

JULY 19, 2019

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



SEP 23 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

George Gonzalez
APPLICANT

337-19-Z
CALENDAR NUMBER

**2116 W. Shakespeare Avenue/2117 W.
Webster Avenue**
PREMISES AFFECTED

July 19, 2019
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 2116 W.
SHAKESPEARE AVENUE/2117 W. WEBSTER AVENUE BY GEORGE
GONZALEZ**

I. BACKGROUND

George Gonzalez (the "Applicant") submitted a variation application for 2116 W. Shakespeare Avenue/2117 W. Webster Avenue (the "subject property"). The subject property is a through lot¹, is currently zoned RS-3 and is currently improved with a single-family home and detached garage. The Applicant proposed to raze the existing improvements on the subject property in order to construct a new single-family home with detached garage (the "proposed home"). To permit this construction, the Applicant sought a variation to reduce the: (1) front setback on Shakespeare Avenue from the required 20' to 5'; (2) west side setback from 2' to zero (east side setback to be 3'); (3) combined side setback from 4.8' to 3'; and (4) the required midway of unobstructed 21.04' wide open space between streets from 76.3' to 48.29'.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on July 19, 2019, after due notice thereof

¹ As defined in Section 17-17-02177 of the Chicago Zoning Ordinance.

APPROVED AS TO SUBSTANCE

CHAIRMAN

as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted his proposed Findings of Fact. The Applicant Mr. George Gonzalez and his attorney Mr. Tyler Manic were present. The Applicant's wife Ms. Megan Gonzalez and the Applicant's architect Mr. Scott Fortman were present. Testifying in opposition to the application were Mr. James Benjamin, Ms. Meaghen Benjamin, Ms. Alma Claudio, Ms. Marsha Pardo, and Mr. Richie Pardo (collectively, the "Objectors"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

In response to a request from the ZONING BOARD OF APPEALS, the Applicant's attorney Mr. Tyler Manic provided a brief overview of the application.

Mr. James Benjamin, of 2114 W. Shakespeare, testified in opposition to the application. He testified that he was a licensed architect in the State of Illinois. He testified as to the history of the block, his belief that the mid yard of the Applicant's property should remain open and unobstructed in strict compliance with Section 17-2-0309(1) of the Chicago Zoning Ordinance and the fact that most lots in Bucktown² were 23-25' wide by 100' deep. He testified that he believed the Applicant could build a 2100-2400 square foot home (or 3400 square foot home if one included the basement) without encroaching on the required midway of open unobstructed space (or any other setback).

In response to questions by the ZONING BOARD OF APPEALS, Mr. Benjamin testified that he only opposed the reduction to required midway of open unobstructed space. He testified he did not care about the Applicant's other requested setback reductions.

Mr. Benjamin then submitted and the ZONING BOARD OF APPEALS accepted into the record: (1) a drawing he had prepared showing how the Applicant's proposed home would encroach in the required midway of open unobstructed space; and (2) a light study he had prepared showing both the proposed home as well a home that complied with all setbacks of the Chicago Zoning Ordinance (including the required midway of open unobstructed space).

Mr. Benjamin then testified that a reason for setbacks in general is to reduce the risk of fire spread. He testified that the buildings at both 2120 W. Shakespeare and 2121 W. Webster have secondary egresses that go into the mid yard. He testified the building at both 2120 W. Shakespeare and 2121 W. Webster are built to the lot lines of their respective properties and that he was concerned about what would happen if there was a fire, especially as a variation to reduce the required midway of open unobstructed space had been granted for 2123 W. Webster.

² The subject property is located in the Bucktown neighborhood.

Ms. Megan Benjamin, also of 2114 W. Shakespeare, testified in opposition to the application. She testified that she did not believe the subject property was unable to realize a reasonable return if only permitted to be used in accordance with the Chicago Zoning Ordinance. She then submitted and the ZONING BOARD OF APPEALS accepted into the record MLS listings of Bucktown properties. She testified that she was concerned about moving the garage to the Webster side of the subject property. She testified that she believed the Objectors were being put in an awkward position of disproving the Applicant's application.

In response to this, the ZONING BOARD OF APPEALS reminded Ms. Benjamin that under the Chicago Zoning Ordinance, the applicant had the burden of proving to the ZONING BOARD OF APPEALS that his application met all required standards for a variation.³

Ms. Alma Claudio, tenant at 2120 W. Shakespeare, testified in opposition to the application.

Ms. Marsha Pardo, of 2115 W. Webster, testified in opposition to the application. She testified that the proposed home would result in lack of sunlight to her home and would change the character of the neighborhood in that there would be less open space. She then submitted and the ZONING BOARD OF APPEALS accepted into the record a photograph showing the space between her home and the subject property.

Mr. Richie Pardo, also of 2115 W. Webster, testified in opposition to the application.

The ZONING BOARD OF APPEALS then requested that the Applicant respond to the Objectors' testimony.

In response to the Objectors' testimony, the Applicant presented the testimony of his wife Ms. Megan Gonzalez. Ms. Gonzalez testified that she and her husband purchased the subject property in 2011. She testified that while she and her husband loved the subject property itself, they had always had the hope of demolishing the current home on the subject property and building a home that better suited the needs of their family. She then testified as to how the current home on the subject property did not suit her family's needs. She testified that she and her husband had no plans to sell the subject property as they wished to be long-term residents of the subject property. She testified that this desire to remain residents of the subject property was why her husband had submitted the application to the ZONING BOARD OF APPEALS. She testified that she and her family cannot continue residing at the subject property in the current home.

Ms. Gonzalez then testified that she and her husband sought to locate a detached garage off of Shakespeare. She testified that there are numerous garages off of Shakespeare and that there were, in fact, more garages off of Shakespeare than Webster. She testified that if she stood in her backyard, she could not see up and down each side of

³ Section 17-13-1107-A of the Chicago Zoning Ordinance; *River Forest State Bank & Trust Co. v. Zoning Bd. of Appeals of Maywood*, 34 Ill.App.2d 412, 417 (1st Dist. 1961).

the block. She testified that there really was not any midway open space on either side of her property to view either the rest of the block or the rest of the City.

The Applicant Mr. George Gonzalez testified.

The ZONING BOARD OF APPEALS stated that it wished for the Applicant's architect to address the actual Chicago Zoning Ordinance criteria the Objectors had raised as well as the character of the neighborhood.

The Applicant's architect Mr. Scott Fortman testified in support of the application. He testified that he had been designing single-family homes in Chicago for thirty-three (33) years and was not stranger to the Chicago Zoning Ordinance. He testified that the first challenge with respect to the subject property was the zoning. He testified that the block itself had peculiar split zoning which was not typical or normal in the City. He testified that the subject property had been zoned B3-2 and RS-3. He testified that when there is split zoning on a lot, the most stringent zoning requirements of both classifications apply to the lot. He testified that with respect to the subject property, this would mean that a single-family residence would not be an allowed use as the B3-2 zoning district does not allow ground floor residential.⁴

He testified that in consequence, the Applicant dropped the B3-2 zoning on the subject property, and the subject property was re-zoned to RS-3. He testified that once the zoning had been addressed, he then proceeded to design a new home. He testified that the height limitations of the RS-3 zoning district limit a home to two stories, despite the homes on either side of the subject property being three-story homes. He testified that there are much larger homes on the Webster side of the block. He testified that the Shakespeare side of the block has cottages that look like they had been coach houses. He testified that that the Shakespeare side of the block had a number of garages and that it made sense -- especially after the ZONING BOARD OF APPEALS had denied the Applicant's prior request to reduce the required midway of unobstructed open space⁵ -- to design the proposed home so that the proposed home fronted Webster.

He testified that the through lot classification required open space between buildings located between streets.⁶ He testified that the obvious intent of this provision was to provide open spaces in situations where there are two principal structures on the same zoning lot facing two opposite streets. He testified that this provision was never intended to apply to a single-family home. He testified that due to the height restrictions of the RS-3 zoning district, Section 17-2-0309(1) of the Chicago Zoning Ordinance severely limited the footprint of a potential new structure on the subject property. He testified that he believed there was hardship in this case because the subject property was an unusual lot with (originally) unusual zoning. He testified that because of the RS-3 designation, the Applicant could not build any higher than 30' without a zoning change. He testified

⁴ At least not by right. Pursuant to Section 17-3-0207-AA, it would require a special use.

⁵ The ZONING BOARD OF APPEALS denied the Applicant's previous request to reduce the required midway of unobstructed open space in ZONING BOARD OF APPEALS Cal. No. 271-18-Z.

⁶ As set forth in Section 17-2-0309(1) of the Chicago Zoning Ordinance.

that the subject property is 24' wide which is not a typical width for lots within the City, although the neighborhood did have quite a few 24' wide lots. He testified that with the total combined setback of 20%⁷, this would result in a 19' wide home. He testified that this 19' width would be on the outside and the interior of the home would actually measure 17' wide due to the requirement that one must build all masonry construction when so close to a lot line. He testified that a 17' is not a very wide home.

He testified that he felt the proposed home was compatible with the neighborhood. He testified that the proposed home has a traditional design and was very sympathetic and compatible with the existing structures in the neighborhood, many of which date back to the turn of the last century. He then directed the ZONING BOARD OF APPEALS' attention to the renderings provided in the Applicant's zoning review packet that established the site context on both Webster and Shakespeare. He testified that the proposed home incorporated detailing and trim which will be very comparable with the older homes in the neighborhood. He testified that the Applicant had not maximized the square footage of the proposed home. He testified that the proposed home was a modest home with modest-sized rooms. He testified that the Applicant was not trying to take over the subject property and block the neighbors' sunlight, and he felt that the Objectors' testimony mischaracterized the proposed home.

He then testified as to the site block diagram his firm had prepared. He testified that as could be seen from the site block diagram, there are number of structures that project into the midway. He testified that the Benjamins' property was completely enclosed on the east side by a 15' garage as the property next east of the Benjamins' property had been split into two 75' deep zoning lots with a garage in the back that ingresses and egresses onto the adjacent north-south alley. He testified that the Pardos' home projects into the midway. He testified that an unobstructed midway does not presently exist on this block as fifty percent (50%) of the buildings on the block have some sort of encroachment into the midway. He then directed the ZONING BOARD OF APPEALS to an elevation of Webster that his firm had prepared, showing the proposed home in the context of the other homes facing Webster. He testified that as can be seen from the elevation, nearly every building on this block is built on the western property lines. He testified that a lot of the homes in this neighborhood were actually built lot line to lot line. He testified that the proposed home would provide a 3' east side yard, which is more than what is required for the east side setback. He testified that he tried to maximize this east side yard (as this is the side yard which affects the Benjamins and the Pardos) to ensure that the Benjamins and the Pardos obtain adequate light.

