

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

MINUTES OF MEETING:

October 20, 2023

Cal. No. 294-22-S

The Applicant PTS Corp.& BIO-Pharm, LLC (co-applicants)* presented a written request for an extension of time in which to establish an adult use cannabis dispensary at 605 N. Clark Street. The special use was approved on November 18, 2022 in Cal. No. 294-22-S.

The Applicant's representative, Richard Toth stated that the Applicant's principal reason for the extension was due to the uncertainties raised with the filing of litigation in the Circuit Court of Cook County by the objector at the November 18, 2022 hearing.

Acting Chairman Sanchez moved the request be granted and the time for obtaining the necessary permits be extended to November 19, 2024.



ZBA

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

THE VOTE

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

*Amended at hearing

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: The Brow Laboratory, LLC Cal. No.351-23-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1425 W. 18th Street Street

NATURE OF REQUEST: Application for a special use to establish a body art service (semi-permanent make-up) facility.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

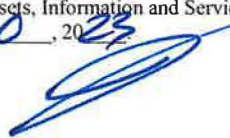
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 service (semi-permanent make-up) facility; 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 has 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 11/20, 2023



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Anastasia Nails and Spa Inc. dba Banana Nails Cal. No.352-23-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6711 N. Northwest Highway, Floor 1

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

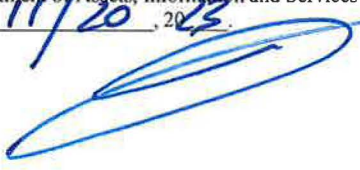
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a nail salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony has 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.

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lemon Chicago, LLC

Cal. No.: 353-23-Z

APPEARANCE FOR: Andrew Cunniff

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1600 W. Grand Avenue

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license within 125' of a residential district to provide live music, performances and charging at the door.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN

ANGELA BROOKS

ZURICH ESPOSITO

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 within 125' of a residential district to provide live music, performances and charging at the door; 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.

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APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Atheer M. Majeed / Gold Scissors, Inc. Cal. No.354-23-S

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**

October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1064 W. Bryn Mawr Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

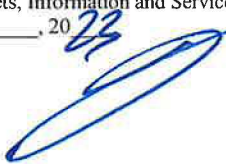
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WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted 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 has 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.

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Albert V. Trigo **Cal. No.:** 355-23-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1015 N. Drake Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.54' to zero, north setback from 2.4' to zero (south to be zero), combined side yard setback from 6' to zero for a rear fence with a rolling gate at 11.2' for the existing two-story single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

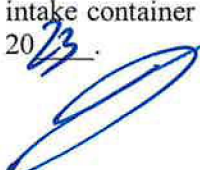
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WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to zero, north setback to zero (south to be zero), combined side yard setback to zero for a rear fence with a rolling gate at 11.2' for the existing two-story single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Kimberly Soto / Jireh Nails and Spa, LLC Cal. No.356-23-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5723 W. Belmont Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

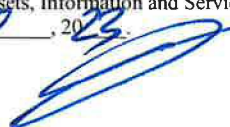
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WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a nail salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony has 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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Olga Susana Luna / Susy Beauty Salon Ltd. Cal. No.357-23-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2750 N. Oak Park Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

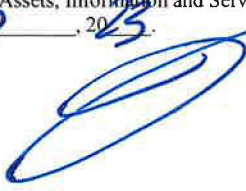
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WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted 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 has 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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lakeesha Spears / Barbarette Girls Enterprise, LLC Cal. No.358-23-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1455 W. 103rd Street

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

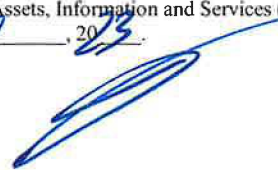
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RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided:

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Foxford Construction, LLC

Cal. No.: 359-23-Z

APPEARANCE FOR: Lisa Duarte / Joan Ferraro

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4925 N. Hamilton Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 32.76' to 22' for a proposed two car garage with roof deck and access bridge to an existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

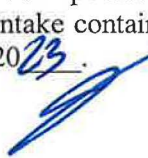
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 22' for a proposed two car garage with roof deck and access bridge to an existing single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: KDP Chicago Cortland, LLC **Cal. No.:** 360-23-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3601 W. Cortland Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 3.08', the opposite street north side setback from 5' to 2', rear setback from 41.89' to 32.42' for a proposed side four-story addition to an existing five story transitional residence use building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 3.08', the opposite street north side setback to 2', rear setback to 32.42' for a proposed side four-story addition to an existing five story transitional residence use building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces; five additional variations were granted to the subject property in Cal. Nos. 361-23-Z, 362-23-Z, 363-23-Z, 364-23-Z, and 365-23-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 11/20, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: KDP Chicago Cortland, LLC **Cal. No.:** 361-23-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3601 W. Cortland Street

NATURE OF REQUEST: Application for a variation to reduce the off-street parking requirement from thirty-eight spaces to thirty-four spaces for a proposed side four-story addition to an existing five-story transitional residence use building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 off-street parking requirement to thirty-four spaces for a proposed side four-story addition to an existing five-story transitional residence use building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces; five additional variations were granted to the subject property in Cal. Nos. 360-23-Z, 362-23-Z, 363-23-Z, 364-23-Z, and 365-23-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.

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APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: KDP Chicago Cortland, LLC **Cal. No.:** 362-23-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3601 W. Cortland Street

NATURE OF REQUEST: Application for a variation to reduce the off-street loading space from the required one to zero for a proposed side four story addition to the existing five-story transitional residence building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 off-street loading space to zero for a proposed side four story addition to the existing five-story transitional residence building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces; five additional variations were granted to the subject property in Cal. Nos. 360-23-Z, 361-23-Z, 363-23-Z, 364-23-Z, and 365-23-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.

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APPROVED AS TO ACCURACY

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: KDP Chicago Cortland, LLC

APPEARANCE FOR: Rolando Acosta

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3601 W. Cortland Street

Cal. No.: 363-23-Z

MINUTES OF MEETING:
October 20, 2023

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 887.03 square feet to zero for a proposed side four-story addition to the existing five-story transitional residence building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces.

ACTION OF BOARD - VARIATION GRANTED



NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 open space to zero for a proposed side four-story addition to the existing five-story transitional residence building that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces; five additional variations were granted to the subject property in Cal. Nos. 360-23-Z, 361-23-Z, 362-23-Z, 364-23-Z, and 365-23-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.

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APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: KDP Chicago Cortland, LLC **Cal. No.:** 364-23-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3601 W. Cortland Street

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 47' to 59.83' which in not more than the non-conforming height of 64.42' for a proposed side four-story addition to the existing five-story transitional residence that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces.

