

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

MINUTES OF MEETING:

July 15, 2022

Cal. No. 275-21-S

The Applicant Sea Craft, LLC presented a written request for an extension of time in which to establish a cannabis craft grower facility at the subject property 9933 S. Cottage Grove Avenue. The special use was approved on July 16, 2021 in Cal. No. 275-21-S.

The Applicant's representative, Nicholas Standiford stated that the Applicant is in the process of obtaining equipment and materials for a racking system which the Illinois Department of Agriculture must approve before the applicant can obtain pre-construction permits for the subject property. However, in the last year, the applicant has been experiencing delays in obtaining this equipment due to shortages and may have to consider other types of equipment.

Chairman Knudsen moved the request be granted and the time for obtaining the necessary permits be extended to August 23, 2023.



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN

ZURICH ESPOSITO

BRIAN SANCHEZ

SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

MINUTES OF MEETING:
July 15, 2022
Cal. No. 276-21-S

The Applicant Sea Craft, LLC presented a written request for an extension of time in which to establish a cannabis processor facility at the subject property 9933 S. Cottage Grove Avenue. The special use was approved on July 16, 2021 in Cal. No. 276-21-S.

The Applicant's representative, Nicholas Standiford stated that the Applicant is in the process of obtaining equipment and materials for a racking system which the Illinois Department of Agriculture must approve before the applicant can obtain pre-construction permits for the subject property. However, in the last year, the applicant has been experiencing delays in obtaining this equipment due to shortages and may have to consider other types of equipment.

Chairman Knudsen moved the request be granted and the time for obtaining the necessary permits be extended to August 23, 2023.



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

MINUTES OF MEETING:

July 15, 2022

Cal. No. 277-21-S

The Applicant Sea Craft, LLC presented a written request for an extension of time in which to establish a cannabis infuser facility at the subject property 9933 S. Cottage Grove Avenue. The special use was approved on July 16, 2021 in Cal. No. 277-21-S.

The Applicant's representative, Nicholas Standiford stated that the Applicant is in the process of obtaining equipment and materials for a racking system which the Illinois Department of Agriculture must approve before the applicant can obtain pre-construction permits for the subject property. However, in the last year, the applicant has been experiencing delays in obtaining this equipment due to shortages and may have to consider other types of equipment.

Chairman Knudsen moved the request be granted and the time for obtaining the necessary permits be extended to August 23, 2023.



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

TIMOTHY R. KNUDSEN

ZURICH ESPOSITO

BRIAN SANCHEZ

SAM TOIA

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Vidhi Properties, LLC Cal. No.61-22-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1943 W. Monterey Avenue

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

ACTION OF BOARD – Continued to August 19, 2022



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Colleen and Joe Marnell **CAL. NO.:** 219-22-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1838 N. Wood Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the 35' to 2.24', north side setback from 2' to 0.3' (south to be 0.7'), combined side yard setback from 4.8' to 1' for a proposed raised wood deck, garage roof deck access and pergola in the rear of an existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN SANCHEZ
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear yard setback to 2.24', north side setback to 0.3' (south to be 0.7'), combined side yard setback to 1' for a proposed raised wood deck, garage roof deck access and pergola in the rear of an existing single-family residence; an additional variation was granted to the subject property in Cal. No. 220-22-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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Colleen and Joe Marnell

CAL. NO.: 220-22-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1838 N. Wood Street

NATURE OF REQUEST: Application for a variation to relocate the required 225 square feet of rear yard open space to a garage roof deck for a proposed new raised wood deck, garage roof deck and access stair and pergola for the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to relocate the required 225 square feet of rear yard open space to a garage roof deck for a proposed new raised wood deck, garage roof deck and access stair and pergola for the existing single-family residence; an additional variation was granted to the subject property in Cal. No. 219-22-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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

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



ZBA

OCT 24 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

Full Park, LLC

APPLICANT

**221-22-Z, 222-22-Z
& 223-22-Z**
CALENDAR NUMBERS

2351 N. Cambridge Avenue

PREMISES AFFECTED

August 19, 2022

HEARING DATE

ACTION OF BOARD

THE VOTE

The variation applications are approved.

Brian Sanchez, Acting Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Angela Brooks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vaishali Rao, Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AFFIRMATIVE NEGATIVE ABSENT

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 2351 N.
CAMBRIDGE AVENUE BY FULL PARK, LLC.**

I. BACKGROUND

Full Park, LLC (the “Applicant”) submitted three variation applications for 2351 N. Cambridge Avenue (the “subject property”). The subject property is zoned RM-5 and is located in the Mid-North Landmark District (the “District”). The Applicant proposed to construct a four-story, nine-dwelling unit building with eighteen parking spaces (the “proposed development”) on the subject property. In order to permit the proposed development, the Applicant sought three variations: (1) to reduce the rear setback from the required 50’ to 28.46’ and the south side setback from 5’ to 0’ (north to be 15.52’); (2) to increase the building height from the maximum 47’ to 50.79’; and (3) to eliminate the one required loading space.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing¹ on the Applicant’s variation applications at its regular meeting held on August 19, 2022, 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 Tribune*, and as continued without

¹ In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

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 (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Fact. The Applicant's manager Mr. Robert Buono and its attorney Mr. Rolando Acosta were present. The Applicant's architect Mr. Dan Wheeler was also present. Present and in support of the applications was the president of the Mid-North Association Ms. Melissa Macek. Present and in opposition to the applications were Mr. Eric Gastevich, Ms. Catherine Nardi and Ms. Patty Gilford (collectively, the "Objectors"). The Objectors' attorneys Mr. Michael Rachlis and Mr. Andrew Porter were present. The director of zoning and urban development for the 43rd ward aldermanic office Mr. Taylor Nesse was present and in support of the applications. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. March 22, 2021).

The Applicant's attorney Mr. Rolando Acosta gave an overview of the applications.

The Applicant offered the testimony of its manager Mr. Robert Buono in support of the applications.

The Applicant offered the testimony of its architect Mr. Dan Wheeler in support of the applications.

Ms. Melissa Macek, of 529 W. Grant Place and president of the Mid-North Association, offered testimony in support of the applications.

In response to questions by the ZONING BOARD OF APPEALS, Ms. Macek offered further testimony.

One of the Objectors' attorneys Mr. Michael Rachlis made a statement.

Mr. Eric Gastevich, of 2341 N. Cambridge Avenue, offered testimony in opposition to the applications.

In response to questions from Mr. Gastevich, Mr. Wheeler offered further testimony.

Ms. Catherine Nardi, of 2341 N. Cambridge Avenue, offered testimony in opposition to the applications.

In response to questions from Mr. Rachlis, Mr. Acosta made statements and Mr. Buono offered further testimony.

In response to questions from Ms. Nardi, Mr. Acosta made further statements.

Mr. Gastevich then offered further testimony.

Ms. Patty Gilford, of 2337 N. Cambridge Avenue, offered testimony in opposition to the applications.

Mr. Rachlis then made statements in opposition to the applications.

Mr. Taylor Nesse, director of zoning and urban development for the 43rd ward aldermanic office, offered testimony in support of the applications.

In response to the Objectors' testimony, Mr. Buono offered further testimony.

Mr. Acosta made a closing statement.

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 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 applications for variations 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.*

Due to the easement along the western portion of the subject property, the Chicago Fire Department's regulations related to both access to the subject property and access to other property through this easement and the restrictions imposed by the Permit Review Committee of the Commission on Chicago Landmarks ("PRC"), including but not limited to the creation of a 15' wide private alley on the north side of the subject property, strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.

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

The requested variations will allow for the proposed development. As such the variations are consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) promoting the public health, safety and general welfare pursuant to Section 17-1-0501 of the Chicago Zoning Ordinance; (2) preserving the overall quality of life for residents and visitors pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance; (3) protecting the character of established residential neighborhoods pursuant to Section 17-1-0503 of the Chicago Zoning Ordinance; (4) maintaining orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance; (5) ensuring adequate light, air, privacy and access to property pursuant to Section 17-1-0509 of the Chicago Zoning Ordinance; (6) maintaining a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance; and (7) accommodating growth and development that complies with the preceding stated purposes pursuant to Section 17-1-0514 of the Chicago Zoning Ordinance.

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 applications for variations 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.*

The easement and the imposition of the 15' wide private alley restrict where a building may be sited on the subject property. Further, due to the lack of alleys in this block and the necessity of the Chicago Fire Department to traverse the easement, the Chicago Fire Department has imposed additional requirements with respect to the design of the proposed development so that there is adequate turning radius for Chicago Fire Department trucks. In particular, the ground floor of the proposed development must be elevated so that there is a 14' high clearance for hook-and-ladder trucks. Based on these restrictions, and as very credibly testified by Mr. Buono, the subject property cannot yield a reasonable return if permitted to be used only in accordance with the 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.*

As Mr. Wheeler testified, most property in the City is 25' wide by 125' deep and is served by alleys. Thus, property that is being redeveloped (such as the subject property) does not generally have to provide a 15' wide private alley and does not generally have an access easement on its western portion. Moreover, property that is being redeveloped generally does not have to raise the ground floor of its proposed development so that Chicago Fire Department hook-and-ladder trucks have adequate turning radius when traversing an access easement. As such, the ZONING BOARD OF APPEALS finds that the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property.

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

The variations will allow for the proposed development. The ZONING BOARD OF APPEALS finds that the proposed development has been carefully designed to ensure that it is consistent with the District and is, in fact, an improvement from the prior building on the subject property. For instance, the proposed development is only four stories instead of the prior building which was six stories. Indeed, the ZONING BOARD OF APPEALS finds that Mr. Wheeler has very thoughtfully designed the proposed development so that it will not alter and instead will enhance 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 Applicants' applications for variations 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 of the subject property (i.e., the block's lack of alleys as well as the subject property's location within the District) combined with the topographical condition of the subject property (i.e., the easement on its western portion) result in particular hardship upon the Applicant. If this block were serviced by alleys and not by the easement on the western portion of the subject property, the Applicant would not have to ensure that the proposed development's ground floor was elevated so that the Chicago Fire Department's hook-and-ladder trucks would have adequate clearance. If this block were serviced by alleys and the subject property was not located in the District, the Applicant would not have to provide a 15' wide private alley on the north of the subject property. If the strict letter of the regulations were carried out, the proposed development could not have a fourth floor, would lose 21' at the rear and would also have to shorten the building to provide for the 5' south side setback. This would – as Mr. Buono very credibly testified – result in negative return on the subject property, which the ZONING BOARD OF APPEALS finds to be much more than a mere inconvenience.

2. *The conditions upon which the petitions for the variations are based would not be applicable, generally, to other property within the same zoning classification.*

The easement along the western portion of the subject property, the Chicago Fire Department's regulations related to both access to the subject property and access to other property through this easement and the restrictions imposed by the PRC, including but not limited to the creation of a 15' wide private alley on the north side of the subject property, are not applicable, generally, to other property within the RM-5 zoning classification.

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

The variations will allow for the proposed development. The proposed development is low density with only nine dwelling units. As Mr. Rolando correctly pointed out, the underlying zoning district RM-5 could support up to fifty dwelling units. Further, the proposed development only has a floor area ratio ("FAR") of 1.3, though the RM-5 zoning district permits a FAR of 2.0. Thus, the ZONING BOARD OF APPEALS finds that the purpose of the variations is not based exclusively upon a desire to make more money out of the subject property.

Instead, the ZONING BOARD OF APPEALS finds that the variations are sought to provide a respectful and contextual new development within the District.

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

The Applicant did not create the block with its lack of alleys. The Applicant did not create the easement on the western portion of the subject property. The Applicant did not create the District. The Applicant did not create the PRC's requirement that the Applicant provide a 15' wide private alley at the north of the subject property.

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

The ZONING BOARD OF APPEALS finds that granting the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood because the variations will allow for the proposed development. The proposed development is a four-story, low-density all-residential building that will complement the predominately single-family residential neighborhood in which it is located. Despite the reduction to the rear setback, the proposed development will still have a rear setback of 28.46'. Further, the reduction to the south side setback is only to allow for an elevated walkway, and the building itself is set back more than 5' from the south property line. The proposed development will abide by the front setback requirement of 15' and there will be the 15' wide private alley at the north of the subject property. As can be seen from the massing studies, this ensures that the proposed development is of appropriate scale with the neighborhood. The ZONING BOARD OF APPEALS finds Mr. Wheeler to be a very credible witness.

6. *The variations 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.*

The variations will allow for the proposed development. As can be seen from the shadow studies, the massing studies and the plans and drawings, the variations will not impair an adequate supply of light and air to adjacent properties. As the proposed development will be providing eighteen onsite parking spaces for nine units, the variations will not substantially increase congestion in the public streets. The proposed development will not be built unless and until a building permit is issued; therefore, it will not increase the danger of fire or endanger the public safety.

As the proposed development is consistent and compatible with other properties in the District, the variations will not substantially diminish or impair property values within the neighborhood.


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 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 applications for variations, and the Zoning Administrator is authorized to permit said variations.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Acting Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 10/24, 2022.


Janine Klich-Jensen

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

APPLICANT: Merlin Day, LLC Cal. No.224-22-S
APPEARANCE FOR: Timothy Barton **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 15, 2022
PREMISES AFFECTED: 3319 N. Elston Avenue

NATURE OF REQUEST: Application for a special use to establish a school in an existing two-story building.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 school in an existing two story building; a variation was also granted to the subject property in Cal. No. 225-22-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 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, Merlin Day, LLC, and the development is consistent with the design and layout of the plans and documents, dated July 13, 2021, prepared by Seek Design and Architecture.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Merlin Day, LLC

CAL. NO.: 225-22-Z

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3319 N. Elston Avenue

NATURE OF REQUEST: Application for a variation to reduce interior trees from six* to two* and to eliminate interior landscape islands with trees requirement (all interior landscape is existing and located in the perimeter of the parking lot). Also, to eliminate shrubs in the landscape setbacks along Elston Avenue and Henderson Street and to reduce setback trees along Elston Avenue from four to three and to waive hose bib requirement for the private school in an existing two-story building with existing on-site parking lot.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN

ZURICH ESPOSITO

BRIAN SANCHEZ

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce interior trees from six* to two* and to eliminate interior landscape islands with trees requirement (all interior landscape is existing and located in the perimeter of the parking lot). Also, to eliminate shrubs in the landscape setbacks along Elston Avenue and Henderson Street and to reduce setback trees along Elston Avenue from four to three and to waive hose bib requirement for the private school in an existing two-story building with existing on-site parking lot; a special use also approved at the subject property in Cal. Nos. 224-22-S; the Board finds 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): the special use is issued solely to the applicant, Merlin Day, LLC, and the development is consistent with the design and layout of the plans and documents, dated July 13, 2021, prepared by Seek Design and Architecture.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

*Amended at hearing

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Standard Bank & Trust TTEE UTA #16319 **CAL. NO.:** 226-22-Z

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3216 S. Princeton Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to zero (south to be 27.33') for a proposed three-story front addition to the existing two-story building containing eight enclosed parking spaces on the first story in order to establish four new dwelling units.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the north side setback to zero (south to be 27.33') for a proposed three-story front addition to the existing two-story building containing eight enclosed parking spaces on the first story in order to establish four new dwelling units; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago Board of Education **CAL. NO.:** 227-22-Z

APPEARANCE FOR: Scott Borstein **MINUTES OF MEETING:**
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7411 S. Aberdeen Street / 7424 S. Morgan Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard from the required 50' to 11' for a proposed accessory score board structure for the existing accessory stadium, accessory to the existing three-story school building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear yard to 11' for a proposed accessory score board structure for the existing accessory stadium, accessory to the existing three-story school building; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on

8/22, 2022

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 5905 N. Clark, LLC

Cal. No.228-22-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1548 W. Ardmore Avenue

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

ACTION OF BOARD – Continued to September 16, 2022

THE VOTE



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
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: 5905 N. Clark, LLC

CAL. NO.: 229-22-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1548 W. Ardmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard from the required 30' to zero for a proposed four-story, eighteen dwelling unit building.

ACTION OF BOARD – Continued to September 16, 2022

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
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: 5905 N. Clark, LLC

CAL. NO.: 230-22-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1548 W. Ardmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the required loading space from one to zero for a proposed four-story, eighteen dwelling unit building.

ACTION OF BOARD – Continued to September 16, 2022

THE VOTE



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
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



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NOV 21 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

Soem Management, Inc.
APPLICANT

231-22-S
CALENDAR NUMBERS

2201-15 W. Howard Street
PREMISES AFFECTED

July 15, 2022
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is denied.

Timothy Knudsen,
Chairman
Zurich Esposito
Brian Sanchez
Sam Toia

AFFIRMATIVE NEGATIVE ABSENT

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 2201-15 W.
HOWARD STREET BY SOEM MANAGEMENT, INC.**

I. BACKGROUND

Soem Management, Inc. (the "Applicant") submitted a special use application for 2201-15 W. Howard Street. The subject property is located at the corner of Howard Street and Ridge Boulevard. While the properties immediately north (in Evanston) are improved with primarily single-story commercial uses, the subject property is immediately abutted on the west and east with multistory mixed-use buildings. To the south of the subject property there is a mid-density residential structure and predominately residential uses continue south along Ridge Boulevard. The Howard Street bus stop is located at the corner and serves as a connection to the Howard Street station hub. The subject property is currently zoned C1-3 and is currently improved with a one-story building that was previously occupied by Byline Bank (the "building"). The Applicant proposed to reuse the building as a restaurant with a one-lane drive through. To permit this, the Applicant sought a special use to establish a drive-through facility. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended denial of the proposed special use.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing¹ on the Applicant's special use application at its regular meeting held on July 15, 2022, 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 Tribune*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. August 26, 2021), the Applicant had submitted its proposed Findings of Fact. The Applicant's president Mr. Suhag Lokhandwala and its attorney Mr. Nick Ftikas were present. The Applicant's design engineer Mr. Ghulam Kamal, its traffic engineer Ms. Jennifer Mitchell and its MAI certified real estate appraiser Mr. Terrance O'Brien were present. Department Assistant Commissioner Ms. Nancy Radzevich was present and in opposition to the application. Mr. Charles Roesner a city planner in the City's Department of Transportation ("CDOT") was present and in opposition to the application. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. November 1, 2021).

Assistant Commissioner Ms. Nancy Radzevich and the Applicant's attorney Mr. Nick Ftikas had a brief discussion regarding whether the Department's recommendation was based on the Applicant's latest site plans. After confirming that it was, Mr. Ftikas provided a brief overview of the application.

The Applicant offered the testimony of its president Mr. Suhag Lokhandwala in support of the application.

The Applicant offered the testimony of its design engineer Mr. Ghulam Kamal in support of the application.

The Applicant offered the testimony of its traffic engineer Ms. Jennifer Mitchell in support of the applications.

The Applicant offered the testimony of its MAI certified real estate appraiser Mr. Terrance O'Brien in support of the application.

In response to questions from the ZONING BOARD OF APPEALS, Ms. Mitchell offered further testimony.

Assistant Commissioner Radzevich offered testimony in opposition to the application.

Mr. Charles Roesner a city planner in CDOT offered testimony in opposition to the application.

In response to Assistant Commissioner Radzevich and Mr. Rosener's testimony, Mr. Ftikas made a statement and Ms. Mitchell offered further testimony.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Ftikas made further statements and Ms. Mitchell offered further testimony.

¹ In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

In response to questions by the ZONING BOARD OF APPEALS, Mr. Rosener offered further testimony.

Assistant Commissioner Radzevich then offered further testimony.

Mr. Ftikas 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) 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 does not comply with all applicable standards of the Chicago Zoning Ordinance.*

The subject property is located in a C1-3 zoning district. The Applicant's proposed drive-through facility is a special use in a C1-3 zoning district.² Since the ZONING BOARD OF APPEALS declines to grant the proposed special use (the reasons for which are set forth in greater detail below), the proposed special use does not comply with all applicable standards of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience; however, the proposed special use will have a significant adverse impact on the general welfare of the neighborhood or community.*

The ZONING BOARD OF APPEALS find that the proposed special use itself in the interest of the public convenience. The public will benefit from a restaurant with a one-lane drive-through on the subject property. However, as currently designed, the ZONING BOARD OF APPEALS finds that the proposed drive-

² Section 17-3-0207(Z) of the Chicago Zoning Ordinance.

through will cause a significant adverse impact on the general welfare of the neighborhood or community. The ZONING BOARD OF APPEALS makes this finding due to the very credible testimony of Assistant Commissioner Radzevich and Mr. Roesner with respect to the Applicant's proposed site plan. From their testimony, it is clear that the driveway onto Ridge Boulevard is far too wide at 24' and will cause a traffic hazard for both vehicles and pedestrians. From their testimony, it is also clear that the internal circulation of the site will cause a traffic hazard for both vehicles and pedestrians. The ZONING BOARD OF APPEALS is particularly troubled by the fact that in the event a drive-through order is delayed, there is no direct route for a vehicle to leave the pick-up window and go to a parking space on-site. Instead, the vehicle would have to exit the subject property via the Ridge Boulevard driveway and then come back around onto the subject property again via the Howard Street driveway. Further, the ZONING BOARD OF APPEALS completely agrees with Mr. Roesner's testimony regarding the danger of the Howard Street driveway.

3. *The proposed special use is not compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

As currently designed, the proposed special use is not compatible with the character of the surrounding area in terms of site planning and building scale and project design. The 24' wide driveway onto Ridge Boulevard is not at all compatible with the character of the surrounding area in terms of site planning. The ZONING BOARD OF APPEALS completely agrees with Assistant Commissioner Radzevich's and Mr. Roesner's testimony that this driveway is far too wide and will function as a two-lane driveway leading to conflict with both vehicular traffic (not only on Ridge but also on Birchwood and Hoyne) and pedestrian traffic (especially due to the closeness to the Howard Street bus stop and the residential use immediately to the south of the subject property). Moreover, the Howard Street driveway encourages those driving westbound on Howard Street to enter the drive-through facility by making a left hand turn across the Howard Street turn bay, which as Mr. Roesner noted, is dangerous.

4. *The proposed special use is not compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

While the proposed special use is compatible with the character of the surrounding area in terms of hours of operation, lighting and noise, the proposed special use is not compatible with the surrounding area in terms of traffic generation. As very credibly testified to by Assistant Commissioner Radzevich, the interior north/south drive aisle far exceeds the Department standards in width. As width of a drive aisle increases, so too does vehicular speed. This combined with the 24' driveway onto Ridge Boulevard will cause traffic generated by the proposed special use to conflict with not only vehicular but also pedestrian traffic in the area in that vehicles will

exit onto Ridge Boulevard far too quickly. Further, as very credibly testified to by Mr. Roesner, the proposed special use – as currently designed – does not allow any vehicles to access to on-site parking from the pick-up window. Instead, in the event a drive-through order is delayed, a vehicle would have to exit the subject property and then re-enter, again causing traffic generated by the proposed special use – since it has to exit via the oversized Ridge Boulevard driveway – to conflict with not only vehicular traffic but also pedestrian traffic. As such, the proposed special use – as currently designed – is not compatible with the character of the surrounding area in terms of operating characteristics.

5. *The proposed special use is not designed to promote pedestrian safety and comfort.*

The 24' wide driveway is not at all conducive to pedestrian safety and comfort. A 31' internal north/south drive aisle is also not at all conducive to pedestrian safety and comfort. The ZONING BOARD OF APPEALS agrees completely with Assistant Commissioner Radzevich's and Mr. Roesner's testimony, especially their testimony that the proposed special use – as designed – will have on a negative impact on pedestrian safety and comfort along Ridge Boulevard.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not 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 of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby denies the Applicant's application for a special use.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Acting Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage pre-paid, at 121 North LaSalle Street, Chicago, IL on 11/21, 2022.


Janine Klich-Jensen

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

APPLICANT: West Town Barber and Supply, LLC Cal. No.232-22-S

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**

July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1907 W. Chicago Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

TIMOTHY R. KNUDSEN

ZURICH ESPOSITO

BRIAN SANCHEZ

SAM TOIA

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 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:

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

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



ZBA

SEP 19 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

Shugs Sharp Timeless Touch, LLC

APPLICANT

233-22-S

CALENDAR NUMBER

6006 W. North Ave.

PREMISES AFFECTED

July 15, 2022

HEARING DATE

ACTION OF BOARD

THE VOTE

The special use application is approved.

AFFIRMATIVE NEGATIVE ABSENT

Timothy Knudsen,
Chairman
Zurich Esposito
Brian Sanchez
Sam Toia

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 6006 W.
NORTH AVE. BY SHUGS SHARP TIMELESS TOUCH, LLC.**

I. BACKGROUND

Shugs Sharp Timeless Touch, LLC (the “Applicant”) submitted a special use application for 6006 W. North Ave. (the “subject property”). The subject property is currently zoned B1-1 and is improved with a one-story commercial building (the “building”). The Applicant proposed to establish a hair salon in one of the building’s existing storefronts. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City’s Department of Planning and Development (“Zoning Administrator”) recommended approval of the proposed special use.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing¹ on the Applicant’s special use application at its regular meeting on July 15, 2022, 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 Tribune*. In accordance with the ZONING

¹ In accordance with Section 7(c) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

BOARD OF APPEALS' Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Facts. The Applicant's managing member Mr. Bashir Jihad-Baree and its attorney Ms. Tamara A. Walker were present. The Applicant's land use consultant Mr. Kareem Musawwir was also present. Present and in opposition to the application was Alderman Chris Taliaferro of the 29th Ward (the "Alderman"). The statements and testimony given during the hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. March 21, 2021).

Alderman Chris Taliaferro of the 29th Ward offered testimony in opposition to the application. His opposition stemmed from what he considered to be an excessive number of barbershops and beauty salons within a six-block radius of the subject property.

The Applicant's attorney Ms. Tamara A. Walker provided a brief overview of the Applicant's application.

The Applicant offered the testimony of its managing member Mr. Bashir Jihad-Baree in support of the application.

The Applicant offered the testimony of its land use consultant Mr. Kareem Musawwir in support of the application.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Musawwir and Mr. Jihad-Baree offered further testimony.

The Alderman offered further testimony in opposition to the application.

Ms. Walker 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.*

Section 17-9-0112 of the Chicago Zoning Ordinance states in pertinent part, that "[s]pecial use approval is required for hair salons, barber shops, beauty shops, and nail salons in "B" [zoning] districts when such use is located within 1,000 feet of any other hair salon, barber shop, beauty shop or nail salon." The subject property is zoned B1-1. Since the subject property is located within 1000 feet of an existing salon, the Applicant requires a special use to establish a hair salon on the subject property.² The Applicant seeks no other relief from the ZONING BOARD OF APPEALS. That is, the Applicant is not seeking any relief from the bulk and density standards of the B1-1 zoning district. Nor is the Applicant seeking any relief from the parking standards of the B1-1 zoning district. It is only the special use that brings the Applicant before the ZONING BOARD OF APPEALS. For the reasons set forth below, the ZONING BOARD OF APPEALS has decided to grant the special use. As such, the Applicant's proposed special use 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 public convenience as it will provide consumers with essential personal services. As testified to by the Mr. Jihad-Baree, he has an established clientele that intend to follow him to his current location. Further, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community. Mr. Jihad-Baree currently provides haircutting services to essential workers, members of wedding parties, bar mitzvahs, and other religious gatherings. He also works with Larry Robert's Barber College as a licensed educator and plans to incorporate his students in the Applicant's operations. The ZONING BOARD OF APPEALS finds Mr. Jihad-Baree to be a very credible witness with respect to his past operations and, based on this, further finds the Applicant will operate in a manner that is beneficial to the general welfare of the neighborhood. While the Alderman testified there were too many hair salons in the area, the control or restriction of competition is not a proper or lawful zoning objection.³

² Section 17-3-0207-MM(1) of the Chicago Zoning Ordinance.

³ *Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87, 91 (1st Dist. 1983); *see also Lazarus v. Village of Northbrook*, 31 Ill.2d 146, 152 (1964).

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 proposed special use will be located in one of the building's commercial storefronts. As can be seen from the photographs of the area and Mr. Musawwir's report, the subject property is surrounded by restaurants, offices, daycare facilities, commercial and residential buildings. Aside from the interior buildout of the storefront, the building's the site plan and scale will remain unchanged. The ZONING BOARD OF APPEALS, therefore, finds that the proposed special use to be compatible with the character of the surrounding area in terms of site planning, 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.*

Again, and as noted above, the proposed special use will be located within the building. There are other commercial tenants in the building, including a beauty supply store. The surrounding neighborhood is heavily inhabited and is improved with both commercial and residential buildings. The Applicant's proposed hours of operation will be Tuesday through Friday from 9:00 AM to 7:00 PM and Saturday from 9:00 AM to 5:00 PM. It will remain closed on Sunday and Monday. These times are consistent with the operating times of neighboring retail stores. Services are to be primarily by appoint and will be contained within the building. This will prevent any excess noise. In addition, the site has 16 onsite parking spots, which will ensure no undue traffic is generated. The Applicant's proposed special use also calls for muted lighting, so the subject property will not generate excessive lighting. Based on all this, the ZONING BOARD OF APPEALS, finds the proposed special use to be compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation.

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

Again, the proposed special use will be located in the building with no exterior modifications proposed. Thus, the special use will utilize the existing curbcuts and the existing 16 offsite parking spaces. In addition, the Applicant will be installing a security camera surveillance system. Therefore, the ZONING BOARD OF APPEALS finds the proposed special use is designed to promote pedestrian safety and comfort.

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 Section 17-13-0905-A of Chicago Zoning Ordinance.


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

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Acting Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS, postage prepaid on 9/19, 2022.


Janine Klich-Jensen

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



ZBA

SEP 19 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

Morse Cutz, Inc.

APPLICANT

234-22-S

CALENDAR NUMBER

1424 W. Morse Ave.

PREMISES AFFECTED

July 15, 2022

HEARING DATE

ACTION OF BOARD

THE VOTE

The special use application is approved.

AFFIRMATIVE NEGATIVE ABSENT

Timothy Knudsen,
Chairman
Zurich Esposito
Brian Sanchez
Sam Toia

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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1424 W.
MORSE AVE. BY MORSE CUTZ, INC.**

I. BACKGROUND

Morse Cutz, Inc. (the “Applicant”) submitted a special use application for 1424 W. Morse Ave. (the “subject property”). The subject property is currently zoned B3-3 and is improved with a one-story commercial building (the “building”). The Applicant proposed to establish a hair salon in one of the building’s existing storefronts. The Applicant sought a special use to establish a hair salon at the subject property. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City’s Department of Planning and Development (“Zoning Administrator”) recommended approval of the proposed special use.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing¹ on the Applicant’s special use application at its regular meeting on July 15, 2022, 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 Tribune*. In accordance

¹ In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Facts. The Applicant's president Mr. Antonio Diaz and its attorney Mr. Thomas S. Moore were present. The Applicant's MAI certified real estate appraiser Mr. Joseph Ryan was also present. Present and in opposition to the application were Mr. Javier Ramones and Mr. Alan Goldberg (the "Objectors"). The statements and testimony given during the hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. March 21, 2021).

The Applicant's attorney Mr. Thomas S. Moore provided a brief overview of the Applicant's application.

The Applicant offered the testimony of its president Mr. Antonio Diaz in support of the application.

The Applicant offered the testimony of its MAI certified real estate appraiser Mr. Joseph Ryan in support of the application.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Diaz offered further testimony.

Mr. Javier Ramones, of 6736 N. Whipple and operator of the hair salon at nearby 1411 W. Monroe, offered testimony in opposition to the application.

The ZONING BOARD OF APPEALS reminded that under Illinois law, it cannot take competition into consideration.²

Mr. Ramones continued to offer testimony the ZONING BOARD OF APPEALS could not consider.

Mr. Alan Goldberg, of 606 Mulford St. and owner of 1411 W. Monroe, offered testimony in opposition to the application. His testimony also stemmed from competition and thus could not be considered.

In response to the Objectors' testimony, Mr. Diaz offered further testimony.

In response to further questions by the ZONING BOARD OF APPEALS, Mr. Diaz offered further testimony.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use

² The control or restriction of competition is not a proper or lawful zoning objective. *Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87, 91 (1st Dist. 1983); *see also Lazarus v. Village of Northbrook*, 31 Ill.2d 146, 152 (1964).

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.*

Section 17-9-0112 of the Chicago Zoning Ordinance states, in pertinent part, that "[s]pecial use approval is required for hair salons, barber shops, beauty shops, and nail salons in "B" [zoning] districts when such use is located within 1,000 feet of any other hair salon, barber shop, beauty shop or nail salon." The subject property is zoned B3-3. Since there are two hair salons within 1000' of the subject property, the Applicant requires a special use to establish a hair salon on the subject property.³ The Applicant seeks no other zoning relief from the ZONING BOARD OF APPEALS. That is, the Applicant is not seeking any relief from the bulk and density standards of the B3-3 zoning district. Nor is the Applicant seeking any relief from the parking standards of the B3-3 zoning district. It is only the special use that brings the Applicant before the ZONING BOARD OF APPEALS. For the reasons set forth below, the ZONING BOARD OF APPEALS has decided to grant the special use. As such, the Applicant's proposed special use 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 consumers an additional hair-cutting option in the neighborhood. As Mr. Diaz testified, there is a lack of barbershops in the neighborhood, and the

³ Section 17-3-0207-MM(1) of the Chicago Zoning Ordinance.

Applicant will operate the hair salon as a barbershop. The Applicant will hire only licensed cosmetologists. Moreover, as testified by Mr. Ryan and as set forth further in his report, there is more than enough density in the area to support another hair salon. Consequently, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community.

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 proposed special use will be located in one of the building's storefronts. The ZONING BOARD OF APPEALS agrees with Mr. Ryan that the building is compatible with the character of the surrounding area in terms of site planning, building scale and project design. The Applicant proposes no modification to the exterior of the building. Based on all this, the ZONING BOARD OF APPEAL finds that the proposed special use is compatible with the character of the surrounding area in terms of site planning, 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.*

The Applicant's proposed hours of operation will be open seven days a week from 9:00 AM to 7:00 PM. At this location, West Morse is a well-populated secondary arterial street with retail and commercial buildings on either side of the street. The proposed special use will not add any exterior lighting. As the proposed special use will be contained within the building, it will not generate any noise. The subject property is located within a block from the CTA Morse Red Line station, which will ensure there is no excessive traffic generation. The ZONING BOARD OF APPEALS therefore finds that 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.

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

The proposed special use will return a vacant storefront to active use. Moreover, as the subject property is easily accessible by public transportation, it will – as Mr. Diaz testified – contribute to the pedestrian nature of West Morse at this location. Given the foregoing, the ZONING BOARD OF APPEALS finds that the proposed special use is designed to promote pedestrian safety and comfort.

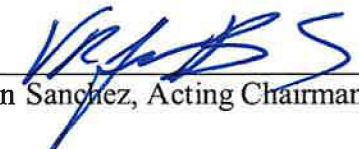
IV. CONCLUSION

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 Section 17-13-0905-A of Chicago Zoning Ordinance.

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

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Acting Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 9/19, 2022.


Janine Klich-Jensen

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



ZBA

SEP 19 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

2848 W Chicago II, Inc.

APPLICANT

235-22-Z & 236-22-Z

CALENDAR NUMBERS

2842-50 W. Chicago Ave.

PREMISES AFFECTED

July 15, 2022

HEARING DATE

ACTION OF BOARD

THE VOTE

The applications
for the variations are
approved.

Timothy Knudsen,
Chairman
Zurich Esposito
Brian Sanchez
Sam Toia

AFFIRMATIVE NEGATIVE ABSENT

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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION FOR 2842-50 W. CHICAGO AVE. BY
2848 W CHICAGO II, INC.**

I. BACKGROUND

2848 W Chicago II, Inc. (the “Applicant”) submitted a variation application for 2842-50 W. Chicago (the “subject property”). The subject property is a transit served location (“TSL”)¹, is zoned C1-2 and is improved with an existing two-story commercial building (the “building”). The Applicant proposed a two-story addition to the building with fifteen dwelling units (the “proposed addition”) with eight-off street parking spaces (collectively, the “proposed project”). These fifteen dwelling units would be served by eight off-street parking spaces. In order to permit the proposed project, the Applicant sought two variations: (1) to increase the maximum building height from 45 feet to 49.5 feet; and (2) to reduce the number of required non-residential off-street parking spaces from 2 to 0.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing² on the Applicant’s variation applications at its regular meeting held on June 17, 2022, 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 Tribune*. In accordance with the ZONING BOARD OF APPEALS’ Rules of Procedure ((eff. August 20, 2021), the Applicant had

¹ As set forth in Section 17-10-0102-B of the Chicago Zoning Ordinance.

² In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

submitted its proposed Findings of Fact. The Applicant's president Mr. Viktor Leusenکو and its attorney Nicholas Ftikas were present. The Applicant's architect Mr. John Hanna was also present. Present and in opposition to the application to reduce the required non-residential parking spaces was Mr. Michael Santonocito. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. March 22, 2021).

The Applicant's attorney Mr. Nicholas Ftikas gave an overview of the applications.

The Applicant offered the testimony of its president Mr. Viktor Leusenکو in support of the applications.

The Applicant offered the testimony of its architect Mr. John Hanna in support of the applications.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Hanna offered further testimony.

Mr. Michael Santonocito, of 807 N. Francisco Ave., Unit 3, offered testimony in opposition to the application to reduce the number of required non-residential off-street parking spaces. He testified that he did not have an objection to the application to increase the building height.

In response to Mr. Santonocito's testimony and further questions from the ZONING BOARD OF APPEALS, Mr. Leusenکو offered further testimony and Mr. Ftikas made statements.

In response to Mr. Leusenکو's testimony and Mr. Ftikas' statements, Mr. Santonocito offered further testimony.

The Applicant's attorney Nicholas Ftikas made a closing statement.

In response to questions by the ZONING BOARD OF APPEALS, Mr Ftikas made a further statement.

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 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 applications for variations 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.*

Due to the irregular shape of the subject property (it narrows by 3 feet from its front to rear), the footprint of the building (there is no remaining physical space to accommodate any more parking spaces) and the current height of the building (it is already measures 24 feet in height), the Applicant would be unable to construct the proposed project due to its inability to provide consistent floor to ceiling heights and all required on-site residential parking. As such, strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties and particular hardships for the subject property.

- 2. The requested variations are consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

The requested variations will allow for the proposed project. As established at the hearing, the proposed project will allow for fifteen additional dwelling units while allowing the subject property to maintain its current commercial tenants. Further, the subject property is located in a TSL. As such the variations are consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) promoting the public health, safety and general welfare pursuant to Section 17-1-0501 of the Chicago Zoning Ordinance; (2) preserving the overall quality of life for residents and visitors pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance; (3) maintaining economically vibrant as well as attractive business and commercial areas pursuant to Section 17-1-0504 of the Chicago Zoning Ordinance; (4) promoting pedestrian, bicycle and transit use pursuant to Section 17-1-0507 of the Chicago Zoning Ordinance; (5) maintaining orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance; (6) promoting rehabilitation and reuse of older buildings pursuant to Section 17-1-0511 of the Chicago Zoning Ordinance; (7) maintaining a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance; and (8) accommodating growth and development that complies with the preceding stated purposes pursuant to Section 17-1-0514 of the Chicago Zoning Ordinance.

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 applications for variations 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.*

The variations will allow for the proposed project. As set forth in the Applicant's proposed Findings of Fact, without the variations, the building is not viable given the current market conditions. The ZONING BOARD OF APPEALS therefore agrees with the Applicant that 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. The addition of the 15 dwelling units will ensure the subject property's financial viability by giving the Applicant the ability to generate sufficient income to meet its operating expenses.

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

The irregular shape of the subject (it narrows by 3 feet from its front to rear), the footprint of the building (there is no remaining physical space to accommodate any more parking spaces), and the current height of the building (it already measures

24 feet in height) are unique circumstances and are not generally applicable to other similarly situation property.

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

As testified by Mr. Hanna and as can be seen from comparing the proposed project with the photographs of the surrounding area, the proposed project follows the pattern of development in the immediate area. The variation to increase the maximum building height will be consistent with the neighboring land uses, which consist of a mix of single-story retail uses, two-story residential buildings, and four-story mixed-use buildings. The variation to reduce the number of required non-residential off-street parking spaces will be consistent with the neighborhood because not only is the area a TSL but also because the building's tenants have a limited number of employees and generate a low volume of customer vehicle-related traffic. Therefore, the ZONING BOARD OF APPEALS finds the requested variations 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 Applicants' applications for variations 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 irregular shape of the subject property combined with the topographical condition of the building results in particular hardship upon the Applicant. Following the strict letter of the regulations would prevent the Applicant from constructing the proposed addition as: (1) the existence of the building limits the space for off-street parking; and (2) the height of the building prevents consistent floor-to-ceiling heights for the dwelling units. The ZONING BOARD OF APPEALS finds this much more than a mere inconvenience.

2. *The conditions upon which the petitions for the variations are based would not be applicable, generally, to other property within the same zoning classification.*

The irregular shape of the subject property (it narrows by 3 feet from its front to rear), the footprint of the building (there is no remaining physical space to accommodate any more parking spaces) and the current height of the building (it is already measures 24 feet in height) are conditions not applicable, generally, to other property within the C1-2 zoning classification.

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

The variation will allow for the proposed project, which will, in turn, allow the Applicant to utilize the residential density and floor area allowances of the C1-2 zoning district. This utilization will ensure the financial viability of the subject property while allowing 15 additional dwelling units in the area. As such, the purpose of the variations is not based exclusively upon a desire to make more money out of the subject property. Instead, the variations will allow the Applicant to redevelop the subject property while maintaining the mixed-use nature of the surrounding neighborhood.

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

The Applicant did not create the irregular lot shape. The Applicant did not create the building. These were conditions the Applicant inherited when it purchased the subject property.

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

The ZONING BOARD OF APPEALS finds that granting the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood because the variations will allow for the proposed project. The proposed project is a four-story mixed-use building that is similar to the other improvements in the area. Therefore, the proposed variation to increase maximum building height is not detrimental to the public welfare of injurious to other property in the neighborhood. The proposed project will provide all required off-street parking for the dwelling units. As shown by Mr. Leusenko's testimony, the reduction of required non-residential off-street parking will not be detrimental or injurious to other property in the neighborhood. The building's commercial tenants have a limited number of employees and generate a low volume of customer vehicle-related traffic. Further, the subject property is located in a TSL and is therefore well-served by public transportation.

- 6. The variations 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.*

As can be seen from comparing the plan and drawings of the proposed project with photographs of the surrounding area, the variations will not impair an adequate supply of light and air to adjacent properties. As shown by Mr. Leusenko's testimony, the variations will not substantially increase congestion in the public streets. In addition, the variations will allow for the proposed project, and the proposed project will not be built unless and until a building permit is issued, ensuring it complies with the Chicago Building Code. Finally, the ZONING BOARD OF APPEALS agrees with Mr. Hanna that the proposed project is consistent and compatible with other neighboring buildings along Chicago Avenue; therefore, the variations will not substantially diminish or impair property values within the neighborhood.

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 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.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Acting Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 9/19, 2022.


Janine Klich-Jensen

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



ZBA

SEP 19 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

GRI Holdings, LLC

APPLICANT

237-22-S

CALENDAR NUMBER

612 N. Wells St.

PREMISES AFFECTED

July 15, 2022

HEARING DATE

ACTION OF BOARD

THE VOTE

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

Timothy Knudsen,
Chairman
Zurich Esposito
Brian Sanchez
Sam Toia

AFFIRMATIVE NEGATIVE ABSENT

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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 612 N. WELLS
ST. BY GRI HOLDINGS, LLC.**

I. BACKGROUND

GRI Holdings, LLC (the “Applicant”) submitted a special use application for 612 N. Wells St. (the “subject property”). The subject property is currently zoned DX-5 and is improved with a vacant, one-story retail building (the “building”) and accessory parking lot. The Applicant sought a special use to establish an adult use cannabis dispensary at the subject property. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City’s Department of Planning and Development (“Zoning Administrator”) recommended approval of the proposed adult use cannabis dispensary provided that: (1) the special use was issued solely to the Applicant; (2) all on-site customer queuing occurred within the building; and (3) the development was consistent with the design and layout of the plans and documents dated July 13, 2022, prepared by Psenka Architects, Inc., with landscape plan prepared by Studio G Landscape Architecture.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing¹ on the Applicant's special use application at its regular meeting on July 15, 2022, 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 Tribune*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Facts. The Applicant's manager and chief executive officer Mr. Gabriel Martinez and its attorney Mr. Nick Ftikas were present. Also present on behalf of the Applicant were its operations consultant Mr. Ross Morreale, its security consultant Mr. Paul Ohm, its land planning consultant Mr. George Kisiel, its MAI certified real estate appraiser Mr. Terrence O'Brien, its traffic consultant Mr. Peter Lemon, and its architect Mr. Paul Psenka. Present and in opposition to the application was Mr. Fred Lev. The statements and testimony given during the hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. November 1, 2021).

The Applicant's attorney Mr. Nick Ftikas provided a brief overview of the Applicant's application.

The Applicant's manager and chief executive officer Mr. Gabriel Martinez offered testimony in support of the application.

The Applicant's operations consultant Mr. Ross Morreale offered testimony in support of the application.

The Applicant's security consultant Mr. Paul Ohm offered testimony in support of the application.

The Applicant's land planning consultant Mr. George Kisiel offered testimony in support of the application.

The Applicant's MAI certified real estate appraiser Mr. Terrence O'Brien offered testimony in support of the application.

The Applicant's traffic consultant Mr. Peter Lemon offered testimony in support of the application.

Mr. Fred Lev, of 200 W. Ohio St., offered testimony in opposition to the application.

In response to Mr. Lev's testimony, Mr. Ftikas made a rebuttal argument and then made a brief closing statement.

B. Criteria for a Special Use for a Cannabis Business Establishment

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use

¹ In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

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.

Pursuant to Section 17-13-0905-G of the Chicago Zoning Ordinance, no special use for a cannabis business establishment may be approved unless the ZONING BOARD OF APPEALS finds that the applicant for such special use has held at least one community meeting in the ward in which the cannabis business establishment is proposed to be located for the purpose of explaining the proposal and soliciting comments on it. Such community meeting must be held no later than two weeks prior to the date of the anticipated special use hearing before the ZONING BOARD OF APPEALS. The applicant must notify the Chairman of the ZONING BOARD OF APPEALS and the Alderman of the ward in which the cannabis business establishment is proposed to be located in writing of the time, place and purpose of the community meeting. The applicant must publish notice in a newspaper of general circulation within the ward and the applicant must send written notice by USPS first class mail to the property owner of the subject property and to all property owners within 250 feet of the property lines of the subject property. Such applicant shall furnish a complete list of the names and last known addresses of the persons provided with such written notice as well as a written affidavit certifying compliance with such written notice to the Chairman of the ZONING BOARD OF APPEALS on or before the public hearing is held by the ZONING BOARD OF APPEALS, in a form prescribed by the Commissioner of the Department of Planning and Development.

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 proposed special use is 500' or more from a school as required by Section 17-9-0129(3) of the Chicago Zoning Ordinance. The proposed special use complies with all bulk, density, off-street parking and loading requirements of the Chicago

Zoning Ordinance². The subject property is located in a DX-5 zoning district. Adult use cannabis dispensaries are a special use in a DX-5 zoning district.³ The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use that brings the Applicant 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 retail products that are in high demand. Further, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood. The ZONING BOARD OF APPEALS finds Mr. Martinez, Mr. Morreale and Mr. Ohm to be very credible witnesses as to the operations of the proposed special use. The ZONING BOARD OF APPEALS finds that whether or not an adult use cannabis dispensary – as with all special uses that involve a controlled substance and cash – has a significant adverse impact on the general welfare of the neighborhood depends on the operation of the adult use cannabis dispensary. From their testimony, the ZONING BOARD OF APPEALS finds that the proposed special use will be operated in such a manner that it will not have a significant adverse impact on the general welfare of 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.*

The proposed special use will be located within the building. As can be seen from both Mr. Kisiel's and Mr. O'Brien's reports, the building is compatible with the character of the surrounding area in terms of site planning and building scale. In terms of project design, the primary entrance will remain on Wells Street, actively engaging the street frontage. Further, and as testified by Mr. Morreale, all deliveries will occur at the rear of the secured parking lot. As such, the proposed special use is compatible with the character of the surrounding area in terms of project design.

² As set forth in Mr. Kisiel's report, the building is legally nonconforming. Since the proposed special use will involve an interior buildout only and no exterior modifications, the building will remain legally nonconforming.

³ Pursuant to Section 17-4-0207-AAA(1) of 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 subject property is located in the portion of the City known as River North. As set forth in Mr. Kisiel's report, River North is a vibrant, high-density mixed-use neighborhood. The Applicant's proposed hours of operation are therefore compatible with nearby restaurant uses and not in conflict with other surrounding commercial, hotel, retail and service uses in the area. The Applicant's proposed plan does not allow for cannabis consumption on the premises and requires that all queuing will take place inside the building. This shall ensure there is no excess noise. Outdoor lighting will be consistent with the area and designed so that there is no spillage onto adjoining properties. The proposed special use includes on-site parking spaces, and the subject property itself is located in very close proximity to public transit. Based on all this, the ZONING BOARD OF APPEALS, finds 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.

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

The proposed special use will greatly enhance security of the subject property in the form of security cameras and trained on-site security personnel. This enhanced security will promote pedestrian safety and comfort. As the Applicant is committed to ensuring that there are no outdoor customer queuing lines, the Applicant's customers will not block sidewalks or otherwise obstruct the public way for pedestrians. All product deliveries will occur on-site and at the rear of the building. This will ensure the building's primary entrance is not overwhelmed by both customers and service deliveries. There are no additional curbcuts proposed by the special use. Given the foregoing, the ZONING BOARD OF APPEALS finds that the proposed special use is designed to promote pedestrian safety and comfort.

After careful consideration of the evidence, testimony and the entire record, 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-G of the Chicago Zoning Ordinance:

1. Based on the Applicant's submissions to the ZONING BOARD OF APPEALS, the ZONING BOARD OF APPEALS finds that the Applicant has held its required community meeting in accordance with Section 17-13-0905-G 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 and 17-13-0905-G of 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 shall be issued solely to the Applicant;
2. All on-site customer queuing shall occur within the building; and
3. The development shall be consistent with the design and layout of the plans and documents dated July 13, 2022, prepared by Psenka Architects, Inc., with landscape plan prepared by Studio G Landscape Architecture.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Acting Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 9/19, 2022.


Janine Klich-Jensen

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

APPLICANT: Starbucks Corp. Cal. No.238-22-S

APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:**

APPEARANCE AGAINST: None July 15, 2022

PREMISES AFFECTED: 2737-51 N. Cicero Avenue / 4746-56 W. Parker Avenue

NATURE OF REQUEST: Application for a special use to establish a one-lane drive through for a proposed fast-food restaurant.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 for a proposed fast-food restaurant; 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 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, Starbucks, Corp. and the development is consistent with the design and layout of the site and landscape plans and landscape details May 4, 2022, prepared by Watermark Engineering Resources, with Life Safety & Accessibility Plan (a/k/a furniture, equipment and floor plan) and Floor Penetrations Plan, prepared by Norr, and Elevations (consisting of 2 sheets) and Roof/Garbage Enclosure Plans, prepared by Agama Designs.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Legendary Art Gallery, LLC, Angenada F. Funderburg Cal. No.239-22-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2411 W. Madison

NATURE OF REQUEST: Application for a special use to establish a body art / tattoo service.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 / tattoo service; 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 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:

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: JB Augustine Corp.

CAL. NO.: 240-22-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4329 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 45' to 2' for a proposed two-car garage and coach house additional dwelling unit with exterior access stairs over 6' in the rear of the existing four dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear yard setback to 2' for a proposed two-car garage and coach house additional dwelling unit with exterior access stairs over 6' in the rear of the existing four dwelling unit building; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1430 W. Grand Condominium Association **CAL. NO.:** 241-22-Z

APPEARANCE FOR: Tyler Manic / Matthew Allee **MINUTES OF MEETING:** July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1430 W. Grand Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.50' to 25.85' for a proposed rear elevated walkway from existing open metal porch to the existing garage roof deck for the existing three-story, three dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear setback to 25.85' for a proposed rear elevated walkway from existing open metal porch to the existing garage roof deck for the existing three-story, three dwelling unit building; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Alltown Bus Service, Inc. Cal. No.242-22-S
APPEARANCE FOR: Thomas Murphy **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 15, 2022
PREMISES AFFECTED: 1048 E. 81st Street

NATURE OF REQUEST: Application for a special use to establish an outdoor vehicle storage (school buses) located adjacent to an existing one-story building.

ACTION OF BOARD – Continued to September 16, 2022



ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Alltown Bus Service, Inc. Cal. No.243-22-S
APPEARANCE FOR: Thomas Murphy **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 15, 2022
PREMISES AFFECTED: 1014 E. 82st Street

NATURE OF REQUEST: Application for a special use to establish twenty-four off-site accessory parking spaces within 600 feet to the entrance of a facility where a school bus dispatch is located in the building at its main address of 1035 E. 81st Street.

ACTION OF BOARD – Continued to September 16, 2022

ZBA

AUG 22 2022
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3443 N. Ashland Land Owner, LLC **CAL. NO.:** 244-22-Z

APPEARANCE FOR: Warren Silver **MINUTES OF MEETING:** July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3431 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback on floors containing dwelling units from the required 30' to 25.08' for a proposed five-story, forty-two dwelling unit building with twelve parking spaces.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear yard setback on floors containing dwelling units to 25.08' for a proposed five-story, forty-two dwelling unit building with twelve parking spaces; an additional variation was granted to the subject property in Cal. No. 245-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3443 N. Ashland Land Owner, LLC **CAL. NO.:** 245-22-Z
APPEARANCE FOR: Warren Silver **MINUTES OF MEETING:** July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3431 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation to permit the building facade to be located within 10' of the sidewalk for a proposed five-story, forty-two dwelling unit building with twelve parking spaces.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN SANCHEZ
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

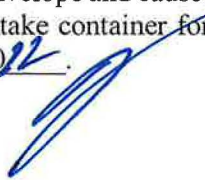
WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to permit the building facade to be located within 10' of the sidewalk for a proposed five-story, forty-two dwelling unit building with twelve parking spaces; an additional variation was granted to the subject property in Cal. No. 244-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Molly Curry & James Jacoby **CAL. NO.:** 246-22-Z
APPEARANCE FOR: Warren Silver **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2441 N. Washtenaw Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35.32' to 5.17', south side setback from 2' to zero (north to be 1.05), combined side yard setback from 5' to 1.05' for a seven-foot solid wood fence in the side and rear of the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear setback to 5.17', south side setback to zero (north to be 1.05), combined side yard setback to 1.05' for a seven-foot solid wood fence in the side and rear of the existing single-family residence; a related variation was granted to the subject property at 2445 N. Washtenaw Avenue in Cal. No. 247-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Molly Curry & James Jacoby

CAL. NO.: 247-22-Z

APPEARANCE FOR: Warren Silver

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2445 N. Washtenaw Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.85' to 4.92', north side setback from 5' to zero (south side setback to be 11.35'), combined side yard setback from 12.5' to 11.35' for a proposed seven-foot solid wood fence in the side and rear yard of an existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear setback to 4.92', north side setback to zero (south side setback to be 11.35'), combined side yard setback to 11.35' for a proposed seven-foot solid wood fence in the side and rear yard of an existing single-family residence; a related variation was granted to the subject property at 2441 N. Washtenaw Avenue in Cal. No. 246-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Doris Enemamokwu **CAL. NO.:** 248-22-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1616-20 W. Devon Avenue

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

ACTION OF BOARD - VARIATION GRANTED



AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

THE VOTE

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to establish a public place of amusement license to provide an event space which is within 125' or a residential zoning district; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Fanny Zhagui Cal. No.249-22-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 15, 2022
PREMISES AFFECTED: 4421 N. Sheridan Road

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 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:

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Adolfo Orozco

CAL. NO.: 250-22-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2600 W. 25th Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 1.72' to zero, westside setback from 2.66' to 0.7' (street side setback will be zero), rear yard setback from 22.68' to 5.64' for a proposed two-story single family residence with an attached two-car garage with roof deck above the existing foundations and east and west masonry walls of the existing one-story commercial building that is being removed.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the front setback to zero, westside setback to 0.7' (street side setback will be zero), rear yard setback to 5.64' for a proposed two-story single family residence with an attached two-car garage with roof deck above the existing foundations and east and west masonry walls of the existing one-story commercial building that is being removed; an additional variation was granted to the subject property in Cal. No. 251-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Adolfo Orozco **CAL. NO.:** 251-22-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2600 W. 25th Street

NATURE OF REQUEST: Application for a variation to relocate the required 139.79 square feet of rear yard open space to a deck that is greater than 4' from grade for a proposed two-story, single-family residence with an attached two- car garage with roof deck above over existing foundations and east and west masonry walls of the existing one-story commercial building that is being removed.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to relocate the required 139.79 square feet of rear yard open space to a deck that is greater than 4' from grade for a proposed two-story, single-family residence with an attached two- car garage with roof deck above over existing foundations and east and west masonry walls of the existing one-story commercial building that is being removed; an additional variation was granted to the subject property in Cal. No. 250-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Armand Candea Cal. No.252-22-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5434 N. Clark Street

NATURE OF REQUEST: Application for a special use to establish a hair salon on the ground floor of an existing four-story building.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 on the ground floor of an existing four-story building; an additional special use was approved at the subject property in Cal. No. 253-22-S; 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 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:

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Armand Candea Cal. No.253-22-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5434 N. Clark Street

NATURE OF REQUEST: Application for a special use to establish body art (microblading and tattooing) facility on the ground floor of an existing four-story building.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 body art (microblading and tattooing) facility on the ground floor of an existing four-story building; an additional special use was approved at the subject property in Cal. No. 252-22-S; 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 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:

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Robert Whittle

CAL. NO.: 254-22-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3333 N. Seeley Avenue

NATURE OF REQUEST: Application for a variation to increase the maximum floor area ratio from 1.2 to 1.38 which is less than 15% of the floor area that has been in existence for fifty years for a proposed rear first, second and third floor additions, rear addition following the existing setback of the exterior wall and two space parking pad.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to increase the maximum floor area ratio to 1.38 which is less than 15% of the floor area that has been in existence for fifty years for a proposed rear first, second and third floor additions, rear addition following the existing setback of the exterior wall and two space parking pad; two additional variations were granted to the subject property in Cal. Nos. 255-22-Z and 256-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Robert Whittle

CAL. NO.: 255-22-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3333 N. Seeley Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 5' to 0.65' (south to be 4.05), combined side yard setback from 5' to 4.88' for a proposed rear first, second and third floor additions, rear addition following the existing setback of the exterior wall and two space parking pad.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the north side setback to 0.65' (south to be 4.05), combined side yard setback to 4.88' for a proposed rear first, second and third floor additions, rear addition following the existing setback of the exterior wall and two space parking pad; two additional variations were granted to the subject property in Cal. Nos. 254-22-Z and 256-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Robert Whittle

CAL. NO.: 256-22-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3333 N. Seeley Avenue

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 30' to 34.83' which matches the existing building height for a proposed rear first, second, and third floor additions rear addition following the existing setback of the exterior wall and two space parking pad.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to increase the building height to 34.83' which matches the existing building height for a proposed rear first, second, and third floor additions rear addition following the existing setback of the exterior wall and two space parking pad; two additional variations were granted to the subject property in Cal. Nos. 254-22-Z and 255-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Damoka 2745, LLC **CAL. NO.:** 257-22-Z
APPEARANCE FOR: Patrick Turner **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2745 N. Bosworth Avenue

NATURE OF REQUEST: Application for a variation to reduce the required lot area from 3,000 square feet to 2,999.19 square feet for a proposed three-story, three dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

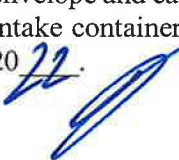
WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the required lot area to 2,999.19 square feet for a proposed three-story, three dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 258-22-Z and 259-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Damoka 2745, LLC

CAL. NO.: 258-22-Z

APPEARANCE FOR: Patrick Turner

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2745 N. Bosworth Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 36.95' to zero for a proposed three-story, three dwelling unit building with a detached three car garage with roof deck.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the rear setback to zero for a proposed three-story, three dwelling unit building with a detached three car garage with roof deck; two additional variations were granted to the subject property in Cal. Nos. 257-22-Z and 259-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Damoka 2745, LLC **CAL. NO.:** 259-22-Z
APPEARANCE FOR: Patrick Turner **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2745 N. Bosworth Avenue

NATURE OF REQUEST: Application for a variation to relocate the required 195 square feet of rear yard open space from the ground level to the roof deck of the accessory detached garage building which will serve the new three-story, three-dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

THE VOTE

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to relocate the required 195 square feet of rear yard open space to the roof deck of the accessory detached garage building which will serve the new three-story, three-dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 257-22-Z and 258-22-Z; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Karen Taylor

CAL. NO.: 260-22-Z

APPEARANCE FOR: Patrick Turner

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8008 S. Muskegon Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 22.25' to 18.8', south setback from 2' to 0.62' (north to be 3.08'), combined side yard setback from 5' to 3.7' for a proposed open front porch, one story rear addition, rear open deck and second floor dormer addition to an existing two-story single-family residence and a proposed two-car garage.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 variation to reduce the front setback to 18.8', south setback to 0.62' (north to be 3.08'), combined side yard setback to 3.7' for a proposed open front porch, one story rear addition, rear open deck and second floor dormer addition to an existing two-story single-family residence and a proposed two-car garage; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Celadon Properties Cal. No.261-22-S

APPEARANCE FOR: Amy Kurson **MINUTES OF MEETING:**
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4706 S. Marshfield Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

THE RESOLUTION:

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 a proposed three-story, three dwelling unit 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 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 Department of Planning and Development (DPD) recommends approval to establish residential use below the second floor for a proposed three-story, three dwelling unit building, with building design approved by the DPD-Bureau of Planning & Design, with off-site required parking located at 4710 S Marshfield Avenue (ref: ZBA No. 263-22-S) provided the development is consistent with the design and layout of the Site Plan, Floor Plans and Elevations, dated July 14, 2022, all prepared by Group Z Design, and Landscape Plan, Fencing and Furnishings Details and Landscape Details, dated July 15, 2022 prepared by DesignBridge LTD Architects & Designers.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Celadon Properties

Cal. No.262-22-S

APPEARANCE FOR: Amy Kurson

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4708 S. Marshfield Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN

ZURICH ESPOSITO

BRIAN SANCHEZ

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 a proposed three-story, three dwelling unit 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 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 Department of Planning and Development recommends approval to establish residential use below the second floor for a proposed three-story, three dwelling unit building, with building design approved by the DPD-Bureau of Planning & Design, with off-site required parking located at 4710 S Marshfield Avenue (ref: ZBA No. 264-22-S) provided the development is consistent with the design and layout of the Site Plan, Floor Plans and Elevations, dated July 14, 2022, all prepared by Group Z Design, and Landscape Plan, Fencing and Furnishings Details and Landscape Details, dated July 15, 2022 prepared by DesignBridge LTD Architects & Designers.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Celadon Properties Cal. No.263-22-S

APPEARANCE FOR: Amy Kurson **MINUTES OF MEETING:** July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4710 S. Marshfield Avenue

NATURE OF REQUEST: Application for a special use to establish off-site required parking for three residential units located at 4706 S. Marshfield Avenue.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 off-site required parking for three residential units located at 4706 S. Marshfield Avenue; an additional special use was approved at the subject address in Cal. No. 264-22-S; 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 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 Department of Planning and Development (DPD) recommends approval to establish off-site required parking for three residential units located at 4706 S. Marshfield Avenue (ref: ZBA No. 261-22-S) provided: (1) the development is consistent with the design and layout of the Site Plan-Entire Site, Site Plan-Parking Only, and Landscape Plan, Fencing and Furnishings Details and Landscape Details, dated July 15, 2022, prepared by DesignBridge LTD Architects & Designers and (2) the final landscape plan and details, particularly the species, spacing, and locations of the trees and shrubs providing landscape screening along the north side of the parking spaces, shall be approved by DPD-Zoning Bureau prior to issuance of building permits.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Celadon Properties Cal. No.264-22-S

APPEARANCE FOR: Amy Kurson **MINUTES OF MEETING:**
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4710 S. Marshfield Avenue

NATURE OF REQUEST: Application for a special use to establish off-site required parking for three residential units located at 4708 S. Marshfield Avenue.

ACTION OF BOARD – APPLICATION APPROVED



AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2022; 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 off-site required parking for three residential units located at 4708 S. Marshfield Avenue; an additional special use was approved at the subject property in Cal. No. 263-22-S; 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 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 Department of Planning and Development recommends approval to establish off-site required parking for three residential units located at 4708 S. Marshfield Avenue (ref: ZBA No. 262-22-S) provided: (1) the development is consistent with the design and layout of the Site Plan-Entire Site, Site Plan-Parking Only, and Landscape Plan, Fencing and Furnishings Details and Landscape Details, dated July 15, 2022, prepared by DesignBridge LTD Architects & Designers and (2) the final landscape plan and details, particularly the species, spacing, and locations of the trees and shrubs providing landscape screening along the north side of the parking spaces, shall be approved by DPD-Zoning Bureau prior to issuance of building permits.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022

APPROVED AS TO SUBSTANCE

CHAIRPERSON

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

APPLICANT: HM Endeavours, LLC dba Chicago Loft Venues Cal. No.265-22-S

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 500 W. 18th Street

NATURE OF REQUEST: Application for a special use to establish a thirty-space required off-site parking lot to serve a new event space (medium venue) located at 1719 S. Clinton Street.

ACTION OF BOARD – APPLICATION WITHDRAWN

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
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: HM Endeavours, LLC dba Chicago Loft Venues Cal. No.266-22-S

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 500 W. 18th Street

NATURE OF REQUEST: Application for a variation to establish shared parking arrangement for required off-site parking arrangement for required off-site parking for a new event space located 1719 S. Clinton Street.

ACTION OF BOARD – APPLICATION WITHDRAWN

THE VOTE

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
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: JBP Food Mart Cal. No.13-22-S

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:** July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1150 N. Cicero Avenue

NATURE OF REQUEST: Application for a special use to expand an existing one-story gas station with accessory car wash use building for a new accessory convenience store and limited restaurant use.

ACTION OF BOARD – Continued to September 16, 2022

THE VOTE

ZBA

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CRITMAN

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

APPLICANT: ABM Industry Groups, LLC Cal. No.97-22-S

APPEARANCE FOR: Talar Berberian **MINUTES OF MEETING:**
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 550 W. Jackson Boulevard / 550 W. Quincy Street

NATURE OF REQUEST: Application for a special use to re-establish a non-accessory, one hundred-forty space parking garage in the basement and sub-basement of an existing office building.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on March 3, 2022; 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 re-establish a non-accessory, one hundred-forty space parking garage in the basement and sub-basement of an existing office 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 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, ABM Industry Groups, LLC, and development is consistent with the design and layout of the Conceptual Basement and Sub-Basement Plans dated July 13, 2022, prepared by Camburas Theodore LTD Architecture / Engineering.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

[Handwritten signature]

APPROVED AS TO SUBSTANCE
[Handwritten signature]
CHAIRMAN

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

APPLICANT: Nozar Amiran Cal. No.147-22-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2214 W. Dickens Street

NATURE OF REQUEST: Application for a variation to reduce the west side yard setback from the required 2' to 0.76' (east to be 2.42'), combined side yard setback from 4.8' to 3.18' for a proposed second story addition, new rear two story addition, new front porch and new detached two car garage with rooftop deck for the existing two-story, two dwelling unit building to be deconverted to a single-family residence.

ACTION OF BOARD – APPLICATION WITHDRAWN

ZBA

AUG 22 2022
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Nozar Amiran Cal. No.148-22-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 15, 2022
PREMISES AFFECTED: 2214 W. Dickens Street

NATURE OF REQUEST: Application for a variation to increase the maximum floor area that has been in existence for fifty years by 16.92 square feet for a total of 2,176.92 square feet for a proposed second story addition, new rear two story addition, new front porch and new detached two car garage with rooftop deck for the existing two-story, two dwelling unit building to be deconverted to a single-family residence.


ACTION OF BOARD – APPLICATION WITHDRAWN

THE VOTE

ZBA
AUG 22 2022
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
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: Nozar Amiran Cal. No.149-22-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 15, 2022
PREMISES AFFECTED: 2214 W. Dickens Street

NATURE OF REQUEST: Application for a variation to relocate the required 225 square feet of rear yard open space to a proposed roof deck of the two-car detached garage for a proposed second story addition, new rear two story addition, new front porch and new detached two car garage with rooftop deck for the existing two-story, two dwelling unit building to be deconverted to a single-family residence.

ACTION OF BOARD – APPLICATION WITHDRAWN

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Deon Marshall, C & D Suites and Events Cal. No.171-22-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 304 W. 119th Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 22 2022
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 2, 2022; 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; 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 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:

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Roscoe-Bell Properties, LLC **CAL. NO.:** 195-22-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:** July 15, 2022
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2237 W. Roscoe Street

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area per unit from the required 1,400 square feet to 1,285.71 square feet for a proposed three-story, seven dwelling unit building with an attached three-car garage and detached four-car garage.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 22 2022
 CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN SANCHEZ
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 2, 2022; 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 variation to reduce the minimum lot area per unit to 1,285.71 square feet for a proposed three-story, seven dwelling unit building with an attached three-car garage and detached four-car garage; the Board finds 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Jaine Gutierrez dba Esmeralda’s Beauty Salon Cal. No.215-22-S

APPEARANCE FOR: James Stola **MINUTES OF MEETING:** July 15, 2022

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6142 N. Clark Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 22 2022

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN SANCHEZ
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a remote public hearing was held, in accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 et seq., on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2022 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 2, 2022; 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 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:

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/22, 2022.



APPROVED AS TO SUBSTANCE

CHAIRMAN