He then testified that pursuant to ZONING BOARD OF APPEALS Calendar Number 135-90-Z, the ZONING BOARD OF APPEALS had granted a reduction to the midway unobstructed space for 2123 W. Webster (three houses west of the subject property) and that such reduction had allowed for the construction of a home facing Webster and a detached garage on Shakespeare. He testified that the variation sought and granted by Calendar Number 135-90-Z was similar to what the Applicant was requesting in his application to the ZONING BOARD OF APPEALS. He testified that after hearing the

⁷ As set forth in Section 17-2-0309-A of the Chicago Zoning Ordinance.

Objectors' concerns from the prior hearing before the ZONING BOARD OF APPEALS⁸, the Applicant proposed moving the home so that it fronted Webster (as opposed to Shakespeare). He testified that he reviewed this proposal with the Benjamins on December 5, 2018. He testified that after hearing their feedback, he met with both the Benjamins and the Pardos and presented four different options on January 10, 2019. He testified that in anticipation of concerns with respect to shading, he prepared sun studies.

He then directed the ZONING BOARD OF APPEALS to said sun studies. He testified that from his assessment, the proposed home – with its location on Webster – has less impact on the sun and shading of the Pardos' and Benjamins' properties, especially as the proposed home will be built on the north side of the subject property. He testified that because of this, the proposed home really does not cast shadows as the sun is mainly from the south (with the exception of late in the afternoon on June 21st). He testified that from his sun studies, the building at 2120 W. Shakespeare (the building next west from the subject property) is so much taller than the proposed home that the shadows that cast on the Benjamins' yard are really from the building at 2120 W. Shakespeare and not the proposed building. He testified that his sun studies show the existing conditions of the subject property as well as the subject property with the proposed home. With respect to the shading of the Pardos' and Benjamins' rear yards, he testified that his sun studies show that there is no difference between the existing conditions of the subject property and the subject property with the proposed home. He testified that that his sun study included June 21st in the afternoon, and it shows that the proposed home will make no difference in the shading of the neighbors' homes to what currently exists. He testified that he had designed the proposed home in accordance with the City's Building Code. He testified that based on his thirty years of experience with the Municipal Code of Chicago (i.e., including the Chicago Zoning Ordinance and the City's Building Code), the proposed variation would not impact adequate light, air and ventilation to any adjacent properties.

Mr. Manic then submitted and the ZONING BOARD OF APPEALS accepted into the record the Applicant's proposed Findings of Fact.

B. Criteria for a Variation

Pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance, no variation application may be approved unless the ZONING BOARD OF APPEALS finds, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the

⁸ That is, the hearing for ZONING BOARD OF APPEALS Cal. No. 271-18-Z.

standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a variation pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance:

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.*

As the subject property is a through lot and is only 24' (as opposed to the standard 25' width of a City lot), strict compliance with the regulations and standards of the Chicago Zoning Ordinance would make it impossible for the Applicant to build the proposed home. Instead, any home built on the subject property could only have a 17' wide interior and could not have a detached garage. This inability to build a practical single-family home on the subject property despite the RS-3 zoning classification creates practical difficulties or particular hardships for the subject property.

2. *The requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

Pursuant to Section 17-1-0501 of the Chicago Zoning Ordinance, the proposed variation promotes the public health, safety and general welfare by allowing the Applicant to build a single-family home that suits his family's needs on a residential block. Pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance, the proposed variation preserves the overall quality of life for residents of the City in that it allows the Applicant and his family to continue to reside at the subject property. Pursuant to Section 17-1-0503 of the Chicago Zoning Ordinance, the proposed variation protects the character of established residential neighborhoods in that it will allow the Applicant to build the proposed home which (as will be discussed in more detail below) is very compatible with this residential block of Bucktown. Pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance, the proposed variation maintains orderly and compatible land use and development patterns in that it will allow a compatible single-family home to be built on this residential block. Pursuant to Section 17-1-0509 of the Chicago Zoning Ordinance, the proposed variation ensures adequate light, air, privacy and access to privacy in that the proposed variation will allow for the proposed home, and the proposed home has been designed with great care to preserve adequate light, air, privacy and access to property. Pursuant to Section 17-1-0512, the proposed variation maintains a range of housing choices and options in that it allows the Applicant to have a home that suits his family's needs.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a variation pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance:

1. *The property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

Since the Applicant will continue to own, and the Applicant and his family will continue to reside at the subject property, the ZONING BOARD OF APPEALS finds that reasonable return in this instance is in terms of the subject property's livability. Ms. Gonzalez very credibly testified to the current home's unsuitability for her family's needs and that she and her family cannot continue to reside at the subject property in its present state. The proposed variation will allow the Applicant to construct the proposed home, which will allow the Applicant and his family to continue to reside on the subject property.

2. *The practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property.*

The practical difficulties or particular hardships are due to the unique circumstances of the subject property being a through lot and the subject property being only 24' in width. As Mr. Fortman very credibly testified, a 24' wide lot is not typical in the City. Indeed, as correctly pointed out in the Applicant's proposed Findings of Fact, a standard City lot is 25' wide by 125' deep. In addition to being 25' wide, most RS⁹ property in the City does not contain through lots. Instead, most RS property in the City contains one street frontage and one alley frontage.

3. *The variation, if granted, will not alter the essential character of the neighborhood.*

The variation, if granted, will allow the Applicant to construct the proposed home. As can be seen from the proposed home's plans, the block site plan, the elevation of Webster showing the proposed home, and the sun studies (all prepared by Mr. Fortman), the proposed home will not alter the essential character of the neighborhood.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a variation pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance:

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

The particular physical surroundings (that is, the fact that the subject property is a through lot) and the particular shape of the subject property (that is, the fact the subject property is substandard in lot width) result in a particular hardship upon the Applicant, if the strict letter of the regulations were carried out. As noted above, without the requested variation, the Applicant would only be able to have a home with a 17' wide interior and would not be able to have a detached garage. This is more than a mere inconvenience as evidenced by Ms. Gonzalez's testimony about the inadequacy of the current home on the subject property. The ZONING BOARD OF APPEALS finds Ms. Gonzalez to be a very credible witness.

⁹ As set forth in Section 17-2-0101 of the Chicago Zoning Ordinance, the primary purpose of RS districts is to accommodate the development of detached homes on individual lots. As the Applicant intends to develop a detached home on the subject property, the ZONING BOARD OF APPEALS finds that in this instance "similarly situated property" means property within the RS district.

2. *The conditions upon which the petition for the variation is based would not be applicable, generally, to other property within the same zoning classification.*

The conditions of the subject property's status as a through lot and the subject property's substandard lot width would not be applicable, generally, to other property within the RS-3 zoning classification. As set forth above, most property in the City is 25' in width. Further, as can be seen by Section 17-2-0402-A of the Chicago Zoning Ordinance, off-street parking in a RS-3 district must generally be accessed from an alley. This shows that, generally, the RS-3 zoning classification does not have through lots.

3. *The purpose of the variation is not based exclusively upon a desire to make more money out of the property.*

As Ms. Gonzalez very credibly testified, the purpose of the variation is so that she and the Applicant can have a home suited to the needs of their family. Therefore, the variation is not based exclusively on a desire to make more money out of the property.

4. *The alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property.*

The Applicant neither created the subject property's status as a through lot nor the subject property's substandard lot width.

5. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

Granting the variation will allow the Applicant to build the proposed home. As can be seen from the proposed home's plans, the elevation of Webster showing the proposed home, the block site plan and the sun studies (all prepared by Mr. Fortman), the proposed home will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. In fact, it is clear from Mr. Fortman's testimony that he took great care when designing the proposed home to ensure that it would be respectful to the neighborhood and would not adversely affect other property in the neighborhood. The ZONING BOARD OF APPEALS finds Mr. Fortman to be a very credible witness.

6. *The variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

It is clear from Mr. Fortman's sun studies that the variation will not impair an adequate supply of light and air to adjacent property. The variation will not increase congestion in the public streets because it will allow the Applicant to erect a detached garage. Since the proposed home will not be built unless and until a valid building permit is issued and as Mr. Fortman testified that he designed the proposed home in accordance with the City's Building Code, the proposed variation will not increase the danger of fire or endanger the public safety. As shown by Mr. Fortman's testimony and elevation of Webster showing the proposed home, he took care to ensure that the proposed home would be an asset to the surrounding neighborhood. Thus, the proposed variation will not substantially diminish or impair property values in the neighborhood. Again, the ZONING BOARD OF APPEALS found Mr. Fortman to be a very credible witness.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved his case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a variation, and the Zoning Administrator is authorized to permit said variation.

This is a final decision subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

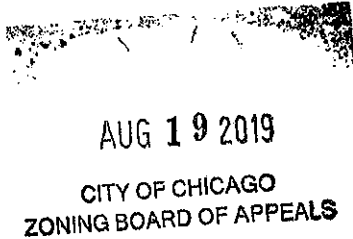
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Anthony and Lisa Zitella **CAL NO.:** 338-19-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 3758 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to reduce the north setback from the required 2' to zero, south setback from 2' to zero, combined side setback from 5' to zero, rear setback from 33.81' to 1.56' and the required rear setback from the property to the garage from 2' to 1.56' for a proposed raised patio with side walls that exceed 6' in height, garage roof deck with pergola and screen walls, fire place attached to the garage with a chimney that exceeds 15' in height which will serve the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

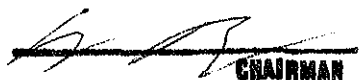
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north setback to zero, south setback to zero, combined side setback to zero, rear setback to 1.56' and the required rear setback from the property to the garage to 1.56' for a proposed raised patio with side walls that exceed 6' in height, garage roof deck with pergola and screen walls, fire place attached to the garage with a chimney that exceeds 15' in height which will serve the existing single family residence; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

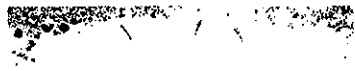
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Sonny Montijo **CAL NO.:** 339-19-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3219 W. Mc Lean Avenue

NATURE OF REQUEST: Application for a variation to reduce the west setback from the required 2' to 1' (east to be 3.58') combined side setback from 5' to 4.58' for a proposed fourth floor addition to the existing three-story building to be converted with partial enclosure over the existing rear open porch and will convert from two dwelling units to three dwelling units.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.