ACTION OF BOARD - VARIATION GRANTED

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN SANCHEZ CHAIRMAN	X		
ANGELA BROOKS	X		
ZURICH ESPOSITO	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 59.83' which in not more than the non-conforming height of 64.42' for a proposed side four-story addition to the existing five-story transitional residence that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces; five additional variations were granted to the subject property in Cal. Nos. 360-23-Z, 361-23-Z, 362-23-Z, 363-23-Z, and 365-23-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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: KDP Chicago Cortland, LLC **Cal. No.:** 365-23-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3601 W. Cortland Street

NATURE OF REQUEST: Application for a variation to reduce the interior landscape area from 580 square to 364 square and to reduce the interior trees from the required five to zero for a proposed side four-story addition to the existing five-story transitional residence that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023
**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 interior landscape area to 364 square and to reduce the interior trees from the required five to zero for a proposed side four-story addition to the existing five-story transitional residence that is being converted to residential use with seven efficiency units and thirty-one dwelling units with thirty-four off-street required accessory parking spaces; five additional variations were granted to the subject property in Cal. Nos. 360-23-Z, 361-23-Z, 362-23-Z, 363-23-Z, and 364-23-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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: City of Chicago Department of Water Management

Cal. No.: 366-23-Z

APPEARANCE FOR: Karen Bielarz

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1015 S. Central Park Avenue / 3500-58 W. Fillmore Street

NATURE OF REQUEST: Application for a variation to reduce the setback required for M zoned lots across the street from an R district from 12.3' to zero for a proposed 12' tall iron security fence and rolling gate at an existing one- and two-story pumping station building with new one-story additions.

ACTION OF BOARD - VARIATION GRANTED

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 setback required for M zoned lots across the street from an R district to zero for a proposed 12' tall iron security fence and rolling gate at an existing one- and two-story pumping station building with new one-story additions; 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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Yalman & Ergun, Inc. Cal. No.367-23-S
APPEARANCE FOR: Timothy Barton **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 7021 N. Clark Street

NATURE OF REQUEST: Application for a special use to allow the expansion of an existing hookah lounge in a new one-story rear addition in an existing one-story building.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

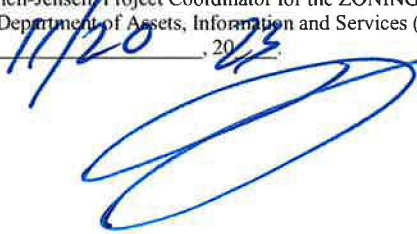
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 allow the expansion of an existing hookah lounge in a new one-story rear addition in an existing one-story 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 has 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: 1) the special use is issued solely to the applicant, Yalman & Ergun, Inc.; 2) the development is consistent with the design and layout of Project Notes & Site Plan, dated October 20, 2023, Mechanical Plan, dated October 11, 2023, Floor Plan & Foundation Plan and Addition Elevations & Sections, dated June 21, 2023, all prepared by Wei Tan; 3) the trash enclosure will be masonry and include an opaque lockable gate, in accordance with §17-11-0303-B; and 4) at time of permitting, applicant will comply with street tree requirements, if required per §17-11, and in accordance with City Forester review and approval.

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 11/20/23, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 2127 W. 18th St. Buyers, LLC

Cal. No.: 368-23-Z

APPEARANCE FOR: Ximena Castro

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2127 W. 18th Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 14.88' to 6.30', west side setback from 2' to 0.61', east setback from 2' to zero, combined side yard setback 4.67' to 0.61' for a proposed third floor addition, new side stairs and to convert from four dwelling units to seven dwelling units to an existing two-story residential building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

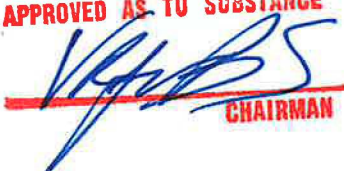
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 6.30', west side setback to 0.61', east setback to zero, combined side yard setback to 0.61' for a proposed third floor addition, new side stairs and to convert from four dwelling units to seven dwelling units to an existing two-story residential building; an additional variation was granted to the subject property in Cal. No. 369-23-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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 2127 W. 18th St. Buyers, LLC

Cal. No.: 369-23-Z

APPEARANCE FOR: Ximena Castro

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2127 W. 18th Street

NATURE OF REQUEST: Application for a variation to reduce the number of off-street parking spaces for a transit served location to allow the conversion from four dwelling units to seven dwelling units to an existing two-story residential building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 number of off-street parking spaces for a transit served location to allow the conversion from four dwelling units to seven dwelling units to an existing two-story residential building; an additional variation was granted to the subject property in Cal. No. 368-23-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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Ryan & Melissa Friedman

Cal. No.: 370-23-Z

APPEARANCE FOR: Ximena Castro

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6215 N. Lenox Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 23.96' to 6.48', south side back from 4' to 3.01' (north to be 3.63'), combined side yard setback from 10.5' to 6.64' for a proposed second floor addition and new open parking space in the front yard accessed from the existing driveway at an existing two-story single-family residence. side stairs and to convert from four dwelling units to seven dwelling units to an existing two-story residential building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 6.48', south side back to 3.01' (north to be 3.63'), combined side yard setback to 6.64' for a proposed second floor addition and new open parking space in the front yard accessed from the existing driveway at an existing two-story single-family residence; an additional variation was granted to the subject property in Cal. No. 371-23-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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Ryan & Melissa Friedman

Cal. No.: 371-23-Z

APPEARANCE FOR: Ximena Castro

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6215 N. Lenox Avenue

NATURE OF REQUEST: Application for a variation to reduce the setback to prevent obstruction of the sidewalk by parked cars from the required 20' to 6.48' for a proposed second floor addition and new open parking space in the front yard accessed from an existing driveway at the existing two-story single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 setback to prevent obstruction of the sidewalk by parked cars to 6.48' for a proposed second floor addition and new open parking space in the front yard accessed from an existing driveway at the existing two-story single-family residence; an additional variation was granted to the subject property in Cal. No. 370-23-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 11/20, 2023.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Dawat-E-Islami Inc. and Illinois non-for-profit corporation

Cal. No.372-23-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6829 N. Western Avenue

NATURE OF REQUEST: Application for a special use to establish a two-story religious assembly facility.

ACTION OF BOARD -- Continued to November 17, 2023 at 2:00PM.

THE VOTE

ZBA

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Dawat-E-Islami Inc. and Illinois non-for-profit corporation

Cal. No.373-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6829 N. Western Avenue

NATURE OF REQUEST: Application for a variation to reduce the number of required loading berths from one to zero for a proposed two-story religious assembly.

ACTION OF BOARD – Continued to November 17, 2023 at 2:00PM.

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN

ANGELA BROOKS

ZURICH ESPOSITO

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Pulaski Food Enterprises, Inc. Cal. No.374-23-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
 October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2 S. Pulaski Road

NATURE OF REQUEST: Application for a special use to establish a single lane drive-through facility to serve an existing restaurant and convenience store.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 single lane drive-through facility to serve an existing restaurant and convenience store; a variation was also granted to the subject property in Cal. No. 375-23-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 has 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: provided the special use is issued solely to the applicant, Pulaski Food Enterprises, Inc., and the development is consistent with the design and layout of the plans and drawings, dated October 17, 2023, prepared by BAU Design & Development.

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 11/20, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Pulaski Food Enterprises, Inc.

Cal. No.: 375-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2 S. Pulaski Road

NATURE OF REQUEST: Application for a variation to reduce the perimeter landscape setback from the required 7' to zero along Madison Street for a proposed single lane drive through facility to serve an existing restaurant and convenience store.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

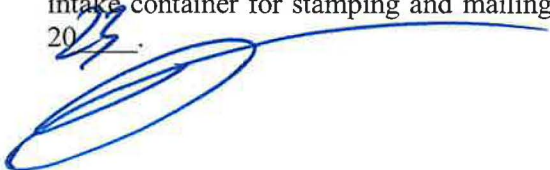
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 perimeter landscape setback to zero along Madison Street for a proposed single lane drive through facility to serve an existing restaurant and convenience store; a special use was also approved for the subject property in Cal. No. 374-23-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): provided the special use is issued solely to the applicant, Pulaski Food Enterprises, Inc., and the development is consistent with the design and layout of the plans and drawings, dated October 17, 2023, prepared by BAU Design & Development.

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 11/20, 2023.



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
www.chicago.gov/zba



ZBA

DEC 18 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

Kollel Ohel Torah
APPLICANT(S)

376-23-Z, 377-23-Z, 378-23-Z
CALENDAR NUMBER(S)

3705-11 West Devon
PREMISES AFFECTED

October 20, 2023
HEARING DATE

ACTION OF BOARD	THE VOTE	AFFIRMATIVE	NEGATIVE	ABSENT
The variation applications were APPROVED.	Brian Sanchez, 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"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(vacant position)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. SUMMARY

Kollel Ohel Torah, an Illinois Not for Profit Corporation (the “Applicant(s)”) submitted applications for variations for 3705-11 West Devon (the “subject property”), in order to construct a new three-story religious assembly building. The Zoning Board of Appeals (“ZBA”) held a public hearing on the Applicant’s applications. At the public hearing, the Applicant presented its case, and two neighbors presented their case in opposition. At the conclusion of the public hearing, the ZBA approved the application.

II. APPLICATION BACKGROUND

The subject property is located in the 50th Ward. It is zoned RT-4 and is currently improved with a one-story religious assembly building. The Applicant seeks variations from the Chicago Zoning Ordinance to (i) reduce the front setback from 14.16 feet to 5 feet, (ii) reduce the rear setback from 35.4 feet to 18 feet, (iii) reduce the rear yard open space from 942.3 square feet to 0 square feet, and (iv) permit non-residential use in a residential district to exceed the allowable floor area (17,396.27 square feet allowed; 20,101.7 square feet proposed), in order to permit the construction of a new three-story religious assembly building with 27 off-street parking spaces. The ZBA is authorized to

hear and decide variations.¹ Therefore, the Applicant submitted a variation application to the ZBA.

III. PUBLIC HEARING

In accordance with the ZBA's Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant's variation applications at its regular meeting held on Friday, October 20, 2023. Due notice of the hearing was 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*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**. At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

IV. OVERVIEW OF CRITERIA

Pursuant to Section 17-13-1107-A(1) of the Chicago Zoning Ordinance, no variation application may be approved unless the ZBA finds, based upon the evidence presented to it in each specific case, that strict compliance with the standards of the Chicago Zoning Ordinance would create *practical difficulties* or *particular hardships*.

In order to determine that *practical difficulties* or *particular hardships* exist, Section 17-13-1107-B of the Chicago Zoning Ordinance requires that the ZBA 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.

Additionally, in making its determination of whether *practical difficulties* or *particular hardships* exist, Section 17-13-1107-C of the Chicago Zoning Ordinance requires the ZBA to 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

¹ Pursuant to Section 17-13-1101 of the Chicago Zoning Ordinance.

increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Finally, pursuant to Section 17-13-1107-A(2) of the Chicago Zoning Ordinance, no variation application may be approved unless the ZBA finds, based upon the evidence presented to it in each specific case, that the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

V. FINDINGS OF FACT

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

A (1). Strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships.

The main issue for the applicant is that the subject property is more square than rectangular, with a lot depth of only 118 feet. In order to overcome the unique lot size and substandard depth and to put the subject property to its highest and best use, the Applicant seeks variations. Without the variations the Applicant would have difficulty developing the property to meet the needs of the congregation, including capacity, accessory uses, and off-street parking. Furthermore, the ZBA finds that strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships because the following criteria under B(1)-(3) are met:

B (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.

As evidenced by the testimony of Rabbi Shaul Neuberger, the project and requested variations are being sought by a non-profit religious organization. Profit or financial gain is not a motive. The functional use of the property for religious purposes is paramount to the Applicant. The requested Variations will allow the Applicant to fully utilize the uniquely shaped and substandard depth lot to meet the needs of the Applicant.

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

As evidenced by the testimony of Rabbi Shaul Neuberger and Laurence Booth, the practical difficulties and particular hardships are directly related to the subject property's atypical shape (122.855 ft. wide by 118 ft. deep), and in particular the

subject lot's 118 ft. lot depth dimension. While neighboring lots are also substandard in depth, many are improved with multi-unit residential buildings that encroach into their respective lot's required setbacks and/or provide reduced technical open space. If the variations were not approved, the Applicant would be forced to push the building further into the front setback or design a much taller building, atypical to the neighborhood, to achieve the proposed floor area total.

B (3). The variation, if granted, will not alter the essential character of the neighborhood.

As evidenced by Laurence Booth; the subject property is already improved with a place of religious assembly. The applicant is proposing to replace the existing building with a new facility that meets the needs of the Applicant's growing congregation. The proposed three-story building is compatible with many of the existing multi-story buildings fronting W. Devon Ave. The Applicant will be providing 27 off street parking spaces, 18 of which will be enclosed as part of the building's garage on the first floor. As such, the variations and resulting building and religious use will not alter the essential character of the surrounding neighborhood. If the variations were not approved, the Applicant would be forced to push the building further into the front setback or design a taller building, atypical to the neighborhood, (which would be allowed by right) to achieve the proposed floor area total.

The ZBA also finds that strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships after taking into consideration the extent to which evidence has been submitted under C(1)-(6):

C (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.

As evidenced by the testimony of Rabbi Shaul Neuberger; the subject lot's atypical dimensions, and in particular its substandard depth dimension of only 118 ft., would limit the size and footprint of the proposed religious assembly building, making it much less functional and risk failing to meet the needs of the Applicant's congregation. The end-use of the building for religious assembly uses is paramount to the Applicant, which is a particular hardship and more than a mere inconvenience.

C (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.

As evidenced by the testimony and submitted report of Laurence Booth; this is a unique condition for the Applicant and subject property.

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

As evidenced by the testimony of Rabbi Shaul Neuberger; the variations will allow for the construction of a new religious assembly building that meets the needs (capacity and related uses) of the Applicant's congregation. The Applicant is a nonprofit religious organization. The project is not motivated by financial gain, and instead amounts to the Applicant's investment in its future at the subject property.

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

As evidenced by the testimony of Rabbi Shaul Neuberger; the Applicant inherited the existing building and lot conditions when it purchased the subject property.

C (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.

As evidenced by the testimony of Laurence Booth, the Applicant's underlying use of the subject property will not change. The variations will allow the Applicant to expand capacity and functionality for the congregation. The ZBA notes that the redesign creates 27 off-street parking spaces that will alleviate parking congestion in the neighborhood. The project is designed to better utilize the subject property.

C (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.

As evidenced by the testimony of Laurence Booth, the proposed three-story height is consistent with the heights of neighboring buildings, and the proposed building has been designed with a 12 foot 4 inch west side setback to not impair an adequate supply of light and air to the adjacent property. The new construction will support 27 off street parking spaces so as to not increase traffic congestion. The Applicant's investment in the property will not impair or diminish property values in the area.

Marion Widtmann resides next to subject property and expressed concern that a taller building will impact the supply of light to her building. With nearly 13 feet of physical separation between buildings, the ZBA believes that light and air will not be impaired. The ZBA also notes that the height of the proposed building is not the subject of the three variations being heard by it for this matter. The height is an allowed height under the zoning code. If the variation were not granted, the Applicant would be permitted under the zoning code to build a taller building, but

instead the Applicant chose to pursue a variation to allow for the construction of a shorter building that meets its needs.

Jonahan Vallecilla expressed concern about the impacts that demolition and construction might have on the neighboring buildings. While the ZBA empathizes with these concerns, this is not an issue that the ZBA can address as it pertains to construction and not special use.

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

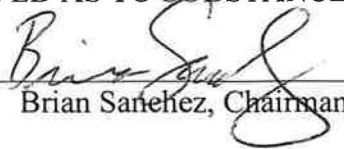
The ZBA finds that variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: promoting the public health, safety and general welfare, pursuant to Section 17-1-0501; maintaining orderly and compatible land use and development patterns, pursuant to Section 17-1-0508; ensuring adequate light, air, privacy, and access to property, pursuant to Section 17-1-0509; and accommodating growth and development that complies with the preceding stated purposes, pursuant to Section 17-1-0514.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

1. For all the above reasons, the ZBA 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 Section 17-13-1107-A, B and C of the Chicago Zoning Ordinance.
2. The ZBA hereby APPROVES the Applicant's applications for a variation, 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, 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 12/18, 2023.


Janine Klich-Jensen

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lux Living 4U, LLC Cal. No.379-23-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3244-54 S. Martin Luther King Jr. Drive

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

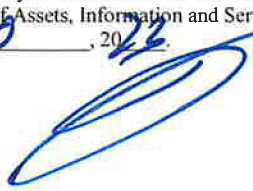
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and


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 two proposed four-story, seven dwelling unit town house buildings; five variations were also granted to the subject property in Cal. Nos. 380-23-Z, 381-23-Z, 382-23-Z, 383-23-Z, and 384-23-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 has 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: 1) the development is consistent with the design and layout of the Street Scape and Block Site Plans, dated October 13, 2023, prepared by Hanna Architects, Inc, and the Site Plan & Notes, First Floor Plan, Second Floor Plan, Third Floor Plan, Roof Deck Floor Plan, Wall Section and Details, Townhomes Elevations, Building Section, and Landscape Plan, dated October 18, 2023, prepared by Hanna Architects, Inc., 2) details and final plans are reviewed and approved by Historic Preservation staff prior to issuance of any permits, and 3) any existing Camp Douglas historical marker locations will be resolved prior to the issuance of any building permits and the markers will remain and/or be relocated on-site in accordance with Illinois State Historical Society recommendations and/or guidelines.

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 11/20, 2023. Page 30 of 65



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lux Living 4U, LLC

Cal. No.: 380-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3244-54 S. Dr. Martin Luther King Jr. Dr.

NATURE OF REQUEST: Application for a variation to reduce the front wall facing a public street from the required 10' to 4' for a proposed 6.29' high masonry walls on both sides of the 6.08' high front entry steps, reduce the end wall facing a public street from 5' to 0.5' for a proposed 7' high metal gate for the proposed two car, four-story townhouse building with seven dwelling units each with proposed driveway access.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

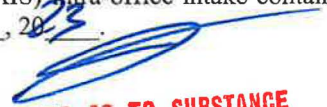
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 wall facing a public street to 4' for a proposed 6.29' high masonry walls on both sides of the 6.08' high front entry steps, reduce the end wall facing a public street to 0.5' for a proposed 7' high metal gate for the proposed two car, four-story townhouse building with seven dwelling units each with proposed driveway access; a special use was approved and four additional variations were granted to the subject property in Cal. Nos. 379-23-S, 381-23-Z, 382-23-Z, 383-23-Z, and 384-23-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): 1) the development is consistent with the design and layout of the Street Scape and Block Site Plans, dated October 13, 2023, prepared by Hanna Architects, Inc, and the Site Plan & Notes, First Floor Plan, Second Floor Plan, Third Floor Plan, Roof Deck Floor Plan, Wall Section and Details, Townhomes Elevations, Building Section, and Landscape Plan, dated October 18, 2023, prepared by Hanna Architects, Inc., 2) details and final plans are reviewed and approved by Historic Preservation staff prior to issuance of any permits, and 3) any existing Camp Douglas historical marker locations will be resolved prior to the issuance of any building permits and the markers will remain and/or be relocated on-site in accordance with Illinois State Historical Society recommendations and/or guidelines.

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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lux Living 4U, LLC **Cal. No.:** 381-23-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None October 20, 2023
PREMISES AFFECTED: 3244-54 S. Dr. Martin Luther King Jr. Dr.

NATURE OF REQUEST: Application for a variation to reduce the required separation between walls of row houses from the required 26' to 24' for two proposed town house buildings with seven dwelling units each and attached seven car garage each with proposed driveway access.

ACTION OF BOARD - VARIATION GRANTED



NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 separation between walls of row houses from the to 24' for two proposed town house buildings with seven dwelling units each and attached seven car garage each with proposed driveway access; a special use was approved and four additional variations were granted to the subject property in Cal. Nos. 379-23-S, 380-23-Z, 382-23-Z, 383-23-Z, and 384-23-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): 1) the development is consistent with the design and layout of the Street Scape and Block Site Plans, dated October 13, 2023, prepared by Hanna Architects, Inc, and the Site Plan & Notes, First Floor Plan, Second Floor Plan, Third Floor Plan, Roof Deck Floor Plan, Wall Section and Details, Townhomes Elevations, Building Section, and Landscape Plan, dated October 18, 2023, prepared by Hanna Architects, Inc., 2) details and final plans are reviewed and approved by Historic Preservation staff prior to issuance of any permits, and 3) any existing Camp Douglas historical marker locations will be resolved prior to the issuance of any building permits and the markers will remain and/or be relocated on-site in accordance with Illinois State Historical Society recommendations and/or guidelines.

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 11/20, 2023.
 Page 32 of 65

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lux Living 4U, LLC **Cal. No.:** 382-23-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None October 20, 2023
PREMISES AFFECTED: 3244-54 S. Dr. Martin Luther King Jr. Dr.

NATURE OF REQUEST: Application for a variation to not comply with the pedestrian street building location standards for two proposed four-story town house buildings with seven dwelling units each with proposed driveway access.

ACTION OF BOARD - VARIATION GRANTED



THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 not comply with the pedestrian street building location standards for two proposed four-story town house buildings with seven dwelling units each with proposed driveway access; a special use was approved and four additional variations were granted to the subject property in Cal. Nos. 379-23-S, 380-23-Z, 381-23-Z, 383-23-Z, and 384-23-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): 1) the development is consistent with the design and layout of the Street Scape and Block Site Plans, dated October 13, 2023, prepared by Hanna Architects, Inc, and the Site Plan & Notes, First Floor Plan, Second Floor Plan, Third Floor Plan, Roof Deck Floor Plan, Wall Section and Details, Townhomes Elevations, Building Section, and Landscape Plan, dated October 18, 2023, prepared by Hanna Architects, Inc., 2) details and final plans are reviewed and approved by Historic Preservation staff prior to issuance of any permits, and 3) any existing Camp Douglas historical marker locations will be resolved prior to the issuance of any building permits and the markers will remain and/or be relocated on-site in accordance with Illinois State Historical Society recommendations and/or guidelines.

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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lux Living 4U, LLC **Cal. No.:** 383-23-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3244-54 S. Dr. Martin Luther King Jr. Dr.

NATURE OF REQUEST: Application for a variation to increase the number of off-street parking for a residential building that is a transit served location from seven to fourteen for two proposed four-story buildings with seven dwelling units and an attached seven car garage each with proposed driveway access that is located within 2,640' of a CTA rail station.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 number of off-street parking for a residential building that is a transit served location from seven to fourteen for two proposed four-story buildings with seven dwelling units and an attached seven car garage each with proposed driveway access that is located within 2,640' of a CTA rail station; a special use was approved and four additional variations were granted to the subject property in Cal. Nos. 379-23-S, 380-23-Z, 381-23-Z, 382-23-Z, and 384-23-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): 1) the development is consistent with the design and layout of the Street Scape and Block Site Plans, dated October 13, 2023, prepared by Hanna Architects, Inc, and the Site Plan & Notes, First Floor Plan, Second Floor Plan, Third Floor Plan, Roof Deck Floor Plan, Wall Section and Details, Townhomes Elevations, Building Section, and Landscape Plan, dated October 18, 2023, prepared by Hanna Architects, Inc., 2) details and final plans are reviewed and approved by Historic Preservation staff prior to issuance of any permits, and 3) any existing Camp Douglas historical marker locations will be resolved prior to the issuance of any building permits and the markers will remain and/or be relocated on-site in accordance with Illinois State Historical Society recommendations and/or guidelines.

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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Lux Living 4U, LLC **Cal. No.:** 384-23-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None October 20, 2023
PREMISES AFFECTED: 3244-54 S. Dr. Martin Luther King Jr. Dr.

NATURE OF REQUEST: Application for a variation to not comply with the pedestrian street vehicle access standards for a two proposed four-story, seven dwelling unit townhouse buildings with attached seven car garage with a 16' driveway access onto 33rd Boulevard.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 not comply with the pedestrian street vehicle access standards for a two proposed four-story, seven dwelling unit townhouse buildings with attached seven car garage with a 16' driveway access onto 33rd Boulevard; a special use was approved and four additional variations were granted to the subject property in Cal. Nos. 379-23-S, 380-23-Z, 381-23-Z, 382-23-Z, and 383-23-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): 1) the development is consistent with the design and layout of the Street Scape and Block Site Plans, dated October 13, 2023, prepared by Hanna Architects, Inc, and the Site Plan & Notes, First Floor Plan, Second Floor Plan, Third Floor Plan, Roof Deck Floor Plan, Wall Section and Details, Townhomes Elevations, Building Section, and Landscape Plan, dated October 18, 2023, prepared by Hanna Architects, Inc., 2) details and final plans are reviewed and approved by Historic Preservation staff prior to issuance of any permits, and 3) any existing Camp Douglas historical marker locations will be resolved prior to the issuance of any building permits and the markers will remain and/or be relocated on-site in accordance with Illinois State Historical Society recommendations and/or guidelines.

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 11/20, 2023.
Page 35 of 65

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Shaan 95th and Jeffrey, LLC Cal. No.385-23-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2115-25 E. 95th Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 single lane drive-through to serve a proposed fast-food restaurant; a variation was also granted to the subject property in Cal. No. 386-23-Z; further expert testimony has 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: (1) the special use is issued solely to the applicant, Shaan 95th and Jeffrey, LLC, (2), the applicant maintains the hedge/landscaping north of the subject property, within the 95th Street public right of way, which had been installed in lieu of the required perimeter landscape screening; (3) the development is consistent with the design and layout of the Site Plan (V2) and Landscape Plan (V2), Floor Plan, Exterior Elevations (A-5.0 and A-5.1), and Site Demolition Plan, dated January 19, 2024, prepared by Nick Scarlatis & Associates, Ltd.; and additional condition (4) that there be signage at the exit of the drive through lane to prevent right turns onto south Clyde Avenue.

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 2/21, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Shaan 95th and Jeffrey, LLC

Cal. No.: 386-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2115-25 E. 95th Street

NATURE OF REQUEST: Application for a variation to eliminate shrubs and ornamental fence at required 7' landscape setback along E. 95th Street for a proposed one-story restaurant with a single drive through facility with on-site parking.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

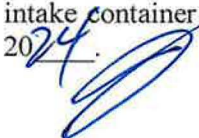
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 eliminate shrubs and ornamental fence at required 7' landscape setback along E. 95th Street for a proposed one-story restaurant with a single drive through facility with on-site parking; a special use was also approved for the subject property in Cal. No. 385-23-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s): (1) the special use is issued solely to the applicant, Shaan 95th and Jeffery, LLC, (2), the applicant maintains the hedge/landscaping north of the subject property, within the 95th Street public right of way, which had been installed in lieu of the required perimeter landscape screening; and (3) the development is consistent with the design and layout of the Site Plan (V2) and Landscape Plan (V2), Floor Plan, Exterior Elevations (A-5.0 and A-5.1), and Site Demolition Plan, dated January 19, 2024, prepared by Nick Scarlatis & Associates, Ltd.; and additional condition (4) that there be signage at the exit of the drive through lane to prevent right turns onto south Clyde Avenue.

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 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Danny's Construction Group

Cal. No.: 387-23-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2625-27 W. 36th Street

NATURE OF REQUEST: Application for a variation to reduce the combined side yard setback from the required 5' to 4.2' (east to be 0.98', west to be 3.22') for the division of an improved zoning lot. The existing single-family residence at 2625 W. 36th Street shall remain with two proposed unenclosed parking spaces with alley access and a two-story single-family residence and two-car detached garage located at 2627 W. 36th Street is proposed.

ACTION OF BOARD - VARIATION GRANTED



NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 combined side yard setback to 4.2' (east to be 0.98', west to be 3.22') for the division of an improved zoning lot. The existing single-family residence at 2625 W. 36th Street shall remain with two proposed unenclosed parking spaces with alley access and a two-story single-family residence and two-car detached garage located at 2627 W. 36th Street is proposed; 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 11/20, 2023.

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
www.chicago.gov/zba



ZBA

DEC 18 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

RTI Group, LLC, Series D
APPLICANT(S)

388-23-Z
CALENDAR NUMBER(S)

3730 North Tripp Avenue
PREMISES AFFECTED

October 20, 2023
HEARING DATE

ACTION OF BOARD	THE VOTE	AFFIRMATIVE	NEGATIVE	ABSENT
The variation application was APPROVED.	Brian Sanchez, 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"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(vacant position)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. SUMMARY

RTI Group LLC Series D (the “Applicant(s)”) submitted an application for variation for 3730 North Tripp Avenue (the “subject property”), to allow the construction of a new front two story addition and a new rear two story addition with basement on an existing two story building. The Zoning Board of Appeals (“ZBA”) held a public hearing on the Applicant’s application. At the public hearing, The ZBA heard testimony from the Applicant and its witnesses, and from next-door neighbors who objected to the application. At the conclusion of the public hearing, the ZBA approved the application.

II. APPLICATION BACKGROUND

The subject property is located in the 45th Ward. It is zoned RS-2 and is improved with a one-hundred-year-old, two-flat building with basement. The existing building was constructed with only a 2.82’ north side setback. The applicant is renovating the building and plans to build a small new front two-story addition which would square off the front of the building, following along the existing front wall line. The Applicant seeks a variation from the Chicago Zoning Ordinance to reduce the required front setback from

17.56' to 11.71'¹, to reduce the required north side setback from 5.03' to 2.82'² (the south side setback at 22.32') in order to allow the construction of a new front 2 story addition and a new rear 2 story addition with basement on an existing 2-story, 2 dwelling unit building with basement and deconvert to a single family residence. The ZBA is authorized to hear and decide variations.³ Therefore, the Applicant submitted a variation application to the ZBA.

III. PUBLIC HEARING

In accordance with the ZBA's Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant's variation application at its regular meeting held on Friday, October 20, 2023. Due notice of the hearing was 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*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**. At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

IV. OVERVIEW OF CRITERIA

Criteria for a Variation. Pursuant to Section 17-13-1107-A(1) of the Chicago Zoning Ordinance, no variation application may be approved unless the ZBA finds, based upon the evidence presented to it in each specific case, that strict compliance with the standards of the Chicago Zoning Ordinance would create *practical difficulties* or *particular hardships*.

In order to determine that *practical difficulties* or *particular hardships* exist, Section 17-13-1107-B of the Chicago Zoning Ordinance requires that the ZBA 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.

Additionally, in making its determination of whether *practical difficulties* or *particular hardships* exist, Section 17-13-1107-C of the Chicago Zoning Ordinance requires the ZBA to 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

¹ The main front wall of the existing building is already setback to 11.71', it is just the small notch in the front of the building that is set back to 17.56 feet.

² The addition will also follow the existing wall line set back to 2.82'.

³ Pursuant to Section 17-13-1101 of the Chicago Zoning Ordinance.

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.

Finally, pursuant to Section 17-13-1107-A(2) of the Chicago Zoning Ordinance, no variation application may be approved unless the ZBA finds, based upon the evidence presented to it in each specific case, that the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

V. FINDINGS OF FACT

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

A (1). Strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships.

The project consists of renovating and adding to an existing one-hundred-year-old building, constructed before the establishment of the Chicago Zoning Ordinance. The nature of the existing building being nonconforming and the Applicant not wanting to demolish the building constitutes a hardship. Furthermore, the ZBA finds that strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships because the following criteria under B(1)-(3) are met:

B (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.

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, the existing one-hundred-year-old building would need to be demolished if the variation was not granted because while the home was in compliance with the applicable laws at the time it was constructed, it is no longer in compliance. In order to complete renovations on the home, the requested variations are required to bring the building into compliance with the current Chicago Zoning Ordinance.

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

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, the existing building is nonconforming as to the front and rear setbacks and the Applicant does not want to demolish the existing building.

B (3). The variation, if granted, will not alter the essential character of the neighborhood.

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, and the site plan of the entire block submitted by the Applicant, the front addition will not extend beyond the existing front wall of the building, and it lines up with other buildings on the block; furthermore, the north wall of the existing building and the rear addition follow the historic development pattern on the block, namely a small north side setback and a larger south side setback.

The ZBA also finds that strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships after taking into consideration the extent to which evidence has been submitted under C(1)-(6):

C (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.

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, in order for the zoning ordinances to be strictly complied with, the existing building would need to be demolished as the building at the time of construction was in compliance with the City's requisite requirements, but currently would not be in compliance if built today because the requirements for setbacks have changed over the past century since the building was constructed.

C (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.

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, the project on the subject property is unique as it involves renovating a century old structure which is also being improved by the creation of additions to the property which will be in keeping with the boundaries of the existing building and will not be changing the nature of the property beyond what has been established on the subject property for the last century.

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

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, the Applicant seeks to renovate and improve upon an existing building without the need to demolish it due to the changes in the zoning requirements since the home was constructed. Michael Bartholomew testified that without the variation he would suffer a loss because in addition to the cost of the property, he has spent in excess of \$250,000 on construction. The ZBA notes that this loss is further bolstered by testimony that the neighbors in objection to the variation offered to purchase the property for \$50,000 over what Michael Bartholomew paid for the property, but not \$50,000 over what Michael Bartholomew has into the project.

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

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, the nonconforming nature of the existing building occurred prior to the purchase of the property by the Applicant. The Applicant was unaware that the existing building on the subject property was nonconforming.

Christen Walczak, who opposed the variation, believed that the hardship was self-created because the renovation of the home began without the necessary permits and before the variations were sought. It is noted that the chief complaint of Christen Walczak is the amount of time the subject property has sat as a construction site, that the property had been neglected for a number of years, and that the project remains unfinished. While the delay in construction may have been self-created, that is not an issue under which the ZBA has the authority to remedy. The hardship question before the ZBA on this type of application is to ask why the Applicant is seeking a *variation*, and in this case a variation is sought due to the age of the existing building and the nonconforming nature of the building. In this respect, the hardship was not self-created.

C (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.

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, the variation will not alter the essential nature of the neighborhood because the front addition will not extend beyond the existing front wall of the building, and the wall lines up with the other buildings on the block and otherwise follows the historic development of the block. It is not expected to negatively affect any other properties in the neighborhood.

In addition to echoing Christen Walczak's concerns regarding the length of time that has passed since construction work had started on the house, Michael Walczak, believed that the proposed variation would not match up with the block scheme. During the hearing, ZBA commissioners attempted to understand

Michael Walczak's concerns regarding the proposed setbacks, but in looking at the site plans and images, it appeared to the commissioners that the requested variations would line up with neighboring homes.

C (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.

As evidenced by the testimony of Michael Bartholomew and Thomas Cyrwus, the variation will not cause any changes to the essential nature of the neighborhood because the front addition will not extend beyond the existing front wall of the building as it lines up with other buildings on the block and otherwise will follow the historic development of the block. Furthermore, the rear addition will also follow existing wall lines and there are almost 12 feet of space between the building on the subject property and the neighboring home to the north.

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

The requested variation(s) will bring a nonconforming structure into compliance with the current zoning ordinance and will allow the Applicant to construct a new front two-story addition to the structure on the subject property. The ZBA finds that variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by:

- Protecting the character of established residential neighborhoods, pursuant to Section 17-1-0503, preserving a century old building.
- Maintaining orderly and compatible land use and development patterns, pursuant to Section 17-1-0508, by following the historic development pattern on the block by matching the setback of surrounding homes.
- Encouraging environmentally responsible development practices, pursuant to Section 17-1-0510, by reusing an existing century-old structure.
- Promoting rehabilitation and reuse of older buildings, pursuant to Section 17-1-0511, by adding onto an existing century-old structure.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

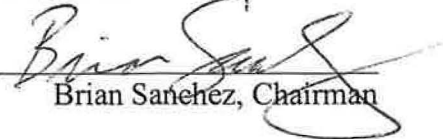
1. For all the above reasons, the ZBA finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Section 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

2. The ZBA hereby APPROVES the Applicant's application for a variation, and the Zoning Administrator is authorized to permit said variation.

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

APPROVED AS TO SUBSTANCE

By:


Brian Sanchez, 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 12/18, 2023.


Janine Klich-Jensen

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Mastoura Corporation Cal. No.389-23-S

APPEARANCE FOR: Nicholas Standiford **MINUTES OF MEETING:**
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2355-57 N. Damen Avenue

NATURE OF REQUEST: Application for a special use to establish a cannabis infuser facility.

ACTION OF BOARD – Continued to November 17, 2023 at 2:00PM.

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Siesta Three, Inc. a Florida Corp. **Cal. No.:** 390-23-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3027 N. Elbridge Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15.12' to 11.86', northeast side setback from 2' to 0.86' (southwest side setback to be 3.32'), combined side yard setback from 5' to 4.18' for a proposed two-story, single-family residence with two car garage.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 11.86', northeast side setback to 0.86' (southwest side setback to be 3.32'), combined side yard setback to 4.18' for a proposed two-story, single-family residence with two car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

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 11/20/2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Matthew D. Mitchell

Cal. No.: 391-23-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3806-08 S. Wolcott Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to 0.4' (south to be 0.9'), combined side yard setback from 4.7' to 1.3' for the division of an improved zoning lot. The existing single-family residence at 3806 S. Wolcott shall remain. A one-story single, single-family residence is proposed for 3808 S. Wolcott Avenue.

ACTION OF BOARD - VARIATION GRANTED
ZBA

THE VOTE

NOV 20 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

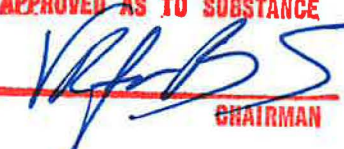
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 0.4' (south to be 0.9'), combined side yard setback to 1.3' for the division of an improved zoning lot. The existing single-family residence at 3806 S. Wolcott shall remain. A one-story single, single-family residence is proposed for 3808 S. Wolcott Avenue; Mr. Ricardo Zamora and Ms. Rosa Lopez of 3810 S. Wolcott Ave. entered their appearances at the hearing and after having their questions answered by the applicant as well as the applicant's attorney, testified that they not object to the application; 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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Thomas Wolcott, LLC **Cal. No.:** 392-23-Z

APPEARANCE FOR: Katriina McGuire **MINUTES OF MEETING:**
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1055-59 N. Wolcott Avenue / 1849-59 E. Thomas Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from 5.84' to zero, south side setback and combined side yard setback from 5' to 0.04', rear setback from 30' to 18' for a proposed three-story south side addition with four units and two rear parking spaces, expansion of the first restaurant in the existing two-story mixed use building with one dwelling unit resulting in a three-story mixed use building with five dwelling units.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
ABSENT		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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, south side setback and combined side yard setback to 0.04', rear setback to 18' for a proposed three-story south side addition with four units and two rear parking spaces, expansion of the first restaurant in the existing two-story mixed use building with one dwelling unit resulting in a three-story mixed use building with five dwelling units; 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 11/20, 2023.

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: GTOA Real Estate Investments, LLC Cal. No.393-23-S
APPEARANCE FOR: Agnes Plecka **MINUTES OF MEETING:** October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1343 N. Western Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor in an existing four-story, three dwelling unit and one retail unit building to be converted to a four dwelling unit building.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
ABSENT		

THE RESOLUTION:

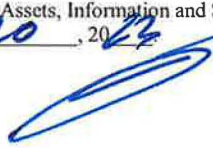
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 in an existing four-story, three dwelling unit and one retail unit building to be converted to a four 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 has 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 development is consistent with the design and layout of the plans and drawings, dated October 20, 2023, prepared by RED Architects.

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 11/20/23, 2023



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: GTOA Real Estate Investments, LLC **Cal. No.:** 394-23-Z

APPEARANCE FOR: Agnes Plecka **MINUTES OF MEETING:**
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1343 N. Western Avenue

NATURE OF REQUEST: Application for a variation to reduce the required number of off-street parking from four to zero to convert an existing four-story building with retail and three dwelling units to be converted to a four dwelling unit building.

ACTION OF BOARD - VARIATION WITHDRAWN

ZBA


THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
ABSENT		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicagoland Materials, LLC

Cal. No.395-23-S

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:

December 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4556 W. Roosevelt Road

NATURE OF REQUEST: Application for a special use to establish a Class V recycling facility for the collection of excavated soil dirt, concrete, bricks, and landscape material to be operated in conjunction with an existing retail/ wholesale landscape business.

ACTION OF BOARD – Continued to March 15, 2024 at 2:0pm.

ZBA

THE VOTE

JAN 22 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Chicagoland Materials, LLC Cal. No.396-23-Z
APPEARANCE FOR: Timothy Barton **MINUTES OF MEETING:**
APPEARANCE AGAINST: None December 15, 2023
PREMISES AFFECTED: 4556 W. Roosevelt Road

NATURE OF REQUEST: Application for a variation to eliminate ornamental fencing and retain 304 linear feet of chain link fence along vehicular use area (material storage yard frontage).

ACTION OF BOARD – Continued to March 15, 2024 at 2:0pm.

ZBA

THE VOTE

JAN 22 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Yosef & Ayelet Knopf **Cal. No.:** 397-23-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2918 W. Farwell Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 34.52' to 32.36' to allow a proposed second floor addition to an existing two-story single-family residence that overhangs the floor below in the rear.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; 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 32.36' to allow a proposed second floor addition to an existing two-story single-family residence that overhangs the floor below in the rear; 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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Green & Randle, LLC / Nature's Grace & Wellness, LLC (co-applicants) **Cal. No.398-23-S**

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2601-07 W. Cermak Road

NATURE OF REQUEST: Application for a special use to establish an adult use cannabis dispensary.

ACTION OF BOARD – Continued to February 16, 2024 at 2:00pm

ZBA

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 1103

APPLICANT: Ben Townsend **Cal. No.:** 399-23-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2818 N. Maplewood Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 44.5' to 10.56', north side setback from 2' to 0.42' (south to be 2.81'), combined side yard setback from 5' to 3.23' for a proposed third story addition and new front porch for the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

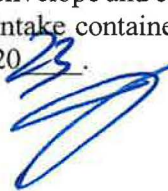
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and


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 10.56', north side setback to 0.42' (south to be 2.81'), combined side yard setback to 3.23' for a proposed third story addition and new front porch for the existing single-family residence; an additional variation was granted to the subject property in Cal. No. 400-23-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 11/20, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Ben Townsend **Cal. No.:** 400-23-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2818 N. Maplewood Avenue

NATURE OF REQUEST: Application for a variation to increase the floor area which has been in existence for fifty years from 2,060.82 square feet by 274.9 square feet for a proposed third story addition and new front porch for the existing three-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

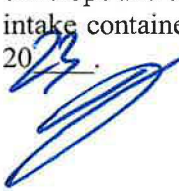
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 floor area which has been in existence for fifty years by 274.9 square feet for a proposed third story addition and new front porch for the existing three-story, single-family residence; an additional variation was granted to the subject property in Cal. No. 399-23-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 11/20, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Little Ripper Skateboarding, LLC Cal. No.401-23-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4319 N. Knox Avenue

NATURE OF REQUEST: Application for a special use to establish a sports and recreation participant facility for skateboarding.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

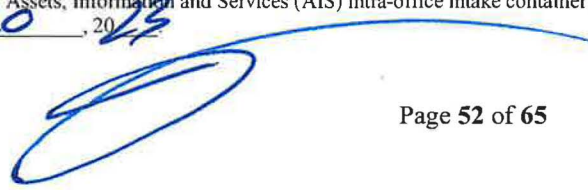
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 sports and recreation participant facility for skateboarding; 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 has 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, Little Ripper Skateboarding, LLC. the development is consistent with the design and layout of the Area-First Floor Offices and Factory floor plan, prepared by Division of The A.W.T. World Trade Group, dated January 8, 2021, Site Plan dated September 19, 2023, and Roof Top Parking Plan and Site Plan Narrative, dated September 22, 2023, prepared by Enrico Hufana.

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 11/20, 2023



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Branch House, LLC Cal. No.180-23-S
APPEARANCE FOR: Lewis Powell **MINUTES OF MEETING:**
APPEARANCE AGAINST: None October 20, 2023
PREMISES AFFECTED: 12124 S. Normal Avenue

NATURE OF REQUEST: Application for a special use to establish a transitional residence which is located within an RS-3 residential district.

ACTION OF BOARD – Continued to December 15, 2023 at 2:00pm.

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: G.P.Green House, LLC Cal. No.209-23-S

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 620 N. Fairbanks

NATURE OF REQUEST: Application for a special use to establish an adult use cannabis dispensary on the first floor of an existing, three-story, multi-tenant building.

ACTION OF BOARD – Continued to December 15, 2023 at 2:00pm.

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 2037 N. Kenneth, Inc. Cal. No.271-23-S

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2351 W. Flournoy Street

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

ACTION OF BOARD – Continued to November 17, 2023 at 2:00pm.

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 2037 N. Kenneth, Inc. Cal. No.272-23-Z

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

October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2351 W. Flournoy Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 20' on floors containing dwelling units for a proposed four-story, eight dwelling unit building.

ACTION OF BOARD – Continued to November 17, 2023 at 2:00pm.

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 2037 N. Kenneth, Inc. Cal. No.273-23-S

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2355 W. Flourney Street

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

ACTION OF BOARD – Continued to November 17, 2023 at 2:00pm.

THE VOTE

ZBA

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 2037 N. Kenneth, Inc. Cal. No.274-23-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:** October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2355 W. Flournoy Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 20' on floors containing dwelling units for a proposed four-story, eight dwelling unit building.

ACTION OF BOARD – Continued to November 17, 2023 at 2:00pm.

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 1423-1425-1427 N. Sedgwick Street, LLC Cal. No.293-23-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1421 N. Sedgwick Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback on floors containing dwelling units from the required 30' to 6.92' for a proposed six-story, twenty-three dwelling unit building with nine parking spaces and rear raised decks.

ACTION OF BOARD – Continued to November 17, 2023 at 2:00pm.

THE VOTE

ZBA

NOV 20 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: 1423-1425-1427 N. Sedgwick Street, LLC Cal. No.294-23-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1421 N. Sedgwick Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one required 10' x 25' loading berth for a proposed six-story, twenty-three dwelling unit building with nine parking spaces and rear raised decks.

ACTION OF BOARD – Continued to November 17, 2023 at 2:00pm.

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Adam and Jacqueline Ibrahim

Cal. No.: 311-23-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 10619 S. St. Louis Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 53' to 6.41', north side setback from 4' to 3.40', south side setback from 4' to 2.92', combined side setback from 11.25' to 6.32' to allow an as built detached accessory garage with unfinished attic storage level to serve the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 3, 2023; 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 6.41', north side setback to 3.40', south side setback to 2.92', combined side setback to 6.32' to allow an as built detached accessory garage with unfinished attic storage level to serve the existing single-family residence; an additional variation was granted to the subject property in Cal. No. 312-23-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 11/20, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Adam and Jacqueline Ibrahim **Cal. No.:** 312-23-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
 October 20, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 10619 S. St. Louis Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 461.46 square feet to zero for an as built detached accessory garage with unfinished attic storage level to serve the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

NOV 20 2023
 CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ CHAIRMAN
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

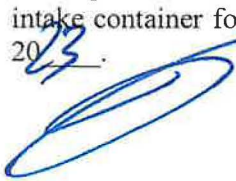
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 3, 2023; and

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 open space to zero for an as built detached accessory garage with unfinished attic storage level to serve the existing single-family residence; an additional variation was granted to the subject property in Cal. No. 311-23-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 11/20, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 1103

APPLICANT: Taneka Daniels Cal. No.336-23-S

APPEARANCE FOR: Robert Walker **MINUTES OF MEETING:**
October 20, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5405-11 W. Madison Street

NATURE OF REQUEST: Application for a special use to establish an outdoor patio to be located on the rooftop to serve a proposed restaurant on the ground floor.

ACTION OF BOARD – Continued to November 17, 2023 at 2:00pm.

ZBA

NOV 20 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

THE VOTE

BRIAN SANCHEZ CHAIRMAN
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN