW BUSINESS: Village Planner Berstene stated the consultant has updated the zoning code and she will be sending out emails for discussion of the updated zoning code.

OLD BUSINESS: NONE

ADJOURNMENT: Chairman Sierzega asked for a motion to adjourn the meeting. Member Johnson moved to adjourn the meeting at 8:03 p.m., seconded by Member Cap.

AYES: Members Alfonso, Bransky, Cap, Johnson, O'Brien, Castaneda, and Chairman Sierzega.

NAYS: None

ABSTENTIONS: None

ABSENT: None

Respectfully submitted,

Angela M. Mesaros
Staff Liaison

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: September 8, 2022

To: Planning and Zoning Commission

From: Valerie Berstene, Village Planner

Topic: Case 22-29 Variance
Case 22-30 Special Use Permit



APPLICATION INFORMATION

APPLICANT	Hannibal Payton-Bernard
ACTION REQUESTED	22-29: Variance from the requirement for 1,000' separation from a place of worship 22-30: Special use permit for a tattoo/body piercing facility
ADDRESS	18354 Governors Highway
PIN	31-01-225-004-0000

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-3 Service Business District	Vacant, formerly retail and learning center
PROPOSED	B-3 Service Business District	Tattoo/body piercing facility
SURROUNDING	N: R-1 Single Family Residential, and PL-2 Public Land and Open Space	Detached dwellings, and Dolphin Lake Park
	E: R-2 Residential	Place of Worship
	S: R-4 Multi-Family Residential, and PL-2 Public Land and Open Space	Multi-family dwelling, and Open space/stream
	W: R-4 Multi-Family Residential	Multi-family dwellings

LEGAL NOTICE

Legal notice was published in *Daily Southtown* on August 24, 2022; letters were sent to 144 property owners, residents, and businesses within 250'.

As of September 1, Staff has not heard from any neighbors or community members with questions or concerns regarding these cases.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application for Special Use w/ Standards	3	Hannibal Payton-Bernard	06/06/2022
Application for Variance w/ Standards	3	Hannibal Payton-Bernard	09/01/2022
Demo Floor Plan from previous tenant	1	-	-

Title	Pages	Prepared by	Date
Landlord Letter of Authorization	1	Brent Seiler, North Park Properties	08/20/2022
Letter of Support	1	Lamont Henderson, Woodlands Community Church	08/23/2022
Staff Exhibits	2	Valerie Berstene, Village Planner	09/08/2022

BACKGROUND

The tenant space at 18354 Governors Highway was most recently occupied by Miranda Vinyl and Supplies, a retail establishment. Prior to that, the space was occupied by M.A.S.T.E.R.S Plus Tutoring Program, a Learning Center with a Special Use permit approved in 2011 (Case 11-58).

The Cherry Creek Shopping Center was established in 1967. Other current tenants in the shopping center include a variety of different uses including dental and medical offices, restaurants, retailers, and personal services establishments offering fitness, health, and beauty services.

In 2003 the Zoning Ordinance was amended to allow tattoo parlors/ body piercing facilities in the B-3 and M- Districts. The text amendment stemmed from interested business owners. Prior to that amendment, such facilities were prohibited by omission. Since the amendment was adopted, no such facilities have been established. In the 19 years since the amendment, societal norms have become more broadly accepting of self-expression through personal appearance.

DISCUSSION

SPECIAL USE PERMIT

The applicant proposes to open a tattoo studio in a vacant tenant space at 18354 Governors Highway in the Cherry Creek Shopping Center. The use is classified by the Zoning Ordinance as a “tattoo parlor/body piercing facility.” The applicant does not plan to provide any body piercing services. A tattoo/body piercing facility is a special use in the B-3 district. The special use permitting process allows for a case-by-case review to assess the suitability of the proposed use to a specific site and consider the potential impact on neighboring properties.

The applicant proposes to operate a tattoo studio in the 1,700 SF tenant space. He plans to have a reception desk, 6 workstations for tattooing, and a break room/creative work area for the artists. The current zoning ordinance does not include tattoo/body piercing facilities. The draft of the revised (new) zoning ordinance, currently under review, establishes 1 per 300 SF parking requirements for all personal services, including a tattoo/body piercing facility. This would require 6 parking spaces. The applicant anticipates, at maximum capacity, 1 reception + 6 tattoo artists + 6 customers. This would require, at maximum capacity, 13 parking spaces. The shopping center provides shared parking for all its uses and can accommodate both scenarios of parking needs. Staff recommends that, in keeping with previous special use permits for this shopping center, the motion includes the condition that “employees must park in the rear.”

The applicant’s responses to the standards for a special use are attached for consideration.

VARIANCE

The Zoning Ordinance details specific certain use-specific standards. For a tattoo parlor/body piercing facility, Section 9.2.R.3/ Municode Section 44-355.r.3 requires that *“No tattoo or body-piercing establishment shall be located within 1,000 feet of the property line of another tattoo or body piercing use, any school or any place of worship.”*

The location of the proposed establishment at 18354 Governors Highway is across Governors Highway from a place of worship, Woodland’s Community Church. The distance from the proposed establishment to the property line of Woodland’s Community Church is approximately 300’. Therefore, the applicant requests a variance from the 1,000’ separation requirement in order to operate his business at 18354 Governor’s Highway.

The applicant’s responses to the standards for a variance are attached for consideration.

In addition to the completed application, the applicant contacted the leader of the Woodland’s Community Church and has provided a letter of support.

The Village is currently in the process of updating the Zoning Ordinance, with anticipated adoption in fall 2022. The proposed revisions to the ordinance do not include this required separation between tattoo/body piercing facilities and churches or schools. The separation requirement may reflect outdated views towards personal appearance and perceived influence. The hardship of this request, therefore, is based not on a geographical or physical constraint of the site, but on outdated societal norms. The variance granted would potentially be applicable to similar zoning cases, which the draft of the new code revises.

DRAFT FINDINGS OF FACT

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 2.16/ Municode Section 44-81 of the Zoning Ordinance for the Special Use and Section 2.17/ Municode Section 44-82 for the Variance. The findings of fact, as proposed or as amended, may be entered into the record.

1. The subject property is located at 18354 Governors Highway, in the Cherry Creek Shopping Center;
2. The applicant, Hannibal Payton-Bernard, is the prospective business owner and tenant, applying with authorization by the property owner;
3. The subject property is located in the B-3 Service Business District;
4. A tattoo parlor/body piercing facility is a special use in the B-3 Service Business District;
5. The special use for a tattoo parlor/body piercing facility is subject to meeting use-specific standards, including a 1,000’ distance separation from the business to the property line of a place of worship, per Section 9.2.R.3/ Municode Section 44-355.r.3;
6. The applicant seeks a variance from the 1,000’ separation requirement to operate his tattoo studio approximately 300’ from the property line of Woodlands Community Church; and
7. The applicant has the support of the leader of the neighboring place of worship.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

If the Commission finds that the request meets the standards for a variance and standards for a special use, the Planning and Zoning Commission may consider the following motion:

Recommend approval of (1) Case 22-29 to grant a variance from Section 9.2.R.3/ Municode Section 44-355.r.3 of the Homewood Zoning Ordinance to allow a tattoo parlor/body piercing facility within 1,000' of the property line of a place of worship; and (2) Case 22-30 to grant a Special Use Permit for a Tattoo Parlor/Body Piercing Facility in the B-3 Service Business District for "Big Brothers Tattoo Studio" at 18354 Governors Highway, subject to the condition that employees must park in the rear; and

Incorporate the findings of fact into the record.



VILLAGE OF
HOMewood
2020 Chestnut Road,
Homewood, IL 60430
(708) 206-3385

APPLICATION FOR SPECIAL USE PERMIT

SUBJECT PROPERTY ADDRESS: 18354 Governors Highway

APPLICANT INFORMATION:

Name: Hannibal Puffan - Bernard

Email: [REDACTED]

Phone ([REDACTED]

Address: [REDACTED]

Fax: [REDACTED]

PROPERTY OWNER INFORMATION (if different than applicant):

Name: Brent Seiler

Email: [REDACTED]

Phone ([REDACTED]

Address: [REDACTED]

Fax: [REDACTED]

Describe the need for the request; please be specific: To Open a clean and safe place to do tattoos. Also a space where customers feel comfortable and safe to get tattoos.

Describe the present use of the subject property: Mirand Vinyle - Master Tutoring

Has the property owner applied for a variation or special use permit for this property within the last 12 months?

☐ Yes ☐ No

REQUIRED SUBMISSIONS:

- ☒ Completed application
- ☒ Site plan drawn to scale indicating present and proposed improvements to the subject property
- ☒ Business plan/description of operation plan
- ☐ Statement addressing Conditions of Approval (see instructions)
- ☒ Proof of ownership or interest in ownership - draft lease
- ☐ Plat of survey with legal description - on file

Office Use Only

Date Application Received: 8/8/22

Case No.:

Zoning of Property: ☐ R1 ☐ R2 ☐ R3 ☐ R4 ☐ B1 ☐ B2 ☒ B3 ☐ B4 ☐ DO ☐ M ☐ PL

Application Fee Paid:

☒ \$150.00

I hereby certify that the statements and facts given on this application are true and complete to the best of my knowledge. I agree that if granted the special use requested, the resultant land use will at all times comply with applicable resolutions, ordinances and standards of the Village of Homewood.

[Signature]
Signature of Applicant

06/06/22
Date



STANDARDS FOR SPECIAL USE

Street Address: 18354 Governors Highway
Zoning District: B-3 Service Business District
Special Use: Tattoo parlor/body piercing facility

The Planning and Zoning Commission and the Village Board shall consider the following standards when evaluating an application for a special use. The responses provided shall be specific to the requested special use and property in question.

1. Is the special use deemed necessary for the public convenience at that location?
 It is necessary because there aren't any tattoo studios in Homewood and very few in the surrounding suburbs. This allows customers to have a legal space to get tattoos.
2. Is the special use detrimental to the economic welfare of the community?
 No, the special use is not detrimental to the economic welfare of the community. It will actually help and increase the economic welfare by attracting more people that do not live in the community to come to the community.
3. Will the special use be consistent with the goals and policies of the Comprehensive Plan?
 Yes, all goals and policies will be strictly followed by the special use.
4. Is the special use so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected?
 Yes, the space's main purpose is to provide a clean, sanitary, and safe space for the public. Also the space will follow all state laws and guidelines.
5. Is the special use a suitable use of the property, and will the property will be substantially diminished in value without the special use?
 The special use is perfect for the property and will only increase the value.
6. Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?
 No, the special use will increase value of other properties due to the high value and ambiance of the special use.

STANDARDS FOR SPECIAL USE

7. Will the special use be consistent with the uses and community character of the neighborhood surrounding the property?

Tattoo studios are unique in their own way due to the fact that they are mostly made/designed from the artistic mind of the artist/owner. Even though it would be unique or different it would be accepted by the neighborhood because many people in Homewood are looking for a special use of this kind.

8. Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?

No, the special use will pose no threat or be injurious in any way to the use or enjoyment of other properties. This special use is something that is going to operate indoors in its own space in a peaceful manner.

9. Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?

The special use will not impede the development or improvement to the properties as it is already developed commercial space.

10. Does the special use provide adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets?

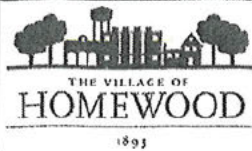
Yes traffic congestion will be minimized as the studio will work mainly under appointments so customers will have a set time/schedule to come in.

11. Is the special use served by adequate utilities, drainage, road access, public safety and other necessary facilities?

Yes, the special use will use basic utilities, drainage, road access, public safety as it does not need anything different from most businesses.

12. Will the special use substantially adversely affect one or more historical, archeological, cultural, natural or scenic resources located on the parcel or surrounding properties?

No, the special use poses no threat or effect to any of these things.



VILLAGE OF
HOMEWOOD
2020 Chestnut Road,
Homewood, IL 60430
(708) 206-3385

APPLICATION FOR ZONING ACTION

SUBJECT PROPERTY ADDRESS:

18354 Governors Highway

APPLICANT INFORMATION:

Name: Hannibal Paffen - Bernard

Email:

Phone:

Address:

Fax:

PROPERTY OWNER INFORMATION (if different than applicant):

Name: Brent Seiler

Email:

Phone (day):

Address:

Fax:

Requested zoning action; please be specific:

To locate a tattoo studio closer than 1000 ft of a place of worship.

Has the present owner applied for zoning action for this property within the last 12 months: ☐ Yes ☐ No

REQUIRED SUBMISSIONS:

- ☒ Completed application
☐ Site plan drawn to scale indicating the proposed improvement to the subject property
☐ Statement which addresses Conditions for Variances (see attached instruction sheet)
☐ Proof of ownership or interest of ownership
☐ Plat of survey with legal description

*** IMPORTANT ***

A plat of survey is required to accurately evaluate your request. The measurements shown on the plat will be used during the hearing. If you intend to present evidence other than what is shown on your plat, you will need to provide a current plat of survey.

SUPPLEMENTAL EVIDENCE (OPTIONAL):

- ☐ Photographs of the property seeking a variation
☐ Petition of neighboring property owners stating that they do not object to the proposed variation

Office Use Only

Zoning of Property: ☐ R1 ☐ R2 ☐ R3 ☐ R4 ☐ B1 ☐ B2 ☒ B3 ☐ B4 ☐ DO ☐ M ☐ PL

Requested Action: ☒ Zoning Variance ☐ Administrative Variance ☐ Minor Variance

Current Use: ☒ Conforming ☐ Nonconforming ☐ PUD

Variance Request - HZO Section No.: 9-2R3

Date Application Received:

Case No.:

Application Fee Paid:

Zoning Variance

Administrative Variance

Minor Variance

Residential

☐ \$150.00

☐ \$150.00

☐ \$100.00

Commercial

☒ \$250.00

☐ \$250.00

☐ \$100.00

I hereby certify that the statements and facts given on this application are true and complete to the best of my knowledge. I agree that if granted the variation requested, the resultant land use will at all times comply with applicable resolutions, ordinances and standards of the Village of Homewood.

Signature of Applicant

Date

09/01/22



STANDARDS FOR VARIANCE

Street Address: 18354 Governors Highway
Zoning District: B-3 Service Business District
Requested Variance: 1000' Separation from a Place of Worship

No zoning variance shall be granted as authorized in this section unless findings based upon the evidence presented in each specific case establish that the standards below are met:

1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?

The property will yield more than a reasonable return being that tattoos and art are expensive so it will generate a lot of revenue.

2. Is the plight of the owner due to unique circumstances?

Yes, it is a unique circumstance that the shopping center is directly across from a church and the proposed zoning ordinance would remove this restriction.

3. Will the variance, if granted, alter the essential character of the locality?

No, the variance will have no effect at all on the character of the locality.

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making this determination, when there are practical difficulties or particular hardships, shall also take into consideration the extent to which items below have been established by the evidence:

4. Do the particular physical surroundings, shape or topographical conditions, or the specific property involved bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out?

No, the hardship is not based on physical surroundings, it is based on societal perception towards tattoos.

5. Do the conditions upon which the petition for variance is based be applicable generally to other property within the same zoning classification?

Yes, this would apply to other tenants of the same property, but the revised zoning ordinance would give the same relief to the other properties.

STANDARDS FOR VARIANCE

6. Has the alleged difficulty or hardship or the alleged unique circumstance, been created by any person presently having an interest in the property?

It is an existing condition that the church is across the street from the shopping center and I have no financial interests.

7. Will the granting of the variance be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located?

No, it will not in any way be detrimental to the public welfare or injurious to other property or improvements. It will attract more customers to the area from within Homewood and from customers outside Homewood.

8. Will the proposed variance impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood?

No, the variance will operate within its own space without impairing or endangering the surrounding public as it does not need any special equipment to operate.



Tel : 312-498-7654
E-Mail: bseiler@northparkprops.com
2720 Dundee Road, Suite 183
Northbrook, IL 60062

August 20, 2022

RE: Cherry Creek Plaza Owner Authorization - Permitted Use

To Whom it May Concern:

North Park Properties is the manager of Cherry Creek Investors, LLC. Cherry Creek Investors, LLC as owner of Cherry Creek Plaza authorizes the prospective Tenant, Payton Bernard, to pursue a special use permit for a prospective operation of a Tattoo business at Cherry Creek Plaza.

Final Ownership approval of the use and occupancy will remain subject to an agreed upon and fully executed Lease agreement.

Brent Seiler

Principal-North Park Properties

Manager Cherry Creek Investors, LLC

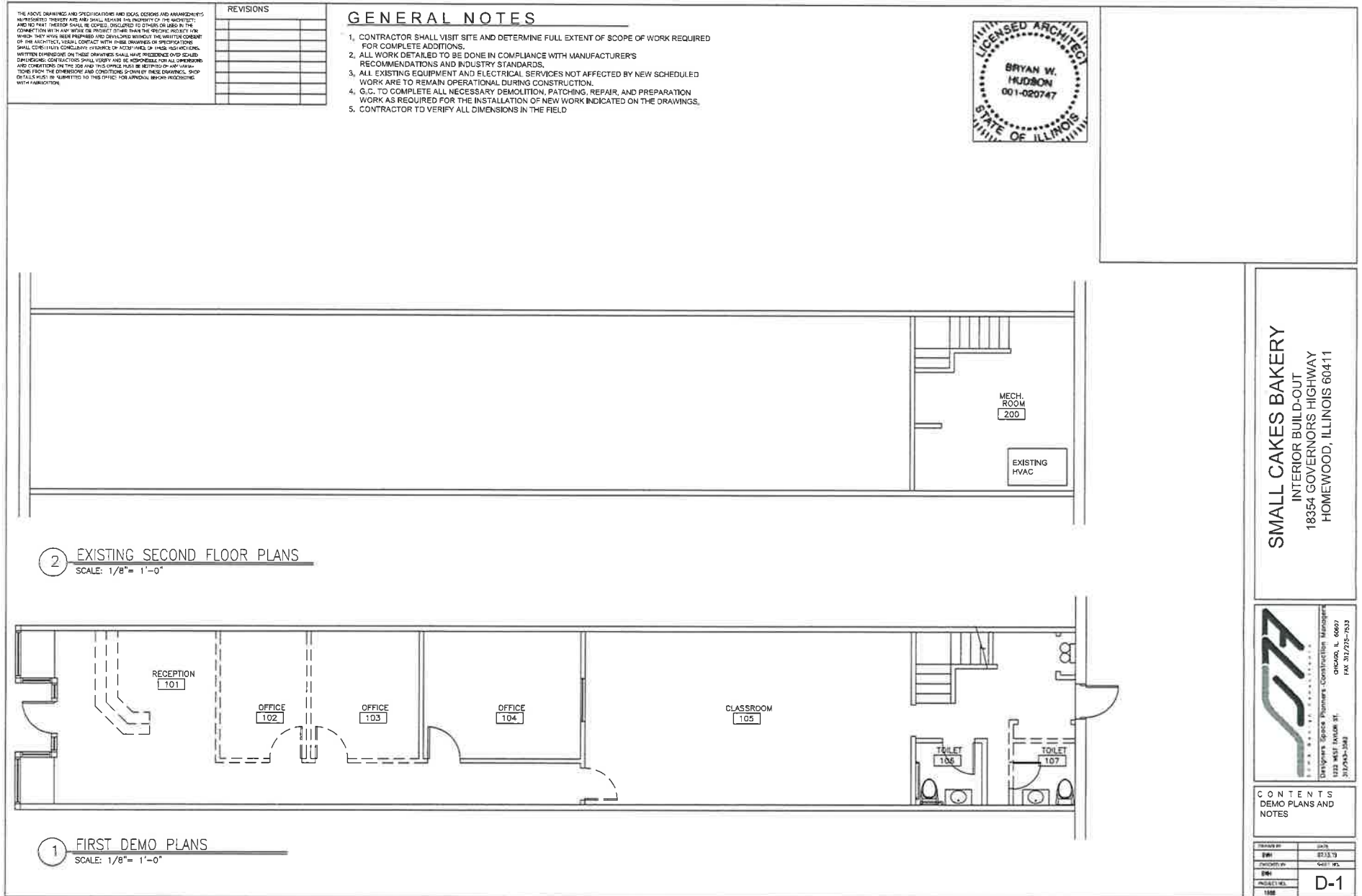


To Whom it May Concern:

I met with tattoo artist, Payton Bernard, Tuesday, August 23rd, to discuss our approval for him to open Big Brothers Tattoo Studio, in the Cherry Creek Shopping Center, 18354 Governors Hwy., Homewood, Illinois. After our discussion, I found no reason for Payton not to be allowed to open the tattoo studio. Therefore, please accept this memo as approval from Woodlands Community Church for Payton Bernard to open the studio. If you have any questions, please feel free to give me a call.

Sincerely,

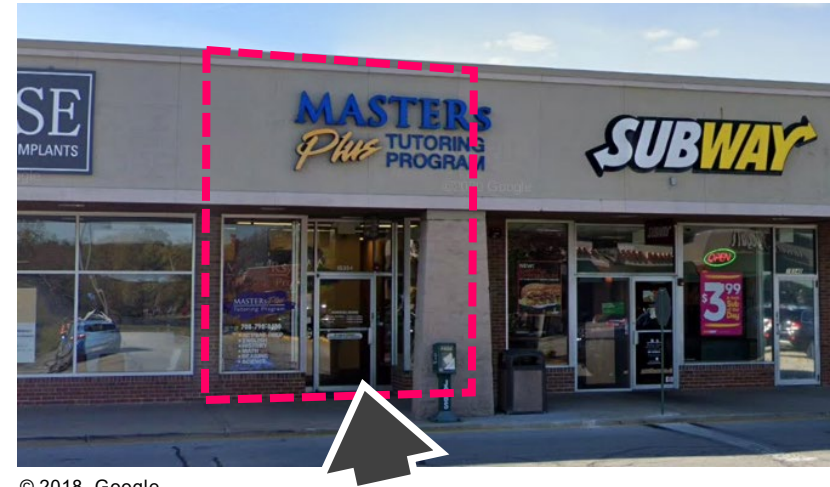
Lamont Henderson
Executive Pastor
Woodlands Community Church
708-799-9360







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MAIN ENTRANCE