THE VOTE

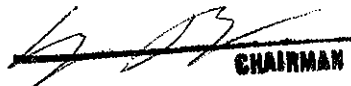


AUG 19 2019

CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

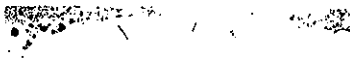
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Perla Yasuda **CAL NO.:** 340-19-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 4612 W. 82nd Street

NATURE OF REQUEST: Application for a variation to reduce the front yard setback from the required 29.58' to zero, east setback from 7.26' to zero (west to be 3'), combined side setback from 21.79' to 3', the setback from the front property line for parking to prevent obstruction of the side walk from 20' to 8' to allow one unenclosed parking stall to be located on the existing drive way and the conversion of the existing garage into habitable area in the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA


AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front yard setback to zero, east setback to zero (west to be 3'), combined side setback to 3', the setback from the front property line for parking to prevent obstruction of the side walk to 8' to allow one unenclosed parking stall to be located on the existing drive way and the conversion of the existing garage into habitable area in the existing single family residence; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE

CHAIRMAN

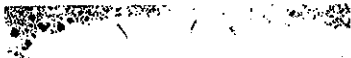
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Johnnie Blue, Inc. **CAL NO.:** 341-19-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 2619 W. Lawrence Avenue

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license to provide live entertainment, music, DJ and cover charge in an existing restaurant which is within 125' of a residential zoning district.

ACTION OF BOARD-
Continued to October 18, 2019 at 2:00 p.m.

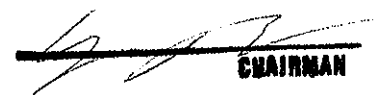
THE VOTE


AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Jessica and Benjamin Ilhardt **CAL NO.:** 342-19-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1841 N. Leavitt Street

NATURE OF REQUEST: Application for a variation to increase the existing floor area not to exceed 15% of the 2,295 square feet to 2,534 square feet for a proposed 239 square foot addition to the basement and second story of the existing two-story, three unit building to be converted to a single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the existing floor area not to exceed 15% of the 2,295 square feet to 2,534 square feet for a proposed 239 square foot addition to the basement and second story of the existing two-story, three unit building to be converted to a single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Wilmot Construction Inc. **CAL NO.:** 343-19-Z

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3114 N. Ridgeway Avenue/3105-19 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area per dwelling unit from the required 1,000 square feet to 905.58 square feet for a proposed four-story, mixed use building with an attached thirty-two car garage.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.

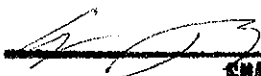
THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Wilmot Construction Inc. **CAL NO.:** 344-19-Z

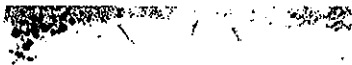
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3114 N. Ridgeway Avenue/3105-19 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation to reduce the off-street parking from the required forty on-site accessory parking spaces to thirty-two to serve a proposed four-story, mixed use building with an attached thirty-two car garage.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.



AUG 19 2019

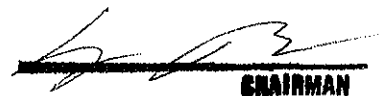
**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

THE VOTE

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 2223 W. Madison, LLC

CAL NO.: 345-19-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 19, 2019

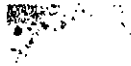
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2217 W. Madison Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor to convert a four-story, retail and forty-two dwelling unit building to a forty-six dwelling unit building with a forty-three car garage which is a transit served location.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



AUG 19 2019

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor to convert a four-story, retail and forty-two dwelling unit building to a forty-six dwelling unit building with a forty-three car garage which is a transit served location; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated April 4, 2019, prepared by Sullivan, Goulette and Wilson Architects.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Guardian Wood, LLC **CAL NO.:** 346-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1426-30 N. Wood Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 12.57' to 4', rear setback from 30' to 11.83', north setback from 4' to zero (south to be 4.5') combined side setback from 10' to 4.5' for a proposed four-story, eight dwelling unit building with six on-site parking spaces.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 4', rear setback to 11.83', north setback to zero (south to be 4.5') combined side setback to 4.5' for a proposed four-story, eight dwelling unit building with six on-site parking spaces; two additional variations were granted to the subject property in Cal. Nos. 347-19-Z and 348-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

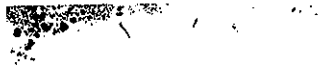
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Guardian Wood, LLC **CAL NO.:** 347-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 1426-30 N. Wood Street

NATURE OF REQUEST: Application for a variation to reduce the required 288 square feet of rear yard open space to zero for a proposed four-story, eight dwelling unit building with six, onsite parking spaces.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required 288 square feet of rear yard open space to zero for a proposed four-story, eight dwelling unit building with six, onsite parking spaces; two additional variations were granted to the subject property in Cal. Nos. 346-19-Z and 348-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE



CHAIRMAN

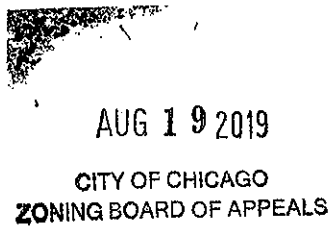
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Guardian Wood, LLC **CAL NO.:** 348-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 1426-30 N. Wood Street

NATURE OF REQUEST: Application for a variation to reduce the required parking spaces from eight to six for a proposed four-story, eight dwelling unit building with six, on-site parking spaces.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

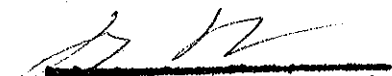
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the required parking spaces to six for a proposed four-story, eight dwelling unit building with six, on-site parking spaces; two additional variations were granted to the subject property in Cal. Nos. 346-19-Z and 347-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE



CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Chad and Kelly Oldham **CAL NO.:** 349-19-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2109 W. Montrose Avenue

NATURE OF REQUEST: Application for a variation to reduce the west setback from the required 2' to .41', east setback from 2' to 1.09', combined side setback from 4.8' to 1.5', rear setback from 35.13' to 0.94' for a proposed three-story, front addition to the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

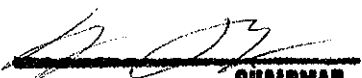
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west setback to .41', east setback to 1.09', combined side setback to 1.5', rear setback to 0.94' for a proposed three-story, front addition to the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Esther Burnett d/b/a Dream Beauty and Barber Lounge, LLC

CAL NO.: 350-19-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7242 S. Wentworth Avenue

NATURE OF REQUEST: Application for a special use to establish a beauty / barber shop.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

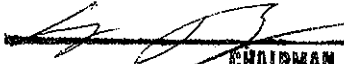
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a beauty / barber shop; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Esther Burnett d/b/a Dream Beauty and Barber Lounge, LLC.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Lishou, LLC d/b/a Ocotillo
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1107 N. California Avenue

CAL NO.: 351-19-S

MINUTES OF MEETING:
July 19, 2019

NATURE OF REQUEST: Application for a special use to establish a hair salon.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Lishou, LLC d/b/a Ocotillo.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Luis R. Molina

CAL NO.: 352-19-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 19, 2019

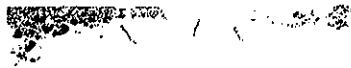
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3747 N. Albany Avenue

NATURE OF REQUEST: Application for a variation to increase the existing floor area ratio from 2,920 square feet to 2,950 square feet for a proposed 4.95' x 3.33' north side addition, rear metal deck and balcony to the existing two-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



AUG 19 2019

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the existing floor area ratio to 2,950 square feet for a proposed 4.95' x 3.33' north side addition, rear metal deck and balcony to the existing two-story, two dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Enyone Agbo

CAL NO.: 353-19-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 19, 2019

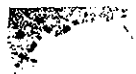
APPEARANCE AGAINST: None

PREMISES AFFECTED: 279 N. Pulaski Road

NATURE OF REQUEST: Application for a special use to establish a hair salon.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



AUG 19 2019

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair salon; George Blakemore of Chicago, Illinois testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Enyone Agbo.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Rogers Williams d/b/a Chicago Natural Hair Gallery

CAL NO.: 354-19-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 19, 2019

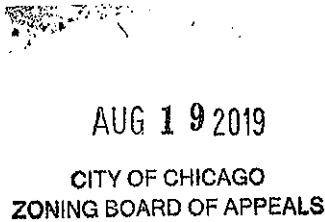
APPEARANCE AGAINST: None

PREMISES AFFECTED: 7732 S. Cottage Grove Avenue

NATURE OF REQUEST: Application for a special use to establish a hair salon.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

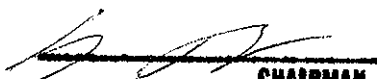
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair salon; George Blakemore of Chicago, Illinois testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Roger Williams d/b/a Chicago Natural Hair Gallery.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Howard Street Brewing, LLC

CAL NO.: 355-19-S

APPEARANCE FOR: Zubin Kammula

MINUTES OF MEETING:
July 19, 2019

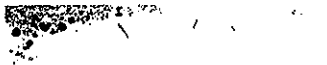
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1617 W. Howard Street

NATURE OF REQUEST: Application for a special use to establish a tavern.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



AUG 19 2019

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

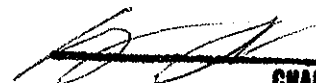
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a tavern; George Blakemore of Chicago, Illinois testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Howard Street Brewing, LLC.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Rober Linn **CAL NO.:** 356-19-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 2457 N. Artesian Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to zero (south side setback to be 3'), combined side setback from 5' to 3' for a proposed two-story, single family residence.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.

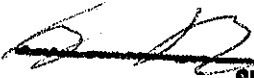
THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Matthew Taylor

CAL NO.: 357-19-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 19, 2019

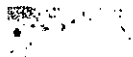
APPEARANCE AGAINST: None

PREMISES AFFECTED: 4459 W. 55th Street

NATURE OF REQUEST: Application for a special use to expand an existing residential use with a proposed addition on the existing one-story detached house.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



AUG 19 2019

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

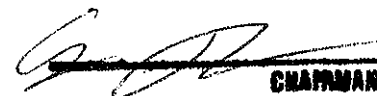
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing residential use with a proposed addition on the existing one-story detached house; a variation was also granted to the subject property in Cal. No. 358-19-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of plans and drawings dated March 19, 2018, prepared by Father & Sons Home Improvements II, Inc.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Matthew Taylor

CAL NO.: 358-19-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4459 W. 55th Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 0.54' for a proposed second floor addition to the existing one-story detached house.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the rear setback to 0.54' for a proposed second floor addition to the existing one-story detached house; a special use was also granted to the subject property in Cal. No 357-19-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Chi Partners, LLC 2711 Washtenaw Series **CAL NO.:** 359-19-Z

APPEARANCE FOR: Paul Kolpack

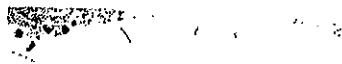
MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2711 N. Washtenaw Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 4,000 square feet to 3,893 square feet to add a fourth dwelling unit to an existing three-story, three dwelling unit building.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Chi Partners, LLC 2711 Washtenaw Series **CAL NO.:** 360-19-Z

APPEARANCE FOR: Paul Kolpack

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

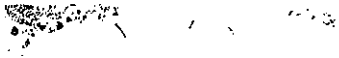
PREMISES AFFECTED: 2711 N. Washtenaw Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking from four to three spaces for the proposed addition of a fourth dwelling unit in an existing three-story, three dwelling unit building.

ACTION OF BOARD-

Continued to August 16, 2019 at 2:00 p.m.

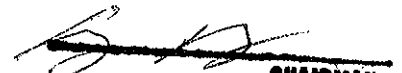
THE VOTE


AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

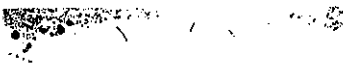
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Linlin Bai **CAL NO.:** 361-19-Z
APPEARANCE FOR: Paul Kolpack **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 2054 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 21.56' to 13.33', front setback from 9.24' to 2.5', north setback from 2' to 0.89', combined side setback from 5' to 4.23', roof top feature setback from 20' to 7.5' for a proposed front patio pit, roof deck with rooftop stairway enclosure and a rear two-story addition to the existing two-story, single family residence.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.

THE VOTE



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Catherine Klas **CAL NO.:** 362-19-Z
APPEARANCE FOR: Robert Klas **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2867 N. Kimball Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 2' for a proposed detached two-car garage with roof deck with a stair connection to the existing rear open porch that serves the existing two-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2' for a proposed detached two-car garage with roof deck with a stair connection to the existing rear open porch that serves the existing two-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. No. 363-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Catherine Klas **CAL NO.:** 363-19-Z
APPEARANCE FOR: Robert Klas **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2867 N. Kimball Avenue

NATURE OF REQUEST: Application for a variation to relocate 118 square feet of rear yard open space to be located on a proposed garage roof deck (332 square feet will be provided at grade) for a proposed detached two-car garage with roof deck and stair connection to the existing rear open porch that serves the existing two-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to relocate 118 square feet of rear yard open space to be located on a proposed garage roof deck (332 square feet will be provided at grade) for a proposed detached two-car garage with roof deck and stair connection to the existing rear open porch that serves the existing two-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. No. 362-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 735 W. Division, LLC **CAL NO.:** 364-19-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 735 W. Division Street
NATURE OF REQUEST: Application for a special use to establish a gas station with a convenience store.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

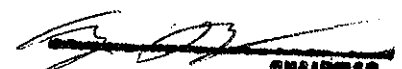
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a gas station with a convenience store; an additional special use was granted to the subject property in Cal. No. 365-19-S; George Blakemore of Chicago, Illinois testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant 735 W. Division, LLC, and the development is consistent with the design and layout of the plans and drawings dated July 19, 2019, prepared by Vari Architects, Ltd.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 735 W. Division, LLC **CAL NO.:** 365-19-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 735 W. Division Street

NATURE OF REQUEST: Application for a special use to establish a one lane drive through to serve a proposed accessory convenience store.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a one lane drive through to serve a proposed accessory convenience store; an additional special use was granted to the subject property in Cal. No. 364-19-S; George Blakemore of Chicago, Illinois testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant 735 W. Division, LLC, and the development is consistent with the design and layout of the plans and drawings dated July 19, 2019, prepared by Vari Architects, Ltd.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: The Northern Trust Company

CAL NO.: 366-19-S

APPEARANCE FOR: Donna Pugh

MINUTES OF MEETING:

July 19, 2019

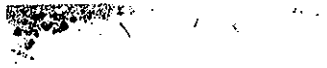
APPEARANCE AGAINST: None

PREMISES AFFECTED: 333 S. Wabash Avenue

NATURE OF REQUEST: Application for a special use to establish an on-premise high rise wall sign for a financial / commercial office building. The sign will be 576 square feet and shall be located on the East elevation of the building at 567 feet above grade and will not extend beyond the roof line.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



AUG 19 2019

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

THE RESOLUTION:

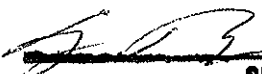
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an on-premise high rise wall sign for a financial / commercial office building. The sign will be 576 square feet and shall be located on the East elevation of the building at 567 feet above grade and will not extend beyond the roof line; George Blakemore of Chicago, Illinois testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant The Northern Trust Company; the sign installation is consistent with the design and layout of the plans and drawings dated October 22, 2018, prepared by Poblacki; and the north and south building elevations are cleaned or repaired to eliminate the remnants of the previous high-rise signs.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Douglas Renner and Melissa Renner

CAL NO.: 367-19-Z

APPEARANCE FOR: Stephen Messutta

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1901-03 W. Wabansia Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 24' to zero, west setback from 4.84' to zero for a proposed second floor addition above an existing garage which serves an existing two-story, three dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero, west setback to zero for a proposed second floor addition above an existing garage which serves an existing two-story, three dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: FH7 Wicker Park, LLC

CAL NO.: 368-19-S

APPEARANCE FOR: Meg George

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1425 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to establish a hair and nail salon.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.

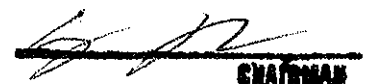
THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: FH7 Wicker Park, LLC

CAL NO.: 369-19-S

APPEARANCE FOR: Meg George

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

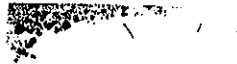
PREMISES AFFECTED: 1425 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to establish a massage establishment.

ACTION OF BOARD-

Continued to August 16, 2019 at 2:00 p.m.

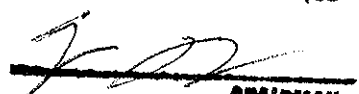
THE VOTE



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: FH7 Wicker Park, LLC

CAL NO.: 370-19-S

APPEARANCE FOR: Meg George

MINUTES OF MEETING:
July 19, 2019

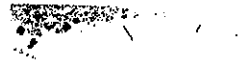
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1425 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to establish a body art service to provide microblading / permanent makeup.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.


THE VOTE


AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN


ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Mark Hopper **CAL NO.:** 371-19-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2206 W. 23rd Street

NATURE OF REQUEST: Application for a variation to reduce the west side setback from the required 2' to zero (east to be 3'), combined side setback from 4.8' to 3' for a proposed rear two-story addition to an existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west side setback to zero (east to be 3'), combined side setback to 3' for a proposed rear two-story addition to an existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


 CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 3833 Inc.

CAL NO.: 372-19-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3833 W. Lawrence Avenue

NATURE OF REQUEST: Application for a special use to establish a hair and nail salon.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



AUG 19 2019

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

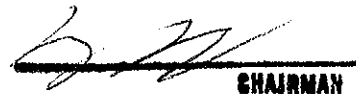
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair and nail salon; George Blakemore of Chicago, Illinois testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, 3833 Inc.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 1233 West Adams, LLC

CAL NO.: 373-19-S

APPEARANCE FOR: Sylvia Michas

MINUTES OF MEETING:
July 19, 2019


APPEARANCE AGAINST: None

PREMISES AFFECTED: 1233 W. Adams Street

NATURE OF REQUEST: Application for a special use to establish thirty-nine, non-accessory parking spaces within the existing fifty-four space parking lot. The remaining fifteen spaces will serve the existing building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish thirty-nine, non-accessory parking spaces within the existing fifty-four space parking lot. The remaining fifteen spaces will serve the existing building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant 1233 West Adams, LLC.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN


ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 1907 Ohio, LLC **CAL NO.:** 374-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1907 W. Ohio Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 28.5' to 24.5' for a proposed three-story, two dwelling unit building with a detached two-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 24.5' for a proposed three-story, two dwelling unit building with a detached two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Black River Barbershop, LLC

CAL NO.: 375-19-S

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:

July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1845 N. Western Avenue

NATURE OF REQUEST: Application for a special use to establish a barber shop.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a barber shop; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Black River Barbershop, LLC.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Kriser's Feeding Pets For Life, LLC **CAL NO.:** 376-19-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3649 N. Western Avenue

NATURE OF REQUEST: Application for a special use to establish an animal shelter / boarding, animal training/ day care facility.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Hahn Tran
APPEARANCE FOR: John Pikarski
APPEARANCE AGAINST: None
PREMISES AFFECTED: 25 E. 71st Street

CAL NO.: 377-19-S

MINUTES OF MEETING:
July 19, 2019

NATURE OF REQUEST: Application for a special use to establish a nail salon.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a nail salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Hahn Tran.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE

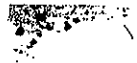

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Alex Mercado **CAL NO.:** 378-19-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 1110 N. Ashland Avenue
NATURE OF REQUEST: Application for a special use to establish a barber shop.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a barber shop; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Alex Mercado.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: SN Studios **CAL NO.:** 379-19-S
APPEARANCE FOR: Sylvia Michas **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5109 N. Western Avenue
NATURE OF REQUEST: Application for a special use to establish a body art services (tattoo shop).

**ACTION OF BOARD-
APPLICATION APPROVED WITH CONDITIONS**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a body art services (tattoo shop); expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant SN Studios and subject to the Plan of Operation submitted to the Board at Hearing and attached to this resolution.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

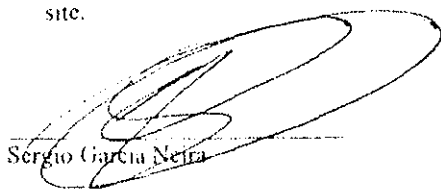
APPROVED AS TO SUBSTANCE


CHAIRMAN

**Plan of Operation
SN Studios**

5109 North Western Avenue, Unit C2 Chicago, IL (Leased Premises)

1. Hours of operation:
8:00 a.m. – 8:00 p.m.; specific days of operation will be determined based on market demand.
2. SN Studios agrees to play music only during the hours of 9:00 a.m. – 6:00 p.m.
3. SN Studios agrees to limit exterior signage to Applicant's business identification, which will include Applicant's logo and address.
4. No signage identifying the nature of the Applicant's business will be painted on the windows of the Leased Premises.
5. SN Studios agrees to decorate its interior waiting area with pieces of art, which are not indicative of Applicant's tattoo services.
6. All needles, ink and other materials used as part of Applicant's services, will be disposed of in a separate biohazard storage unit, located within the Applicant's Leased Premises. Such biohazard storage unit will be picked up and disposed of by Applicant's vendor off-site.



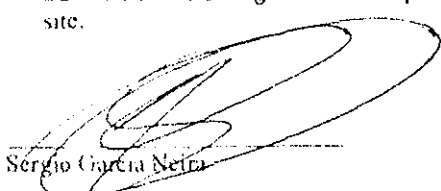
Sergio Garcia Neira

Dated, July 18, 2019

**Plan of Operation
SN Studios**

5109 North Western Avenue, Unit C2 Chicago, IL (Leased Premises)

1. Hours of operation:
8:00 a.m. - 8:00 p.m.; specific days of operation will be determined based on market demand.
2. SN Studios agrees to play music only during the hours of 9:00 a.m. - 6:00 p.m.
3. SN Studios agrees to limit exterior signage to Applicant's business identification, which will include Applicant's logo and address.
4. No signage identifying the nature of the Applicant's business will be painted on the windows of the Leased Premises.
5. SN Studios agrees to decorate its interior waiting area with pieces of art, which are not indicative of Applicant's tattoo services.
6. All needles, ink and other materials used as part of Applicant's services, will be disposed of in a separate biohazard storage unit, located within the Applicant's Leased Premises. Such biohazard storage unit will be picked up and disposed of by Applicant's vendor off-site.



Sergio Garcia Nieto

Dated: July 18, 2019

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 900

APPLICANT: 1722 Hermitage, Inc. **CAL NO.:** 380-19-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
 July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1722 N. Hermitage Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.16' to 2', north setback from 2' to 1'*, south setback to remain at 2'*, combined side setback from 4.6' to 3'*, for a proposed two-story, single family residence with detached two-car garage with roof deck and access stairway*.

**ACTION OF BOARD-
 VARIATION GRANTED WITH CONDITIONS**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2', north setback to 1'*, south setback to remain at 2'*, combined side setback to 3'*, for a proposed two-story, single family residence with detached two-car garage with roof deck and access stairway*; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s): subject to the amended plans submitted to the board at the hearing.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended at Hearing

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 900

APPLICANT: 1722 Hermitage, Inc.

CAL NO.: 381-19-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 19, 2019

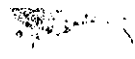
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1722 N. Hermitage Avenue

NATURE OF REQUEST: Application for a variation to relocate the required 225 square feet of rear yard open to the roof deck of a proposed detached garage which shall serve a proposed two-story, single family residence.

**ACTION OF BOARD-
VARIATION WITHDRAWN**

THE VOTE


AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: GW Addison Kimball, LLC

CAL NO.: 382-19-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3343 W. Addison Street

NATURE OF REQUEST: Application for a special use to establish a one-lane drive through facility to serve a proposed one-story restaurant.

ACTION OF BOARD-

Continued to August 16, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: KPLN Holdings, LLC

CAL NO.: 383-19-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2933-37 N. Southport Avenue / 2956-58 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero for a proposed four-story, mixed use building with an attached twelve car garage.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: L. May Creations
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5936 W. Chicago Avenue

CAL NO.: 384-19-Z
MINUTES OF MEETING:
 July 19, 2019

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license to provide an event space which is located within 125' of a residential zoning district.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a public place of amusement license to provide an event space which is located within 125' of a residential zoning district; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: The Catholic Bishop of Chicago **CAL NO.:** 385-19-S
APPEARANCE FOR: Patrick Turner **MINUTES OF MEETING:** July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3814 W. Iowa Street

NATURE OF REQUEST: Application for a special use to establish a community center with accessory overnight stay for volunteers of Mission of Our Lady of the Angels.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a community center with accessory overnight stay for volunteers of Mission of Our Lady of the Angels; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant The Catholic Bishop of Chicago, and the development is consistent with the design and layout of the plans and drawings dated February 15, 2019, including the site plan dated May 30, 2019, all prepared by Ridgeland Associates, Inc.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Keeper Property Holdings, LLC

CAL NO.: 386-19-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1920 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 9.41' to zero, west setback from 11.38' to zero, north setback from 11.38' to zero, combined side setback from 28.44' to zero, rear setback from 28.14' to zero, roof top feature setback from 20' to 6.17' for a proposed two-story, single family residence with an attached three-car garage, rooftop penthouse roof decks and pergolas.

ACTION OF BOARD-

Continued to August 16, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Keeper Property Holdings, LLC **CAL NO.:** 387-19-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1920 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 328.35 square feet to zero for a proposed two-story, single family residence with an attached three-car garage, rooftop penthouse roof decks and pergolas.


ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: East Bank Storage on 35th Street, Inc. **CAL NO.:** 388-19-Z
APPEARANCE FOR: Thomas Murphy **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 1200 W. 35th Street

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license to provide an event space which is located within 125' of a residential district.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Yeshiva Gedola of the Midwest **CAL NO.:** 389-19-S
APPEARANCE FOR: Ronald Cope **MINUTES OF MEETING:**
 July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6045 N. Keystone Avenue

NATURE OF REQUEST: Application for a special use to establish a private boarding school that provides high school education and post high school preparatory rabbinical training with seven parking spaces.

**ACTION OF BOARD-
 APPLICATION APPROVED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a private boarding school that provides high school education and post high school preparatory rabbinical training with seven parking spaces; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Yeshiva Gedola of the Midwest, and the development is consistent with the design and layout of the plans and drawings dated February 12, 2019, prepared by 2401 Inc.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Oakley 23, LLC
APPEARANCE FOR: Thomas Moore
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2354-58 S. Oakley Avenue

CAL NO.: 390-19-Z

MINUTES OF MEETING:
July 19, 2019

NATURE OF REQUEST: Application for a variation to reduce the parking requirement from one stall to zero for two new live / work units located on the ground floor of an existing three-story building with nine dwelling units.

ACTION OF BOARD-
Continued to October 18, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 1917 Jefferson Partners, LLC

CAL NO.: 391-19-S

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1917 S. Jefferson Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, four dwelling unit building.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 1917 Jefferson Partners, LLC

CAL NO.: 392-19-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
July 19, 2019


APPEARANCE AGAINST: None

PREMISES AFFECTED: 1917 S. Jefferson Street

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 4,000 square feet to 3,882.5 square feet for a proposed four-story, four dwelling unit building.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.


THE VOTE


AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

811 N Francisco Inc.
APPLICANT

393-19-S
CALENDAR NUMBER

811 N. Francisco Avenue
PREMISES AFFECTED

July 19, 2019
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition set forth in this decision.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shaina Doar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 811 N.
FRANCISCO AVENUE BY 811 N FRANCISCO INC.**

I. BACKGROUND

811 N Francisco Inc. (the "Applicant") submitted a special use application for 811 N. Francisco Avenue (the "subject property"). The subject property is currently zoned C1-2 and is vacant.¹ The Applicant proposed to construct a new four-story mixed-use building (the "building") and establish a residential unit below the second floor of the building. To permit this, the Applicant sought a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development recommended approval of the proposed residential use, provided that the development was consistent with the design and layout of the plans and drawings dated May 22, 2019, prepared by Hanna Architects, Inc..

II. PUBLIC HEARING

A. The Hearing

¹ The Applicant's Proposed Findings of Fact incorrectly indicates that the subject property is improved. The Applicant explained during the hearing that the Zoning Administrator's denial letter mistakenly indicates an existing building and that the application was written to follow the language of the denial letter.

APPROVED AS TO SUBSTANCE


CHAIRMAN

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on July 19, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's project manager Mr. Matthew Rise and its attorney Mr. Nick Ftikas were present. The Applicant's MAI certified real estate appraiser Mr. Joseph Ryan and its architect Ms. Kathy Guzik were present. Testifying in opposition to the application were Ms. Tamara Bell and Mr. Robert Teinowitz (collectively, the "Objectors"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Mr. Nick Ftikas gave a brief overview of the Applicant's application. He stated that the Applicant currently had a building permit to develop the building with a commercial unit at grade and three residential units on the floors above. He stated that the Applicant was before the ZONING BOARD OF APPEALS seeking to replace the first floor commercial unit with a residential unit. Mr. Ftikas stated that other than the first floor residential unit, the proposed building would remain identical to what was allowed by both the Applicant's current building permit and the Chicago Zoning Ordinance.

The Applicant presented the testimony of its project manager Mr. Matthew Rise. Mr. Rise testified that he was the project manager of the Applicant and that the Applicant owned the subject property. Mr. Rise testified that after conducting evaluations of the retail market in the area, he was concerned that a retail space at the subject property would not be viable. He testified that this was because the subject property did not have Chicago Avenue frontage and was located in a predominantly residential neighborhood. Mr. Rise further testified that it was his belief that a ground floor residential unit would be more viable than a commercial unit and more compatible with the surrounding neighborhood.

The Applicant presented the testimony of its architect Ms. Kathy Guzik. Ms. Guzik testified that she had prepared the plans for the building as well as the proposed conversion of the commercial ground floor unit to a residential unit. Ms. Guzik testified that her plans included five on-site parking spaces to support the residential units. She testified that, in consequence, her plans exceeded the Chicago Zoning Ordinance's parking requirements.²

The Applicant presented the testimony of its MAI certified appraiser Mr. Joseph Ryan. The ZONING BOARD OF APPEALS recognized Mr. Ryan's credentials as an expert in real estate appraisal. Mr. Ryan testified that he had inspected the subject property and the surrounding area. He testified that he had prepared a written zoning analysis report summarizing his findings and conclusions and that said report had been previously submitted to the ZONING BOARD OF APPEALS. He testified that it was

² See Section 17-10-0207-C of the Chicago Zoning Ordinance.

his opinion that the proposed special use met the Chicago Zoning Ordinance's special use criteria. He testified that his opinion was based on: (1) the fact that the neighborhood immediately north of the subject property was almost entirely residential; and (2) the fact that without Chicago Avenue frontage, retail was not viable on the subject property.

Mr. Ftikas stated that he had previously submitted the building's current building permit to the ZONING BOARD OF APPEALS. He stated that he had made this submittal as evidence of the building's compliance with the Chicago Zoning Ordinance.

Ms. Tamara Bell, of 819 North Francisco, testified in opposition to the application. She testified that North Francisco at this location was a residential street and that when she arrived home from work, she could barely find parking. She testified that if the building were built, she believed there would be no parking on the street. She testified that she did not believe the building was in harmony with the rest of the block as its façade would be steel instead of brick. She testified that she believed the building would block all light to her home.

In response to Ms. Bell's testimony, Ms. Guzik further testified that the plans called for aluminum panels on the building's façade.

Ms. Bell testified that she believed the building was quite large for the neighborhood.

The ZONING BOARD OF APPEALS stated that the Applicant was not before the ZONING BOARD OF APPEALS for any relief as to the size or structure of the building. The ZONING BOARD OF APPEALS stated the Applicant was solely before the ZONING BOARD OF APPEALS for ground floor residential.

Mr. Robert Teinowitz, of 846 North Mozart Street, testified in opposition to the application. Mr. Teinowitz testified that he was potentially moving to 821 North Francisco. Mr. Teinowitz testified that he was worried that placing five parking spots off the alley would make accessing the alley more difficult. He further testified that the subject property had always been commercial.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Teinowitz clarified that his parking-related objection was that residential use of the parking space would not be limited by time whereas commercial use of the parking space would only be during work hours.

In response to the Objectors' testimony, Mr. Ftikas clarified that without the residential ground floor unit, the Chicago Zoning Ordinance would only require the Applicant to provide three parking spaces. He reminded that the Applicant's proposed plans provided five parking spaces. He stated that as could be seen from the survey, the Applicant's only ingress and egress for vehicles was from the alley on the north of the subject property (as the subject property lacked a rear alley).

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. *The proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.*

The subject property is located in a C1-2 zoning district. The Applicant proposed a residential unit at the grade level in a C zoning district, which is a special use.³ The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use is in the interest of the public convenience as it will provide additional housing options in the neighborhood. The proposed special use will not have a significant adverse impact on the general welfare of the neighborhood. As Mr. Ryan credibly testified, the surrounding area is predominantly residential in nature. The implementation of five parking spaces to accommodate four residential units will ensure that there is no adverse impact on traffic or parking congestion in the neighborhood.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

³ Section 17-3-0207-A(7) of the Chicago Zoning Ordinance.

As stated previously, a residential ground floor dwelling unit will be compatible with the residential nature of the surrounding area. Further, as Mr. Ryan credibly testified, a commercial unit is not viable at the subject property because of a lack of Chicago Avenue frontage.

Though the Objectors took issue with the size and appearance of the building, those matters are not within the purview of the ZONING BOARD OF APPEALS. The Applicant sought no relief relating to the size and appearance of the building. In fact, other than the conversion of the ground floor unit from commercial to residential, the plans for the building are consistent with the building permit issued by the Department of Buildings as well as the Chicago Zoning Ordinance.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

The proposed special use is compatible with the surrounding area in terms of operation, lighting and noise. As set forth in Mr. Ryan's report, the proposed special use is compatible with the surrounding area in that there are several other residential buildings existing nearby on Francisco with grade-level dwelling units. Mr. Ryan's report further states that that stretch of Francisco Avenue is predominantly residential in nature and that commercial uses in the area are located south of the subject property along Chicago Avenue. The special use is likewise compatible with the surrounding area in terms of traffic generation in that the Applicant's proposed plans will include five parking spaces to accommodate four dwelling units.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

The proposed special use is designed to promote pedestrian safety and comfort in that the proposed five off-street parking spaces will be accessible via the public alley running along the north end of the subject property. Because vehicular ingress and egress to the subject property will be from the alley rather than the street, pedestrian safety is enhanced.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following condition:

1. Development shall be consistent with the design and layout of the plans and drawings dated May 22, 2019, prepared by Hanna Architects, Inc.

This is a final decision subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Board of Education of City of Chicago

CAL NO.: 394-19-S

APPEARANCE FOR: Scott Borstein

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5300 N. Broadway

NATURE OF REQUEST: Application for a special use to establish a public Pre-Kindergarten school.

ACTION OF BOARD-
Continued to August 16, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Avi Ron

CAL NO.: 61-19-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2939-47 W. Catalpa Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 22.88' to 20', east setback from 12.01' to 1.47', west setback from 12.01' to 6.41' combined side setback from 36.02' to 7.88' to divide an existing zoning lot into two zoning lots. The existing building at 2939 W. Catalpa shall remain. A single family residence is proposed for 2947 W. Catalpa.

ACTION OF BOARD-
VARIATION DISMISSED WITHOUT PREJUDICE


THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Kadampa Meditation Center New York **CAL NO.:** 251-19-S
APPEARANCE FOR: Leo Aubel **MINUTES OF MEETING:** July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 375 W. Erie Street, Unit c-101
NATURE OF REQUEST: Application for a special use to establish a religious assembly facility.
ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.


THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: El Cantante Restaurant, LLC dba La Pulqueria

CAL NO.: 267-19-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2501 S. Western Avenue

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license to provide live entertainment, music, DJ, cover charge and rental within an existing restaurant which is located within 125' of a residential district.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to establish a public place of amusement license to provide live entertainment, music, DJ, cover charge and rental within an existing restaurant which is located within 125' of a residential district; a Special Use to establish an accessory off-site parking lot at 2342-46 W. 25th Street to serve this restaurant was granted in Cal. No. 268-19-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Guillermina Carmona

CAL NO.: 268-19-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2342-46 W. 25th Street

NATURE OF REQUEST: Application for a special use to establish an accessory off-site parking lot to serve an existing restaurant located at 2501 S. Western Avenue.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an accessory off-site parking lot to serve an existing restaurant located at 2501 S. Western Avenue; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Guillermina Carmona, and the development is consistent with the design and layout of the landscape plan dated July 19, 2019, prepared by the applicant.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Constantina Koudounis Trust **CAL NO.:** 289-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 2992 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 2' for a proposed four-story, retail and thirteen dwelling unit building.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.

THE VOTE




AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Constantina Koudounis Trust **CAL NO.:** 290-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 2992 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 13,000 square feet to 11,896 square feet for a proposed four-story, retail and thirteen dwelling unit building.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN


ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 708 S. Campbell, LLC **CAL NO.:** 293-19-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3535 W. Wrightwood Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.5' to zero, west setback from 5.53' to 0.36' (east to be zero for abutting a public street) for a proposed one-story addition and two, second floor additions to convert the existing two story building to a two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero, west setback to 0.36' (east to be zero for abutting a public street) for a proposed one-story addition and two, second floor additions to convert the existing two story building to a two dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



AUG 19 2019

CITY OF CHICAGO
ZONING BOARD OF APPEALS

W Lake Street Holdings, LLC

APPLICANT

1111 W. Lake Street

PREMISES AFFECTED

294-19-S

CALENDAR NUMBER

July 19, 2019

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition set forth in this decision.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shaina Doar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1111-1113 W.
LAKE STREET BY W LAKE STREET HOLDINGS LLC**

I. BACKGROUND

W Lake Street Holdings LLC (the "Applicant") submitted a special use application for 1111-13 W. Lake Street (the "subject property"). The subject property is currently zoned C1-2 and is improved with a one and partial two-story brick building containing approximately 5,734 square feet (the "building"). The Applicant proposed to establish an outdoor rooftop patio (the "patio"). To permit this, the Applicant sought a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development recommended approval of the patio, provided that: (1) the special use was issued solely to the Applicant; and (2) the development was consistent with the design and layout of the plans and drawings dated April 3, 2019, prepared by the Chicago Building Design, PC.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on July 19, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago

APPROVED AS TO SUBSTANCE

CRAIRA

Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice pursuant to Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's owner, manager and sole member Mr. Ahmed Braimah and its attorney Ms. Sylvia Michas were present. The Applicant's architect Mr. Jeremiah Johnson and MAI certified real estate appraiser Mr. Sylvester Kerwin were present. Testifying in opposition to the application was Mr. Brian Lang and Mr. David Tabres (collectively, the "Objectors"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Ms. Sylvia Michas gave a brief overview of the Applicant's application.

The Applicant presented the testimony of its owner, manager and sole member Mr. Ahmed Braimah.

The Applicant presented the testimony of its architect Mr. Jeremiah Johnson.

The Applicant presented the testimony of its MAI certified real estate appraiser Mr. Sylvester Kerwin. The ZONING BOARD OF APPEALS recognized Mr. Kerwin's credentials as an expert in real estate appraisal.

Ms. Michas then submitted to and the ZONING BOARD OF APPEALS accepted into the record: (1) a letter of support from the West Loop Community Organization; and (2) a copy of the Applicant's proposed plan of operation (the "Plan of Operation").

In response to a question from the ZONING BOARD OF APPEALS, Ms. Michas stated that should the ZONING BOARD OF APPEALS approve the Applicant's special use, the Applicant would be comfortable with the Plan of Operation being a condition of such approval.

Mr. Brian Lang, of 1101 W. Lake Street, Unit 3B, testified in opposition to the application.¹ Mr. Lang submitted to and the ZONING BOARD OF APPEALS accepted into the record a petition in opposition to the application purporting to be signed by every resident of 1101 W. Lake Street. He testified that 1101 W. Lake Street directly abutted the subject property to the west. Mr. Lang testified that he and other residents of 1101 W. Lake Street had previously met with the Applicant and as a result of such meeting, the Applicant had drafted the Plan of Operation. He testified that his concerns related to the potential negative impact the special use would have on his property values. He testified that his concerns also related to noise and that he had previously had problems with noise

¹ Although Mr. Lang stated that he was "representing the homeowner's association and all the residents of 1101 W Lake Street," at no time did he represent to the ZONING BOARD OF APPEALS that he was an attorney. Moreover, later in his testimony he admitted that he was no longer an officer of the homeowner's association. The ZONING BOARD OF APPEALS therefore declines to find that he represented anyone other than himself at the hearing.

from the subject property. He testified that the Applicant had begun construction of the patio in April, that a stop work order had been issued by the City in May and that a conditional permit had been issued for the patio in August. He testified that no patio had existed on the subject property prior to the Applicant's construction of the patio. He then testified to other concerns he had with respect to the subject property.

Mr. David Tabres, of 1101 West Lake Street Unit 3A, testified in opposition to the application. He testified that he supported Mr. Lang's testimony.

In response to questions from the ZONING BOARD OF APPEALS, Ms. Michas stated that the Applicant did not have a building permit prior to the commencement of construction on the patio and that a stop work order had been issued to the Applicant. She stated that the Applicant had obtained a permit but that no occupancy to the patio was permitted unless and until the Applicant secured a special use from the ZONING BOARD OF APPEALS.

Mr. Johnson testified that the Applicant did currently possess a building permit for the patio. He testified that what the Applicant did not currently have was an occupancy placard and license for the patio, and the Applicant could not obtain such occupancy placard and license unless and until the ZONING BOARD OF APPEALS granted the special use.

Ms. Michas stated that, in regards to the noise objection, the Applicant had agreed pursuant to the Plan of Operation to keep the doors leading to the second floor closed in order to limit the amount of sound to the patio. She stated that the Plan of Operation dictates that no live or recorded music will emanate from the patio. She stated that the Applicant already operates an existing restaurant at the subject property and that such restaurant has an incidental liquor license. She further stated that approximately six weeks prior to the hearing, she and the Applicant had met with some residents of 1101 West Lake Street and presented the Plan of Operation. She stated that the Applicant sought feedback regarding the Plan of Operation and received one comment in response. She stated that she received further concerns a couple days before the hearing, which the Applicant had since addressed. She stated that she spoke directly with Mr. Lang and amended the Plan of Operation even further.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Braimah testified that the type of music that the Applicant's restaurant played was regular restaurant music. He testified that the Applicant's restaurant did not have live music. He testified that the Applicant has not featured DJs at the restaurant because they do not have a public place of amusement license ("PPA"). He testified that the restaurant's second floor is used more as a champagne lounge, where customers can use their phones to provide and control music. He testified that while there is a bar upstairs, the primary focus of the lounge is for people to sit and have a cocktail as well as some small plates. He testified that if the downstairs restaurant was busy, customers could wait in the second floor lounge for a table.

In response to questions from the ZONING BOARD OF APPEALS, Ms. Michas clarified that this second floor lounge was separate from the patio.

Mr. Johnson then referred the ZONING BOARD OF APPEALS to the Applicant's plans. He testified that the patio was directly to the north of the existing second floor lounge. He testified that the patio was on the north side of the subject property (i.e., towards Lake Street and the elevated train line²). He testified that the train that operated on said line was 100 decibels and operated every six (6) minutes.

Mr. Kerwin then testified to the photographs he had taken of the subject property. He testified that the lounge had glass doors that opened onto the patio. He testified that when looking north from the lounge from these glass doors, one could see not only the patio but also the elevated train line.

Mr. Braimah testified that the train passes every six to seven minutes.

Mr. Lang testified that the duration of the train's passing is four seconds.

In response to questions from the ZONING BOARD OF APPEALS, Ms. Michas stated that the Applicant would have to obtain an outdoor beer garden license if the special use is granted.

The ZONING BOARD OF APPEALS asked Mr. Lang if there was anything the Applicant could do in order to assuage his concerns with the patio. Mr. Lang testified that the only way his concerns with the patio could be alleviated would be to fully enclose it. The ZONING BOARD OF APPEALS asked Mr. Lang if he realized that the Applicant would not have been able to use the patio in April, May or June of this year.³ Mr. Lang testified that the perception of living next to the patio would eliminate a buyer pool for the residential units at 1101 W. Lake. He testified that he still had concerns regarding the noise.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Kerwin testified that he had performed an analysis on residential property values next to outdoor spaces and provided such in his report. He testified that Forno Rosso pizzeria, located at 1048 West Randolph, had an outdoor café on the ground floor and that the condominium units in the adjacent building were selling for \$485,000 to \$1.1 million. He testified that rooftop decks and patios had become more popular in recent years and that almost all new construction in the Fulton Market District⁴ included terraces and other outdoor elements. He also testified that despite the noise from the elevated train, the surrounding area had become popular because it features an urban environment, night life and entertainment.

² The ZONING BOARD OF APPEALS takes judicial notice that this is the elevated train line in question is the Chicago Transit Authority's green line.

³ The ZONING BOARD OF APPEALS takes judicial notice that the weather in Chicago during those months was too cold or rainy for reasonable use of an outdoor patio.

⁴ The subject property is located within the Fulton Market District.

In response to questions by Mr. Lang, Mr. Kerwin further testified that he had conducted research into the sales prices of units within 1101 West Lake and that Mr. Lang had listed his unit at \$975,000 in April 2019 and had purchased the unit for \$427,000 in April 2012, which is an appreciation of 128% in seven years and is indicative of an upward trend. He also testified that a third floor unit had sold in February 2019 for \$525,000. He testified that his research did not show a diminution in property values for properties in the area due to rooftop patios.

Mr. Braimah provided further testimony.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

The subject property is located in a C1-2 zoning district. The Applicant's proposed patio is a special use in a C zoning district.⁵ The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

⁵ Section 17-3-0207-AA-4 of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use is in the interest of the public convenience as it will provide the neighborhood with additional outdoor entertainment options. The special use will not have a significant impact on the general welfare of the neighborhood or community as approval of this special use request is conditioned upon adherence to the Plan of Operation, which, among other things, requires the Applicant to limit the patio's hours, to continuously monitor the noise level on the patio and, if necessary, alleviate any such noise problems, and to prohibit any live or recorded music from being played on the patio.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The patio occupies only 408 square feet of the 5,374 square foot restaurant in which it is located. As testified by Mr. Kerwin, rooftop decks and patios are prevalent in the area and are even located next door at 1101 West Lake. The ZONING BOARD OF APPEALS finds Mr. Kerwin to be a very credible witness.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

As Mr. Kerwin testified, the popularity of the area in which the subject property is located is due in some part to the urban environment, night life and entertainment it offers. As noted above, the ZONING BOARD OF APPEALS finds Mr. Kerwin to be a very credible witness. Therefore, as the proposed special use promotes the night life and entertainment of the neighborhood, it is compatible with the character of the surrounding area in terms of operating characteristics. Moreover, the Applicant's Plan of Operation will ensure that the proposed special use will not be incompatible with the nearby residential uses at 1101 W. Lake Street. For instance, the patio may only operate until 11:00 PM Tuesday through Thursday and then until 12:00 AM on Friday and Saturdays. The Applicant's primary business activity must continue to be focused on the sale and service of food, with alcohol sales taking an incidental role. The Applicant must continuously monitor noise levels on the patio and must alleviate any excessive noise issues if the City of Chicago determines that the patron noise level in the outdoor rooftop patio

violates the Chicago Noise Ordinance.⁶ The doors to the patio must remain closed and only be used for ingress and egress. No live or recorded music can be played on the patio.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

As noted in Mr. Kerwin's report, many patrons of the existing restaurant and the proposed patio will walk, take public transportation or take a rideshare service. Additionally, the patio was designed in accordance with the City of Chicago's Building Code and provides adequate exits from the patio.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be issued solely to Applicant;
2. Development shall be consistent with the design and layout of the plans and drawings dated April 3, 2019, prepared by Chicago Building Design, PC; and
3. The Applicant shall abide by the Plan of Operation as follows:
 - a. Outdoor Rooftop Patio business hours: Tuesday through Thursday: 12:00 PM -11:00 PM; Friday & Saturday: 12:00 PM-12:00 AM;
 - b. The Applicant seeks to expand its restaurant service by establishing an outdoor rooftop patio, in which it will provide limited food and beverage menu to its patrons who choose to dine al fresco. The Applicant's primary business activity will continue to be the sale and service of food and alcohol consumption will only be incidental to food service;
 - c. The Applicant agrees that if, at any time, the City of Chicago determines that the patron noise level in the outdoor rooftop patio violates the Chicago

⁶ Section 8-320-010 *et seq.* of the Municipal Code of Chicago (formerly known as the Chicago Environmental Noise Ordinance and formerly Section 11-4-2700 *et seq.* of the Municipal Code of Chicago).

Noise Ordinance, the Applicant shall agree to take immediate steps to alleviate the violation;

- d. The Applicant shall maintain the existing exterior lighting within the parameters of the outdoor rooftop patio;
- e. The doors used to access the proposed outdoor rooftop patio shall remain closed during the restaurant's hours of operation and will only be used for ingress and egress;
- f. The Applicant will at all times during the operation of its outdoor rooftop patio, continuously monitor the noise levels of the outdoor rooftop patio to ensure that patrons are not disturbing the adjacent residents and that the noise levels do not exceed legal limitations;
- g. The Applicant shall post conspicuous signage in the outdoor rooftop patio and near its exit, requesting patrons to respect the neighbors by not loitering, leaving quietly, courteously and expeditiously;
- h. The Applicant shall immediately address any public nuisance issues that impact the health, safety and welfare of the community;
- i. The Applicant shall be proactive in setting up meetings with local alderman, police commander and local residents to address any concerns regarding the operation of the outdoor rooftop patio;
- j. The Applicant shall not play any live or recorded music on the outdoor rooftop patio;
- k. Smoking shall be prohibited on the proposed outdoor rooftop patio;
- l. The Applicant shall bring all food and beverages to the outdoor patio from the kitchen, as the proposed outdoor rooftop patio will not include a service bar;
- m. The Applicant shall attend local community and CAPS Beat meetings in an attempt to work with the community and be proactive about their concerns.

This is a final decision subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Jiamiene Hsu **CAL NO.:** 313-19-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3211 S. Archer Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to zero for a proposed four-story, thirty-four dwelling unit building with an attached garage with twenty-eight parking spaces.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the rear setback to zero for a proposed four-story, thirty-four dwelling unit building with an attached garage with twenty-eight parking spaces; two additional variations were granted to the subject property in Cal. Nos. 314-19-Z and 315-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN


ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Jiamiene Hsu **CAL NO.:** 314-19-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 19, 2019
PREMISES AFFECTED: 3211 S. Archer Avenue

NATURE OF REQUEST: Application for a variation to reduce the required on-site parking from thirty-four spaces to twenty-eight spaces for a proposed four-story, thirty-four dwelling unit building with an attached garage with twenty-eight parking spaces.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


AUG 19 2019
 CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the required on-site parking to twenty-eight spaces for a proposed four-story, thirty-four dwelling unit building with an attached garage with twenty-eight parking spaces; two additional variations were granted to the subject property in Cal. Nos. 313-19-Z and 315-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Jiamiene Hsu **CAL NO.:** 315-19-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3211 S. Archer Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off-street loading zone from the required one to zero for a proposed four-story, thirty-four dwelling unit building with an attached garage with twenty-eight parking spaces.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required off-street loading zone to zero for a proposed four-story, thirty-four dwelling unit building with an attached garage with twenty-eight parking spaces; two additional variations were granted to the subject property in Cal. Nos. 313-19-Z and 314-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 708 S. Campbell, LLC

CAL NO.: 316-19-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 710 S. Campbell Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 12' to 4.33' for a proposed two-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION WITHDRAWN**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 708 S. Campbell, LLC

CAL NO.: 317-19-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 710 S. Campbell Avenue

NATURE OF REQUEST: Application for a variation to reduce the required parking from six on-site parking spaces to five for a proposed two-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION WITHDRAWN**

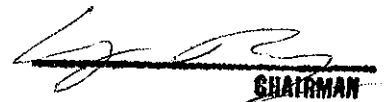
THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Elemento S A Inc.
APPLICANT

318-19-S
CALENDAR NUMBER

3252 W. 31st Street
PREMISES AFFECTED

July 19, 2019
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the conditions set forth in this decision.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shaina Doar	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 3252 W. 31ST
STREET BY ELEMENTO S A INC.**

I. BACKGROUND

Elemento S A Inc. (the "Applicant") submitted a special use application for 3252 W. 31st Street (the "subject property"). The subject property is currently zoned M2-3 and is improved with a Class II recycling facility. The Applicant proposed to establish a Class IV-A recycling facility on the subject property. To permit this, the Applicant sought a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development recommended approval of the special use, provided that: (1) the special use was issued solely to the Applicant; (2) no dismantling of automobiles occurred on the subject property; (3) a solid twelve foot (12') high corrugated metal fence was installed consistent with the design and layout of the plans and drawings dated July 19, 2019, prepared by Lorin Architecture Group, LLC.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on July 19, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago

APPROVED AS TO SUBSTANCE

CHAIRMAN

Zoning Ordinance and by publication in the *Chicago Sun-Times* and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's president Ms. Emma Rodriguez and its attorney Mr. Mark Kupiec were present. The Applicant's employee and manager of the Class II recycling facility Mr. Jose Gaytan was present. The Applicant's MAI certified real estate appraiser Mr. Joseph M. Ryan was present. Testifying in opposition to the application were Mr. Daniel Rojas and Mr. Bernirdino Munoz (collectively, the "Objectors"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Mr. Mark Kupiec gave a brief overview of the Applicant's application, including background on the history of the subject property.

The Applicant presented the testimony of Mr. Jose Gaytan.

The Applicant presented the testimony of its MAI certified appraiser Mr. Joseph M. Ryan who testified that his testimony would be consistent with his previously submitted report.

Mr. Daniel Rojas, of 3010 S. Spaulding, testified in opposition to the application.

Mr. Bernirdino Munoz, of 3000 S. Spaulding, testified in opposition to the application.

In response to the Objectors' testimony, Mr. Gaytan provided further testimony.

In response to Mr. Gaytan's testimony, Mr. Rojas provided further testimony.

Mr. Kupiec then made a closing statement.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. *The proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.*

The subject property is located in a M2-3 zoning district. The Applicant's proposed Class IV-A recycling facility is a special use in a M2 zoning district.¹ The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use is in the interest of the public convenience as it will allow for the Applicant to recycle dismantled automobile parts. The proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community because – other than now accepting dismantled car parts – the Applicant's recycling facility on the subject property will not change in its operations. In fact, as the Applicant's customers sometimes leave dismantled car parts on the street in front of the subject property when they learn the Applicant cannot purchase them, the proposed special use will benefit the general welfare of the neighborhood in that it will allow those customers to leave the dismantled car parts in the Applicant's facility as opposed to the street and will therefore make the streetscape much cleaner.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

As can clearly be seen from the Chicago Zoning Map, the subject property is located in a large M2-3 zoning district. As Mr. Ryan set forth in his report, the M2 zoning classification is categorized by light industrial use.² As Mr. Gaytan testified, there is a pallet company, a repair shop, an asphalt company and a storage company in the immediate vicinity. The Applicant has run a Class II

¹ Section 17-5-0207-GG of the Chicago Zoning Ordinance.

² Section 17-2-103 of the Chicago Zoning Ordinance.

recycling facility on the subject property for the last six (6) years. Such Class II recycling facility is an allowed use in a M2-3 zoning district.³ Further, as Mr. Gaytan credibly testified, prior to the Applicant's ownership, the subject property was used by the prior owners to recycle car parts. The proposed special use will be located in the Applicant's existing facility and thus is compatible with the surrounding light industrial area in terms of site planning and building scale and project design.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

As noted above, the proposed special use will allow the Applicant to recycle dismantled car parts. Other than recycling dismantled car parts, nothing about the Applicant's operations on the subject property will change. Based on Mr. Gaytan's testimony, it is clear that the character of the surrounding area is one of light industry. From the pictures of the Applicant's existing recycling facility, it is also clear that the Applicant's outdoor lighting is appropriate for the surrounding industrial area. The Applicant's special use will occur inside the existing building, and so noise generation will be limited and, in any event, appropriate for the surrounding light industrial area. The Applicant will maintain its current hours of operation, and such hours are consistent with other light industry. While Mr. Rojas complained about the traffic generation on Spaulding Avenue, such traffic generation is consistent with the light industrial nature of the area – including not only the Applicant's current operations but also the operations of the nearby pallet company, repair shop, storage company, and asphalt company. The Applicant's special use will not affect traffic generation in any way.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

The proposed special use will ensure that the Applicant's customers no longer leave dismantled car parts on the street which will promote pedestrian safety and comfort. Additionally, as Mr. Ryan set forth in his report, the Applicant's hours of operation will remain Mondays – Saturdays, 6 AM – 6 PM, Sundays, 8 AM – 12 PM. This will ensure that the majority of traffic generated by the Applicant's special use will occur during daylight hours, thus further promoting pedestrian safety. In addition, the Applicant has adequate lighting and security cameras to monitor the premises, which will likewise promote pedestrian safety.

³ Section 17-5-0207-GG of the Chicago Zoning Ordinance.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following condition:

1. The special use shall be issued solely to Applicant;
2. No dismantling of automobiles shall occur on the subject property; and
3. A solid twelve foot (12') high corrugated metal fence shall be installed consistent with the design and layout of the plans and drawings dated July 19, 2019, prepared by Lorin Architecture Group, LLC.

This is a final decision subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Yo, Eleven, LLC **CAL NO.:** 320-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 815 S. Carpenter Street

NATURE OF REQUEST: Application for a variation to increase the existing floor area ratio from 5,052 square feet to 5,502 square feet for a proposed rear enclosed porch and three-story staircase for the existing three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

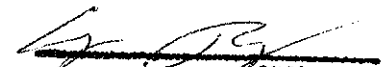
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the existing floor area ratio to 5,502 square feet for a proposed rear enclosed porch and three-story staircase for the existing three-story, six dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 321-19-Z and 322-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Yo, Eleven, LLC **CAL NO.:** 321-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 815 S. Carpenter Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 8.67', north setback from 2' to zero* (south to be 3.08'), combined side setback to be 3.08'* for a proposed rear enclosed porch and three story staircase to the existing three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 8.67', north setback to zero* (south to be 3.08'), combined side setback to be 3.08'* for a proposed rear enclosed porch and three story staircase to the existing three-story, six dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 320-19-Z and 322-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended at Hearing

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Yo, Eleven, LLC **CAL NO.:** 322-19-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
July 19, 2019
APPEARANCE AGAINST: None
PREMISES AFFECTED: 815 S. Carpenter Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 390 square feet to 179* square feet for a proposed rear enclosed porch and three-story staircase for the existing three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 19 2019
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 SHAINA DOAR
 SYLVIA GARCIA
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and

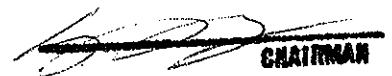
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to 179* square feet for a proposed rear enclosed porch and three-story staircase for the existing three-story, six dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 320-19-Z and 321-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended at Hearing

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Michael Scoby

CAL NO.: 323-19-S

APPEARANCE FOR: Thomas Murphy

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1050 W. Kinzie Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for an existing four-story, six dwelling unit building to be converted to a seven dwelling unit building with one additional parking space for the new unit.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for an existing four-story, six dwelling unit building to be converted to a seven dwelling unit building with one additional parking space for the new unit; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated April 24, 2019, prepared by Mayer Jeffers Gillespie Architects.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Tim Pomaville

CAL NO.: 327-19-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 19, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2438 N. Western Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 2' for a proposed detached garage with roof with an attached rear open porch for access which will serve a proposed three-story, three dwelling unit building.

ACTION OF BOARD-
Continued to September 20, 2019 at 2:00 p.m.

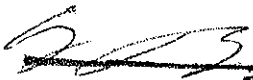
THE VOTE

AUG 19 2019
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
SHAINA DOAR
SYLVIA GARCIA
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN