

**AUGUST 16, 2019**

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

**APPLICANT:** Shama Ministries **CAL NO.:** 395-19-S

**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 16, 2019

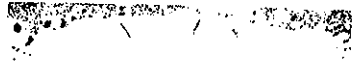
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 11136 S. Eggleston Avenue

**NATURE OF REQUEST:** Application for a special use to establish a group community home.

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

**THE VOTE**



SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Joseph M. Haugh **CAL NO.:** 396-19-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 6429 N. New England Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the north side setback from the required 4' to 2.69', south setback from 4' to 3.15', combined side setback from 9.3' to 5.84' for a proposed two-story, rear addition, rear enclosed porch, and second floor addition to the existing single family residence.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north side setback to 2.69', south setback to 3.15', combined side setback to 5.84' for a proposed two-story, rear addition, rear enclosed porch, and second floor addition to the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Cally Raduenzel dba Cally's Curls & Co. **CAL NO.:** 397-19-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1627 W. Howard Street  
**NATURE OF REQUEST:** Application for a special use to establish a hair salon.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**THE RESOLUTION:**

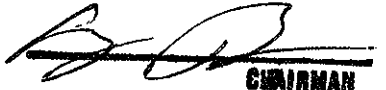
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Cally Raduenzel dba Cally's Curls & Co.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Dynaprop XXXII: 1226 Winnemac, LLC      **CAL NO.:** 398-19-Z  
**APPEARANCE FOR:** Nicholas Ftikas      **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1226 W. Winnemac Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 40'-8" to 31'-8" for a proposed rear three-story addition and to convert the existing three dwelling unit building to a five dwelling unit building.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 31'- 8" for a proposed rear three-story addition and to convert the existing three dwelling unit building to a five dwelling unit building; an additional variation was granted to the subject property in Cal. No. 399-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Dynaprop XXXII: 1226 Winnemac, LLC      **CAL NO.:** 399-19-Z  
**APPEARANCE FOR:** Nicholas Ftikas      **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1226 W. Winnemac Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the required rear yard open space from the required 354 square feet to 323 square feet for a proposed rear three-story addition and to convert the existing three dwelling unit building to a five dwelling unit building.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required rear yard open space to 323 square feet for a proposed rear three-story addition and to convert the existing three dwelling unit building to a five dwelling unit building; an additional variation was granted to the subject property in Cal. No. 398-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

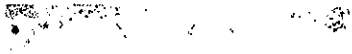
**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905**

**APPLICANT:** Nadya Hope Salon, Inc.  
**APPEARANCE FOR:** Same as Applicant  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6142 N. Milwaukee Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a nail salon.

**CAL NO.:** 400-19-S  
**MINUTES OF MEETING:**  
August 16, 2019

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



SEP 23 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**THE RESOLUTION:** ZONING BOARD OF APPEALS

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** SRMP Executive Inc. dba Style and Smile Beauty Salon **CAL NO.:** 401-19-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 16, 2019

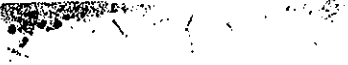
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2435 W. Devon Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



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

**APPLICANT:** Joseph Peterchak **CAL NO.:** 402-19-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 77 E. Cedar Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 20.08' to zero for a proposed three-story rear addition with roof deck.

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

**THE VOTE**

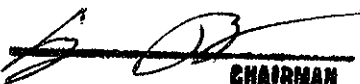


SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Ashor Younan \*

**CAL NO.:** 403-19-S

**APPEARANCE FOR:** Daniel Box

**MINUTES OF MEETING:**  
August 16, 2019

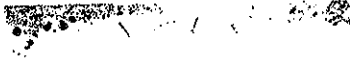
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2921 W. Devon Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



SEP 23 2019

CITY OF CHICAGO

THE RESOLUTION: ZONING BOARD OF APPEALS

FARZIN PARANG

SYLVIA GARCIA

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issue.  
\*Amended at Hearing

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** C A Pioneer Holding, Inc.

**CAL NO.:** 404-19-S

**APPEARANCE FOR:** Amy Degnan

**MINUTES OF MEETING:**  
August 16, 2019

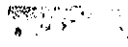
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2801-07 S. Halsted Street / 739-47 W. 28<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a special use to establish a four-story, thirty dwelling unit residential building.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



SEP 23 2019

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**THE RESOLUTION:** CITY OF CHICAGO  
ZONING BOARD OF APPEALS

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a four-story, thirty dwelling unit residential building; a variation was also granted to the subject property in Cal. No. 405-19-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of plans and drawings dated August 30, 2018, prepared by Hirsch MPG, LLC.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** C A Pioneer Holding, Inc. **CAL NO.:** 405-19-Z  
**APPEARANCE FOR:** Amy Degnan **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2801-07 S. Halsted Street/739-47 W. 28<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to zero and to eliminate the one required off-street loading space for a proposed four-story, thirty dwelling unit residential building.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero and to eliminate the one required off-street loading space for a proposed four-story, thirty dwelling unit residential building; an special use was granted to the subject property in Cal. No. 404-19-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Eclectic Nail Lounge, LLC **CAL NO.:** 406-19-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1347 W. Belmont Avenue Floor G  
**NATURE OF REQUEST:** Application for a special use to establish a hair / nail salon.  
**ACTION OF BOARD-**  
**DISMISSED FOR WANT OF PROSECUTION**


**THE VOTE**



SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** 1913 N. Halsted Inc.

**CAL NO.:** 407-19-Z

**APPEARANCE FOR:** Nicholas Ftikas

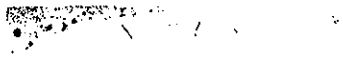
**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1913 N. Halsted Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 39.3' to 32' for a proposed four-story, two dwelling unit building.

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



**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** 1913 N. Halsted Inc.

**CAL NO.:** 408-19-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1913 N. Halsted Street

**NATURE OF REQUEST:** Application for a variation to establish a new curb cut to serve a proposed four-story, two dwelling unit building.


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

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Peter Brejnak **CAL NO.:** 409-19-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2138-40 W. Evergreen Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 15' to 10.75', east setback from 2.14' to 0.04' (west setback to be 3.03'), combined side setback from 5.35' to 3.07' to allow the subdivision of a zoning lot in to two zoning lots. The existing building at 2138 W. Evergreen shall remain and be converted from three dwelling units to four dwelling units and four new parking stalls at the rear of the lot. The lot at 2140 W. Evergreen shall be vacant.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA


AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the front setback to 10.75', east setback to 0.04' (west setback to be 3.03'), combined side setback to 3.07' to allow the subdivision of a zoning lot in to two zoning lots. The existing building at 2138 W. Evergreen shall remain and be converted from three dwelling units to four dwelling units and four new parking stalls at the rear of the lot. The lot at 2140 W. Evergreen shall be vacant; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



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

**APPLICANT:** Alan Coyle

**CAL NO.:** 410-19-S

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2755 W. Lawrence Avenue

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for a proposed four-story, six dwelling unit building with six car garage with roof deck accessed from the rear open porch.

**ACTION OF BOARD-**

**Continued to September 20, 2019 at 2:00 p.m.**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Alan Coyle

**CAL NO.:** 411-19-Z

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 16, 2019

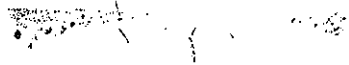
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2755 W. Lawrence Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 2' for a proposed four-story, six dwelling unit building with a six car garage with roof deck accessed from the rear open porch.

**ACTION OF BOARD-**

**Continued to September 20, 2019 at 2:00 p.m.**



**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



OCT 21 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Metropole Group, LLC**  
APPLICANT

**412-19-Z**  
CALENDAR NUMBER

**4350 S. Berkeley Avenue**  
PREMISES AFFECTED

**August 16, 2019**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the  
variation approved.

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 4350 S.  
BERKELEY AVENUE BY METROPOLE GROUP, LLC.**

**I. BACKGROUND**

Metropole Group, LLC (the "Applicant") submitted a variation application for 4350 S. Berkeley Avenue (the "subject property"). The subject property is currently zoned RT-4 and is currently vacant. The Applicant sought a variation to reduce the minimum lot area per dwelling unit from the required 3,000 square feet to 2,955.12 square feet in order to allow the construction of a proposed three-dwelling unit building (the "proposed building").

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on August 16, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's manager Mr. Tom Vitogiannis and its attorney Mr. Mark Kupiec were present. The Applicant's architect Charles Schwartz was present. Testifying in opposition to the application was Ms. Seniorities Bracey-Mayberry,

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

of 4354-56 South Berkeley. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Mr. Mark Kupiec provided a brief overview of the Applicant's application. He stated that the Applicant sought a variation to reduce the minimum lot area requirement in order to construct the proposed building. He stated that the lot was only 123' deep and 24' wide and thus was substandard in size. He stated that the subject property was only 45 feet short of the 3,000 feet required to construct the proposed building by right. In response to questions from the ZONING BOARD OF APPEALS, Mr. Kupiec indicated that he had submitted information regarding the reasonableness of the rate of return.

The Applicant presented the testimony of its manager Thomas Vitogiannis. He testified that the Applicant owned the subject property. He testified that the subject property was only 123' deep and 24' wide and that the subject property was therefore 45' short of the 3,000' minimum lot area required to build three dwelling units.

The Applicant presented the testimony of its architect Mr. Charles Schwartz. Mr. Schwartz testified that the substandard size of the lot necessitated the variation in the required minimum lot area and that the Applicant could build a two-dwelling unit building identical in size to the proposed building by right.

Ms. Senioritis Bracey-Mayberry testified in opposition to the application. She testified that she had not had an opportunity to speak to anyone about the proposed building. She testified that the basis of her opposition was not in regards to the use of the building, but to the excavation of the proposed building during the construction process. She testified that the Applicant's proposal was otherwise fine. She stated that she would be interested in a walk-through in order to better understand the plans for the proposed building.

Mr. Kupiec stated that he had received a letter from Ms. Bracey-Mayberry's attorney in weeks prior and that Mr. Kupiec had offered to meet and that in response, there had been no questions at that time. Mr. Kupiec stated that Ms. Bracey-Mayberry's building was located on the property line. Mr. Kupiec stated that the excavator would take into consideration the fact that Ms. Bracey-Mayberry's building was located on the property line.

Ms. Bracey-Mayberry testified that she had an attorney reach out but that the attorney had not mentioned a meeting.

#### B. Criteria for a Variation

Pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance, no variation application may be approved unless the ZONING BOARD OF APPEALS finds, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the

standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

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

### III. FINDINGS OF FACT.

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

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

The subject property is substandard in size as compared to a standard lot in Chicago. A standard lot in Chicago measures 25' by 125', with a lot area of 3,125 square feet. The subject property is only 24' by 123.15', measuring only 2955.6 square feet in lot area. Because of the substandard size of the subject

property, strict compliance with the Chicago Zoning Ordinance would result in the Applicant being unable to build the proposed building because of the subject property's substandard width and depth.

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

The requested variation and proposed development is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) maintaining a range of housing choices and options pursuant to Section 17-1-0512 in that it allows a vacant and underutilized property to provide three additional dwelling units to the neighboring area and (2) maintaining orderly and compatible land use and development patterns pursuant to Section 17-1-0508 in that it complies with the underlying requirements of the Chicago Zoning Code, including height, setbacks, parking and floor-area ratio.

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

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

Without the requested variation, the Applicant is limited to building a two-dwelling unit building. If the Applicant were limited to constructing a two-dwelling unit building, the Applicant would be able to build a building with dimensions identical to the proposed building as of right. However, this would create much larger floor areas per unit and consequently lead to higher rents and decreased affordability and marketability of the units. As stated in Mr. Schwartz's affidavit, a two-dwelling unit building would lead to larger, more expensive units, which would adversely affect affordability and marketability of the units. As stated in Applicant's Addendum to its proposed Findings of Fact, the Applicant's land costs were \$125,000, construction costs for a three-unit building amount to \$600,000 and rent estimates were \$2,200. Applicant estimated a 10% rate of return on the proposed building and approximately 4% rate of return without the variation. The ZONING BOARD OF APPEALS finds that a 4% rate of return on a \$725,000 investment is not a reasonable return.

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

As a standard lot in Chicago is 25' by 125', the substandard width and length of the subject property is a unique circumstance that is not generally applicable to other similarly situated property.

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

Without the variation, the Applicant would still be able to build a building with the same dimensions as the proposed building. Such building would – as the proposed building does – meet the Chicago Zoning Ordinance's various requirements including floor-area ratio, building height, setbacks and rear open yard. In other words, the Applicant's variation is not a variation that seeks to expand the proposed building's physical footprint. Instead, the variation seeks to allow a third dwelling unit within a structure that can be built as of right under the subject property's current zoning. Therefore, the additional dwelling unit does not alter the essential character of the neighborhood. Further, the neighboring area features multiple properties that are of similar bulk and shape to the proposed building.

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

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

The particular topographical condition – that is the substandard lot size – would result in particular hardship upon the Applicant if the Applicant were forced to strictly comply with the Chicago Zoning Ordinance. As noted above, this would result in a return of 4%, which is not a reasonable return for a \$725,000 investment.

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

The substandard lot size is not generally applicable to other RT-4 property

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

As set forth in the Applicant's proposed Findings of Fact, the development of the proposed building at the subject property requires a substantial investment. The variation requested is not intended to exclusively make more money out of the property, but is intended to allow the Applicant to realize a reasonable return on their investment.

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

The alleged practical difficulty or particular hardship – that is, the substandard width and length of the subject property – was not created by the Applicant. The subject property is an original lot of record, and the Applicant has not subdivided the subject lot to cause its substandard size.

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.*

The subject property is currently a vacant and underutilized lot. The Applicant proposes to redevelop this property with a residential building, thereby providing dwelling units to the neighboring area. In granting the variation, the dimensions of the proposed building will be in full compliance with the Chicago Zoning Ordinance's requirements, including floor-area-ratio, maximum height, and parking. The proposed building will address the demand for much needed housing choices in the neighborhood as well as enhance the streetscape on the block.

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

The proposed building will be built in full compliance with all setback requirements of the RT-4 zoning district and thus will not impair an adequate supply of light and air to adjacent property. The proposed building will be built in full compliance with all requirements of the Chicago Building Code and will not increase the danger of fire or endanger the public safety. The development of the subject property will not contribute to diminishing property values in the area as such development will put to use an otherwise underutilized and vacant lot. The



development of the subject property will improve the streetscape of the surrounding block.

#### IV. CONCLUSION

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

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

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

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

**APPLICANT:** JYM Investments, LLC

**CAL NO.:** 413-19-S

**APPEARANCE FOR:** Paul Kolpak

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2321 W. Howard Street

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

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

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**THE VOTE**

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



OCT 21 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Elite Cigar Lounge and Hookah Bar, Inc.**  
APPLICANT

**414-19-S**  
CALENDAR NUMBER

**6416 N. Lehigh Avenue**  
PREMISES AFFECTED

**August 16, 2019**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

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

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 6416 N.  
LEHIGH AVENUE BY ELITE CIGAR LOUNGE AND HOOKAH BAR, INC.**

**I. BACKGROUND**

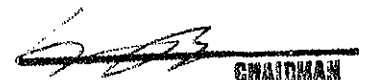
Elite Cigar Lounge and Hookah Bar, Inc. (the "Applicant") submitted a special use application for 6146 N. Lehigh Avenue (the "subject property"). The subject property is currently zoned B3-1 and is improved with a one-story brick building (the "building"). The Applicant operates a cigar lounge inside the building. The Applicant proposed to establish a hookah bar that it would operate in conjunction with its cigar lounge. To permit this, the Applicant sought a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development recommended approval of the special use, provided that: (1) the special use was issued solely to the Applicant; (2) its operating characteristics were consistent with those of other businesses in the surrounding area in terms of hours of operation; and (3) all activities were conducted completely within the building.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on August 16, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's secretary Mr. Ammar Awimrin and its attorney Mr. Paul Kolpak were present. The Applicant's land planner Mr. Kareem Musawwir was also present. Also testifying at the hearing were Mr. Jim Mahony, Ms. Liz Mahony, Mr. Jeff Manuel and Ms. Christine Rosenberg (collectively, the "Objectors").

The Applicant's attorney Mr. Paul Kolpak stated that the Applicant had met with the Objectors and that he believed an agreement had been reached. He then read into the record said agreement.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Kolpak gave a brief overview of the Applicant's application.

The Applicant presented the testimony of its secretary Mr. Ammar Awimrin.

The Applicant presented the testimony of its land planner Mr. Kareem Musawwir.

Mr. Jim Mahony, of 6433 N. Algonquin, testified that due to the agreement Mr. Kolpak had read into the record, he no longer objected to the application.

Ms. Liz Mahony, also of 6433 N. Algonquin, testified that due to the agreement Mr. Kolpak had read into the record, she no longer objected to the application.

Mr. Jeff Manuel, address unknown, testified that due to the agreement Mr. Kolpak had read into the record, he no longer objected to the application.

Ms. Christen Rosenberg, of 6420 N. Leoti, testified that due to the agreement Mr. Kolpak had read into the record, she no longer objected to the application.

#### B. Criteria for a Special Use

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

### III. FINDINGS OF FACT

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

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

The subject property is located in a B3-1 zoning district. The Applicant's proposed hookah bar is a special use in a B3 zoning district.<sup>1</sup> The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

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

The proposed special use is in the interest of the public convenience as it will allow the Applicant to provide an additional service for its patrons. Due to the conditions imposed by the ZONING BOARD OF APPEALS, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community.

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

The proposed special use will be located entirely within the existing building and thus will be compatible with the character of the surrounding area in terms of site planning and building scale and project design.

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

Due to the conditions imposed by the ZONING BOARD OF APPEALS, the special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation. Since the proposed special use will operate in conjunction with the Applicant's current cigar lounge, noise,

---

<sup>1</sup> Section 17-3-0207-QQ(6) of the Chicago Zoning Ordinance.

traffic generation and outdoor lighting will remain the same and thus will be compatible with the character of the surrounding area.

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

As the proposed special use will be located within the existing building on the subject property and will use the existing parking facility for the building, it is designed to promote pedestrian safety and comfort.

#### IV. CONCLUSION

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

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

1. The special use shall be issued solely to Applicant;
2. The special use's operating characteristics shall be consistent with those of other businesses in the surrounding area in terms of hours of operation; to that end, the hours of operation shall be 10:00 AM to 12:00 AM seven days a week;
3. The Applicant's patrons shall be out of the building by 12:00 AM; to ensure that this occurs, the Applicant shall provide no service after 11:00 PM;
4. Patrons shall not have patio use, and all activities shall be conducted completely within the building;
5. The Applicant shall not advertise by social media, digital media or print that BYOB is allowed at the subject property; however, should a patron verbally ask if BYOB is allowed at the subject property, the Applicant shall have the ability to allow said BYOB;
6. If cannabis is ever legalized in Illinois, the Applicant shall not allow the sale or smoking of cannabis at the subject property.

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

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

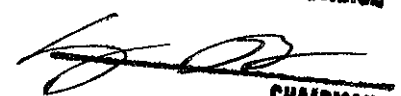
**APPLICANT:** 7-Eleven, Inc. **CAL NO.:** 415-19-S  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 4346 N. Kimball Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a gas station.  
**ACTION OF BOARD-**  
Continued to September 20, 2019 at 2:00 p.m.

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

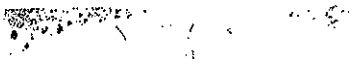
**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Sze Wing Li **CAL NO.:** 416-19-Z  
**APPEARANCE FOR:** John Pikarski **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 4421 S. Drake Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 39.97' to 15.17', north side setback from 2' to 1.40', south side setback from 2' to 1.57', combined side setback from 5' to 2.97' to permit the subdivision of one zoning lot into two zoning lots. The existing single family residence shall remain at 4421 S. Drake Avenue.

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



**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Sze Wing Li

**CAL NO.:** 417-19-Z

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4421 S. Drake Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the off-street parking from one non-conforming parking space to zero to allow the subdivision of one improved zoning lot into two zoning lots. The existing single family residence shall remain at 4421 S. Drake Avenue.

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

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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: Sze Wing Li

CAL NO.: 418-19-Z

APPEARANCE FOR: John Pikarski

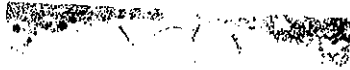
MINUTES OF MEETING:  
August 16, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4421 S. Drake Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 39.97' to 20' for a proposed two-story, single family residence.

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



THE VOTE

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** 1932 N. Fremont, LLC

**CAL NO.:** 419-19-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**

August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1932 N. Fremont Street

**NATURE OF REQUEST:** Application for a variation to reduce the south side setback from the required 2' to 1' (north side to be 3'), combined side setback from 5' to 4' for a proposed three-story, single family residence.

**ACTION OF BOARD-**

**Continued to September 20, 2019 at 2:00 p.m.**

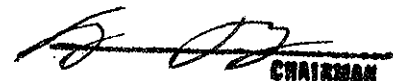
**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Medmar Lakeview, LLC\*

**CAL NO.:** 420-19-S

**APPEARANCE FOR:** Meg George

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3524 N. Clark Street

**NATURE OF REQUEST:** Application for a special use to establish a medical cannabis dispensary.

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

\*Amended at Hearing


**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



NOV 18 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Tim and Susan Saffran**

APPLICANTS

**421-19-Z**  
CALENDAR NUMBERS

**5343 South Rutherford Avenue**

PREMISES AFFECTED

**August 16, 2019**

HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the  
variation is denied.

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 5343 SOUTH  
RUTHERFORD AVENUE BY TIM AND SUSAN SAFFRAN.**

**I. BACKGROUND**

Tim and Susan Saffran (the "Applicants") submitted a variation application for 5343 South Rutherford (the "subject property"). The subject property is currently zoned RS-2 and is currently improved with a one and a half-story home. The Applicants sought a variation to reduce the minimum required setback from 21' to 16' in order to allow the construction of a front porch (the "proposed front porch").

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicants' variation application at its regular meeting on August 16, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicants had submitted their proposed Findings of Facts. The Applicants were present at the hearing. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

**APPROVED AS TO SUBSTANCE**

CHAIRMAN

The ZONING BOARD OF APPEALS asked the Applicants to explain their hardship as such hardship was unclear from their application materials. Mr. Tim Saffran testified that previously there had been trees and mobile school units located on the Chicago Public School property across the street from the subject property. Mr. Saffran testified that the Chicago Public Schools had removed the trees and the mobile school units and replaced them with an artificial turf field. Mr. Saffran testified that the Applicants had noticed an increased amount of youth activities across the street and that they would like to monitor such activity in order to prevent bad behavior. He testified that there was a loss of shade on the west side of the house and that the proposed front porch would shade the front of the house and would help reduce heating and cooling costs. In response to questions from the ZONING BOARD OF APPEALS, Mr. Saffran testified that all other properties on the block had trees on their easements and that the subject property's trees were removed prior to the Applicant's purchase of the subject property. Mr. Saffran testified that the Applicants purchased the subject property five years ago and that, due to his employment with the City of Chicago's Department of Water Management, he intended to live at the subject property for at least another fifteen years. The ZONING BOARD OF APPEALS asked Mr. Saffran to further explain how denial of the variation application would affect the value of the subject property and the reasonable rate of return. Mr. Saffran testified that energy efficiency had been lost and that the subject property had no shade from the west. Mr. Saffran testified that the Applicants could install awnings but that, in their opinion, the surrounding community would aesthetically suffer. He testified that the front porch would make the subject property conform with the rest of the street. In response to questions from the ZONING BOARD OF APPEALS, Mr. Saffran testified that the current roof line would be removed and replaced with a new roof that would extend to the edge of the porch.

#### B. Criteria for a Variation

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

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

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

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

### III. FINDINGS OF FACT.

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

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would not create practical difficulties or particular hardships for the subject property.*

The ZONING BOARD OF APPEALS fails to see how strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property. First, the ZONING BOARD OF APPEALS does not find that the Applicants' inability to monitor activities across from the subject property constitutes a practical difficulty or a particular hardship. Second, though Mr. Saffran testified that the proposed front porch would help reduce heating and cooling costs, Mr. Saffran admits that an awning would also reduce such costs. The ZONING BOARD OF APPEALS does not find credible Mr. Saffran's testimony that awnings would downgrade the aesthetics of the surrounding community. Further, the ZONING BOARD OF APPEALS does not find credible Mr. Saffran's testimony that the trees and mobile school units that were situated across the street on the Chicago Public School property had anything more than a negligible effect on the heat and sunlight to the subject property. To wit, Mr. Saffran initially testified that the loss of shade to the subject property was due to the removal of the trees across the street from the subject property on the Chicago Public School property. Upon

further questioning from the ZONING BOARD OF APPEALS, Mr. Saffran testified that the trees he was referring to were actually located on the easement adjacent to the subject property and that all other homes on the block of the subject property had trees upon their easement. He testified that the trees on the easement were removed prior to the Applicants' purchase of the subject property. Because it is unclear whether the removal of the trees on the Chicago Public School property or the absence of trees on the easement are the cause of any change in heating and cooling costs for the subject property, the ZONING BOARD OF APPEALS finds Mr. Saffran's testimony regarding the heating and cooling costs not to be credible.

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

Pursuant to Section 17-1-0513 of the Chicago Zoning Ordinance, the purpose and intent of the Chicago Zoning Ordinance is to "establis[h] clear and efficient development review and approval procedures." One such procedure is the requirement that the ZONING BOARD OF APPEALS may not approve a variation unless it makes findings, based on the evidence submitted to it in each case, that strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property. Since the ZONING BOARD OF APPEALS declines to find that strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property, the requested variation is not consistent with the Chicago Zoning Ordinance's clear and efficient development review and approval procedures.

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

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

As noted previously, the ZONING BOARD OF APPEALS does not find Mr. Saffran's testimony regarding the change in heating and cooling costs to be credible. To the extent that Mr. Saffran's testimony regarding the loss of trees on the west side of the subject property resulted in an increase in heating and cooling costs, the Applicants failed to establish that such cost increase would result in a



failure to realize a reasonable return. The Applicants' proposed Findings of Fact similarly mention an increase in temperature on the west side of the house. However, this bare assertion is likewise insufficient to show that the increase in temperature in the house would prevent the Applicants' from achieving a reasonable return.

2. *Any practical difficulty or particular hardship is not due to unique circumstances and is generally applicable to other similarly situated property.*

The ZONING BOARD OF APPEALS has declined to find the existence of a practical difficulty or a particular hardship. Even assuming that the Applicants' inability to monitor outside activities or erect a front porch constitutes a practical difficulty or particular hardship, there are no unique circumstances in the instant case that cause such difficulties or circumstances. The Applicants' proposed Findings of Fact asserts that the house on the subject property had been built at the front setback. The Applicants have offered no evidence to demonstrate that such a configuration constitutes a unique circumstance.

3. *The Applicants failed to prove that the variation, if granted, will not alter the essential character of the neighborhood.*

Mr. Saffran testified that several other houses in the neighborhood have front porches similar to the proposed front porch and the Applicants provided photographs of houses with similar front porches. However, the Applicants provided insufficient evidence as to the number and location of the houses with similar porches. Further, the Applicants laid no foundation as to the location of those houses presented in the photographs or whether the houses were within the subject property's neighborhood. The Applicants offered no testimony as to how many houses in the surrounding area had front porches. It is up to the Applicants to prove their case. The ZONING BOARD OF APPEALS finds that the Applicants have failed to prove that the proposed variation will not alter the essential character of the neighborhood.

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

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would not result in a particular hardship upon the*

*property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

The ZONING BOARD OF APPEALS does not find credible Mr. Saffran's testimony that the removal of the trees situated upon the Chicago Public School property across the street would have anything more than a negligible effect on the subject property. Further, the ZONING BOARD OF APPEALS finds that any difficulty that the Applicants experience in their ability to observe activities at the property across the street from the subject property does not constitute even a mere inconvenience, let alone a particular hardship. As it is up to the Applicants to prove their case, the ZONING BOARD OF APPEALS finds that carrying out the strict letter of the Chicago Zoning Ordinance would not constitute a particular hardship to the Applicants.

- 2. The conditions upon which the petition for the variation is based would be applicable, generally, to other property within the same zoning classification.*

The Applicants argue in their Proposed Findings of Fact that their house was built near the front setback, thereby preventing them from constructing a front porch without seeking a variation or altering the distance of their house from the front setback. However, the Applicants failed to show that such a condition is not applicable to other property zoned within an RS-2 zoning designation.

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

The ZONING BOARD OF APPEALS finds that the purpose of the variation is not to make more money out of the property but rather to monitor the activities of the property across from the subject property.

- 4. No alleged practical difficulty or particular hardship exists, regardless of whether the conditions the Applicants note have been created by a person presently having an interest in the property.*

As noted previously, the ZONING BOARD OF APPEALS finds that no practical difficulty or particular hardship exists in the present case.

- 5. There is insufficient evidence to show that granting 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.*

The Applicants failed to sufficiently establish that the granting of the variation would not be detrimental to the public welfare or injurious to other property or

improvements in the neighborhood in which the subject property is located and as such, the ZONING BOARD OF APPEALS finds that the Applicants did not present sufficient evidence as to this criterion.

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

Aside than a bare assertion that the proposed front porch would not affect the supply of light or air to adjacent properties, or affect public safety or impair property values, the Applicants failed to provide any supporting evidence or argument that granting the variation would 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 such, the ZONING BOARD OF APPEALS finds that the Applicants did not present sufficient evidence as to this criterion.

#### IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicants has not proved its case by evidence, testimony and the entire record, including the Applicants' proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby denies the Applicants' application for a variation.

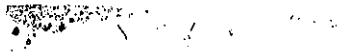
This is a final decision subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

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

**APPLICANT:** United Developments and Investments II, LLC **CAL NO.:** 422-19-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 1551-59 W. 33<sup>rd</sup> Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 7.63' to zero for a proposed one-story commercial building with five open parking stalls.

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



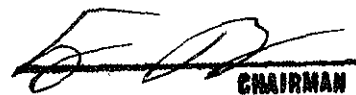
**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Natural Nail Café Corp.

**CAL NO.:** 423-19-S

**APPEARANCE FOR:** Same as Applicant

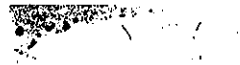
**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2831 N. Halsted Street 1N

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

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



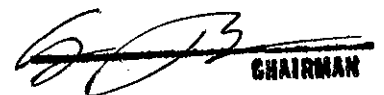
**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Grand Palace, LLC  
**APPEARANCE FOR:** Sara Barnes  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2202-10 W. Grand Avenue

**CAL NO.:** 424-19-Z  
**MINUTES OF MEETING:**  
 August 16, 2019

**NATURE OF REQUEST:** Application for a variation to reduce the reverse corner lot side setback from 39.16' to 2.5'\* for a proposed five-story\*, mixed use building with a twenty-three car private garage at the ground floor.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the reverse corner lot side setback to 2.5'\* for a proposed five-story\*, mixed use building with a twenty-three car private garage at the ground floor; two additional variations were also granted to the subject property in Cal. Nos. 425-19-Z and 426-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

\*Amended at Hearing

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Grand Palace, LLC

**CAL NO.:** 425-19-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**

August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2202-10 W. Grand Avenue

**NATURE OF REQUEST:** Application for a variation to increase the height from the maximum 50' to 51.5' for a proposed five-story, mixed use building with an attached twenty-three car garage at ground floor.

**ACTION OF BOARD-**

**VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the height to 51.5' for a proposed five-story, mixed use building with an attached twenty-three car garage at ground floor; two additional variations were also granted to the subject property in Cal. Nos. 424-19-Z and 426-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Grand Palace, LLC

**CAL NO.:** 426-19-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2202-10 W. Grand Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area per dwelling unit from the required 1,000 square feet to 939.94 square feet for a proposed five-story, mixed use building with an attached twenty-three car garage at the ground floor.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

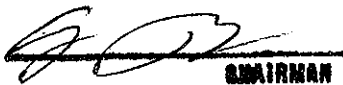
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area per dwelling unit to 939.94 square feet for a proposed five-story, mixed use building with an attached twenty-three car garage at the ground floor; two additional variations were also granted to the subject property in Cal. Nos. 424-19-Z and 425-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
CHAIRMAN



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

**APPLICANT:** CMC Pratt, LLC **CAL NO.:** 427-19-S  
**APPEARANCE FOR:** Gary Wigoda **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2751-59 N. Pratt Avenue / 6745 N. California Avenue

**NATURE OF REQUEST:** Application for a special use to establish a community center in an existing one-story building with a new second floor addition with retail space to remain.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

CITY OF CHICAGO

**THE RESOLUTION:** ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

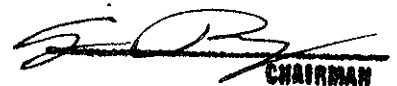
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a community center in an existing one-story building with a new second floor addition with retail space to remain; a variation was also granted to the subject property in Cal. No. 428-19-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant CMC Pratt, LLC dba Chicago Mitzvah Campaign, and the development is consistent with the design and layout of the plans and drawings dated April 196, 2019, prepared by YMK Architecture and Design Studio.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** CMC Pratt, LLC **CAL NO.:** 428-19-Z  
**APPEARANCE FOR:** Gary Wigoda **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 2751-59 N. Pratt Avenue / 6745 N. California Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the interior landscape from 406 square feet to 365 square feet, reduce the number of interior trees from three to one, eliminate the 7' landscape setback with three trees and twenty shrubs along Pratt and California Avenue, allow the 4' high ornamental fence to be located at the property line instead of 5' from the property line and to erect a 6' high wooden trash enclosure instead of a masonry enclosure to serve the proposed community center.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the interior landscape to 365 square feet, reduce the number of interior trees to one, eliminate the 7' landscape setback with three trees and twenty shrubs along Pratt and California Avenue, allow the 4' high ornamental fence to be located at the property line instead of 5' from the property line and to erect a 6' high wooden trash enclosure instead of a masonry enclosure to serve the proposed community center; a special use was also granted to the subject property in Cal. No. 427-19-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Kerry L. Butler dba Urban Naturals Salon

**CAL NO.:** 429-19-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 16, 2019

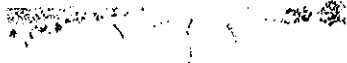
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1755-57 W. 95<sup>th</sup> Street

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**THE RESOLUTION:**

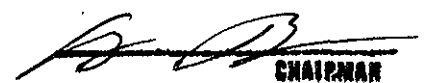
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Kerry L. Butler dba Urban Naturals Salon.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Cook-DuPage Transportation Company, Inc. **CAL NO.:** 430-19-S  
**APPEARANCE FOR:** Rich Toth **MINUTES OF MEETING:** August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2005 W. 43<sup>rd</sup> Street / 4328-4424 S. Damen Avenue

**NATURE OF REQUEST:** Application for a special use to expand a major utilities and service for a proposed wash station, filling station, fleet vehicle storage and fleet vehicle repairs within an existing rear one-story portion of an existing five and one-story building.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

THE RESOLUTION: CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

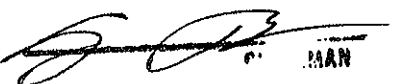
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand a major utilities and service for a proposed wash station, filling station, fleet vehicle storage and fleet vehicle repairs within an existing rear one-story portion of an existing five and 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 was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Cook-DuPage Transportation Company, Inc., and the development is consistent with the design and layout of the plans and drawings dated April 9, 2019, prepared by MRSA Architects and Planners.

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

**APPROVED AS TO SUBSTANCE**

  
 MAN

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

**APPLICANT:** Svitlana Maldonado & Sophia Mamchur dba SBK Dog Club, Inc. **CAL NO.:** 431-19-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1522 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a special use to establish an animal boarding / daycare facility.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Svitlana Maldonado & Sophia Mamchur dba SBK Dog Club, Inc., and the development is consistent with the design and layout of the plans and drawings dated August 16, 2019, prepared by the applicant.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** The Healthy Hair Boutique (La Joie Johnson) **CAL NO.:** 432-19-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 700 E. 47<sup>th</sup> Street, Suite C  
**NATURE OF REQUEST:** Application for a special use to establish a hair salon.

**ACTION OF BOARD-  
 APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
**ZONING BOARD OF APPEALS**

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**THE RESOLUTION:**

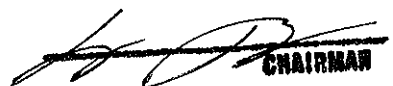
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, The Healthy Hair Boutique (La Joie Johnson).

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



OCT 21 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Aaron Mallory dba GRO Community**

APPLICANT

**433-19-S**  
CALENDAR NUMBER

**350 West 109th Place**

PREMISES AFFECTED

**August 16, 2019**

HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application is denied for failure to receive three affirmative votes.

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 350 WEST  
109TH PLACE BY AARON MALLORY DBA GRO COMMUNITY**

**I. BACKGROUND**

Aaron Mallory dba GRO Community (the "Applicant") submitted a special use application for 350 West 109th Place (the "subject property"). The subject property is currently zoned RS-3. The Applicant sought a special use in order to establish a transitional residence on the subject property. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development recommended denial of the proposed transitional residence.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on August 16, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted their proposed Findings of Fact. The Applicant Mr. Aaron Mallory and the Applicant's land planner Mr. Kareen Musawir were present. Mr. Chester Wilson the chief of staff to 34<sup>th</sup>

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

Ward Alderman Carrie Austin was present. All three Commissioners of the ZONING BOARD OF APPEALS were present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

#### B. Criteria for a Special Use

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

### III. FINDINGS OF FACT

As set forth in Section 17-13-0907 of the Chicago Zoning Ordinance, a concurring vote of three members of the ZONING BOARD OF APPEALS is necessary to approve any special use. The Applicant's application failed to receive three affirmative votes. Therefore, there can be no findings of fact. Instead, the only decision the ZONING BOARD OF APPEALS can make is that the Applicant's application is denied for failure to receive three affirmative votes. *Sokalis v. Zoning Bd. of Appeals of Springfield*, 21 Ill.App.3d 178 (3d. Dist. 1959).

### IV. CONCLUSION

Pursuant to Section 17-13-0907 of the Chicago Zoning Ordinance, the ZONING BOARD OF APPEALS hereby denies the Applicant's application for a special use for failure to receive three affirmative votes.

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



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

**APPLICANT:** Herman Baptist Church

**CAL NO.:** 434-19-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3127-37 W. Carroll Avenue

**NATURE OF REQUEST:** Application for a special use to establish a religious assembly in a proposed two-story building with twenty-seven parking spaces.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**THE RESOLUTION:**

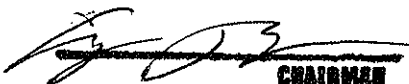
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated July 10, 2019, and the site plan dated August 13, 2019, all prepared by Burhani Design Architects.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Alfred J. Cantieri **CAL NO.:** 435-19-Z  
**APPEARANCE FOR:** Michael O'Donnell **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 4105 N. Lincoln Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 3.72' for a proposed second floor addition with one dwelling unit above the existing one-story retail building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA


AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 3.72' for a proposed second floor addition with one dwelling unit above the existing one-story retail building; an additional variation was also granted to the subject property in Cal. No. 436-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Alfred J. Cantieri **CAL NO.:** 436-19-Z  
**APPEARANCE FOR:** Michael O'Donnell **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 4105 N. Lincoln Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the required automobile parking spaces from one to zero for a proposed second floor addition with one dwelling unit above the existing one-story, retail building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required automobile parking spaces to zero for a proposed second floor addition with one dwelling unit above the existing one-story, retail building; an additional variation was also granted to the subject property in Cal. No. 435-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** NB2M. LLC **CAL NO.:** 437-19-S  
**APPEARANCE FOR:** Thomas Raines **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2201 W. Fulton Street

**NATURE OF REQUEST:** Application for a special use to establish an accessory off-site parking lot with twenty-nine parking stalls to serve a proposed industrial private event space located at 2145 W. Walnut Street.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS  
FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an accessory off-site parking lot with twenty-nine parking stalls to serve a proposed industrial private event space located at 2145 W. Walnut Street; a variation was also granted to the subject property in Cal. No. 438-19-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant NB2M, LLC.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** NB2M, LLC

**CAL NO.:** 438-19-Z

**APPEARANCE FOR:** Thomas Raines

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2201 W. Fulton Street

**NATURE OF REQUEST:** Application for a variation to establish shared parking for twenty-nine parking spaces which will be shared between an existing industrial use located at 2201 W. Fulton and a proposed industrial private event space located at 2145 W. Walnut Street which will have different peak parking demands.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

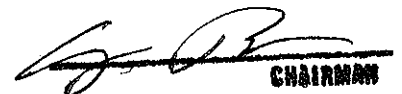
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish shared parking for twenty-nine parking spaces which will be shared between an existing industrial use located at 2201 W. Fulton and a proposed industrial private event space located at 2145 W. Walnut Street which will have different peak parking demands; a special use was also granted to the subject property in Cal. No. 437-19-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** NB2M. LLC **CAL NO.:** 439-19-S  
**APPEARANCE FOR:** Thomas Raines **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 215 N. Leavitt

**NATURE OF REQUEST:** Application for a special use to establish twenty five accessory off-site parking spaces in an existing lot to serve the proposed industrial event space located at 2145 W. Walnut Street.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish twenty five accessory off-site parking spaces in an existing lot to serve the proposed industrial event space located at 2145 W. Walnut Street; a variation was also granted to the subject property in Cal. No. 440-19-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant NB2M, LLC.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** NB2M, LLC **CAL NO.:** 440-19-Z  
**APPEARANCE FOR:** Thomas Raines **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 215 N. Leavitt Street

**NATURE OF REQUEST:** Application for a variation to establish shared parking for eleven of the twenty five parking spaces which will be shared between an existing industrial use located at 2201 W. Fulton Street and a proposed industrial private event space located at 2145 W. Walnut Street.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish shared parking for eleven of the twenty five parking spaces which will be shared between an existing industrial use located at 2201 W. Fulton Street and a proposed industrial private event space located at 2145 W. Walnut Street; a special use was also granted to the subject property in Cal. No. 439-19-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** 1956 North Orchard Street, LLC **CAL NO.:** 441-19-Z  
**APPEARANCE FOR:** Ted Novak and Liz Butler **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 1956 N. Orchard Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.35' to zero for a proposed rear, one-story addition to the existing three-story, single family residence with an attached garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



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

**APPLICANT:** Public Building Commission of Chicago      **CAL NO.:** 442-19-Z  
**APPEARANCE FOR:** Carol Stubblefield      **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None      August 16, 2019  
**PREMISES AFFECTED:** 4540 N. Campbell Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 20' to 5.87', north setback from 22.5' to 2.5' for a proposed three-story addition to an existing three-story school.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 5.87', north setback to 2.5' for a proposed three-story addition to an existing three-story school; an additional variation was granted to the subject property in Cal. No. 443-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Public Building Commission of Chicago **CAL NO.:** 443-19-Z

**APPEARANCE FOR:** Carol Stubblefield **MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4540 N. Campbell Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the existing landscape setback along Maplewood Avenue from the required 7' to 6'-8", eliminate approximately fifty shrubs in the existing landscape setback and to allow the existing ornamental fence to remain at the property line instead of 5' from the property line for a proposed three-story addition to an existing three-story school.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

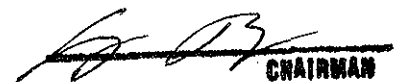
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the existing landscape setback along Maplewood Avenue to 6'-8", eliminate approximately fifty shrubs in the existing landscape setback and to allow the existing ornamental fence to remain at the property line instead of 5' from the property line for a proposed three-story addition to an existing three-story school; an additional variation was granted to the subject property in Cal. No. 442-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** CIBC Bank USA **CAL NO.:** 444-19-S  
**APPEARANCE FOR:** George Banakis **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3040 W. 111<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a special use to establish a drive through facility that will serve a proposed one-story bank.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a drive through facility that will serve a proposed one-story bank; a variation was also granted to the subject property in Cal. No. 445-19-Z; a variation was also granted to the subject property in Cal. No. 445-19-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated January 21, 2019, prepared by DBSI Incorporated, as well as the landscape plan dated August 8, 2019, prepared by Christopher B. Burke Engineering, Ltd.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** CIBC Bank USA

**CAL NO.:** 445-19-Z

**APPEARANCE FOR:** George Banakis

**MINUTES OF MEETING:**

August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3040 W. 111<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a variation to reduce the east side setback from 8' to zero for a proposed one-story bank with a drive-through facility with an accessory parking abutting a residential district.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east side setback to zero for a proposed one-story bank with a drive-through facility with an accessory parking abutting a residential district; a special use was also granted to the subject property in Cal. No. 445-19-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

APPLICANT: Banana Glades, LLC

CAL NO.: 446-19-S

APPEARANCE FOR: Sylvia Michas

MINUTES OF MEETING:  
August 16, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 24 S. Morgan Street

NATURE OF REQUEST: Application for a special use to lease thirty-two of the seventy-three required residential parking spaces which are located on the first through third floors in an existing eleven-story, mixed use building which contains seventy-nine parking spaces.

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

THE RESOLUTION:

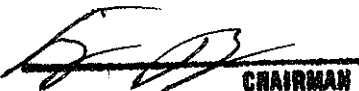
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-nes on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to lease thirty-two of the seventy-three required residential parking spaces which are located on the first through third floors in an existing eleven-story, mixed use building which contains seventy-nine parking spaces; an additional special use was granted to the subject property in Cal. No. 447-19-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

**APPLICANT:** Banana Glades, LLC

**CAL NO.:** 447-19-S

**APPEARANCE FOR:** Sylvia Michas

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 24 S. Morgan Street

**NATURE OF REQUEST:** Application for a special use to establish six non-accessory parking spaces within the first through third levels in an existing eleven-story mixed use building with seventy-nine parking spaces.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish six non-accessory parking spaces within the first through third levels in an existing eleven-story mixed use building with seventy-nine parking spaces; an additional special use was granted to the subject property in Cal. No. 446-19-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

APPLICANT: MQS Group, LLC

CAL NO.: 448-19-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:  
August 16, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5557 N. Sheridan Road

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

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

THE VOTE

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



OCT 21 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Kelvin Neal**

APPLICANT

**449-19-S**

CALENDAR NUMBER

**7759 South Halsted Street**

PREMISES AFFECTED

**August 16, 2019**

HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application is denied for failure to receive three affirmative votes.

Farzin Parang, Chairman  
Sylvia Garcia  
Sam Toia

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 7759 SOUTH  
HALSTED STREET BY KELVIN NEAL**

**I. BACKGROUND**

Kelvin Neal (the "Applicant") submitted a special use application for 7759 South Halsted Street (the "subject property"). The subject property is currently zoned B1-2. The Applicant sought a special use in order to establish a hair salon on the subject property. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development recommended approval of the proposed hair salon.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on August 16, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted his proposed Findings of Fact. The Applicant Mr. Kelvin Neal was present. All three Commissioners of the ZONING BOARD OF APPEALS were present. The statements

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

B. Criteria for a Special Use

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

III. FINDINGS OF FACT

As set forth in Section 17-13-0907 of the Chicago Zoning Ordinance, a concurring vote of three members of the ZONING BOARD OF APPEALS is necessary to approve any special use. The Applicant's application failed to receive three affirmative votes. Therefore, there can be no findings of fact. Instead, the only decision the ZONING BOARD OF APPEALS can make is that the Applicant's application is denied for failure to receive three affirmative votes. *Sokalis v. Zoning Bd. of Appeals of Springfield*, 21 Ill.App.3d 178 (3d. Dist. 1959).

IV.

V. CONCLUSION

Pursuant to Section 17-13-0907 of the Chicago Zoning Ordinance, the ZONING BOARD OF APPEALS hereby denies the Applicant's application for a special use for failure to receive three affirmative votes.

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

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

**APPLICANT:** 2577 N. Clark Land Trust **CAL NO.:** 450-19-Z  
**APPEARANCE FOR:** Scott Borstein **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 2577-79 N. Clark Street

**NATURE OF REQUEST:** Application for a variation to reduce the required off-street parking spaces from one to zero to allow the conversion of an existing office space on the second floor of a two-story mixed use building to a dwelling unit.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Black Dagger Inc.  
**APPEARANCE FOR:** Same as Applicant  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3431 N. Harlem Avenue

**CAL NO.:** 451-19-S

**MINUTES OF MEETING:**  
August 16, 2019

**NATURE OF REQUEST:** Application for a special use to establish a body art service (tattoo shop).

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

CITY OF CHICAGO

**THE RESOLUTION:** ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Bianca Salazar dba Vier Hair Loft, LLC\* **CAL NO.:** 452-19-S

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

August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3010 W. 111<sup>th</sup> Street

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Bianca Salazar dba Vier Hair Loft, LLC.\*

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

\*Scriveners Error

**RESOLUTION AD TO SUBSTANCE**  
*[Signature]*  
**CHAIRMAN**

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

**APPLICANT:** Bianca Salazar dba Hair Loft, LLC **CAL NO.:** 452-19-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:** August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3010 W. 111<sup>th</sup> Street  
**NATURE OF REQUEST:** Application for a special use to establish a hair salon.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

CITY OF CHICAGO

THE RESOLUTION: ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

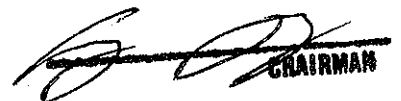
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

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

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

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

**APPROVED AS TO SUBSTANCE**

  
CHAIRMAN

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

**APPLICANT:** Public Building Commission of Chicago      **CAL NO.:** 453-19-Z  
**APPEARANCE FOR:** Carol Stubblefield      **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 10538 S. Langley Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 20' to 8.58', south side setback from 28.41' to 10.41' for a proposed four-story addition to an existing four-story school.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 8.58', south side setback to 10.41' for a proposed four-story addition to an existing four-story school; three additional variations were granted to the subject property in Cal. Nos. 454-19-Z, 455-19-Z, and 456-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Public Building Commission of Chicago      **CAL NO.:** 454-19-Z  
**APPEARANCE FOR:** Carol Stubblefield      **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 10538 S. Langley Avenue

**NATURE OF REQUEST:** Application for a variation to exceed the floor area ratio .9 of 57,883.5 square feet to the maximum 59,022 square feet for a proposed four-story addition to the existing four-story school.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to exceed the floor area ratio .9 of 57,883.5 square feet to the maximum 59,022 square feet for a proposed four-story addition to the existing four-story school; three additional variations were granted to the subject property in Cal. Nos. 453-19-Z, 455-19-Z, and 456-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAINMAR**

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

**APPLICANT:** Public Building Commission of Chicago **CAL NO.:** 455-19-Z

**APPEARANCE FOR:** Carol Stubblefield **MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 10538 S. Langley Avenue

**NATURE OF REQUEST:** Application for a variation to eliminate the one required loading berth for a proposed four-story addition to the existing four-story school.

**ACTION OF BOARD-  
VARIATION GRANTED.**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

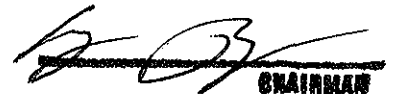
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to eliminate the one required loading berth for a proposed four-story addition to the existing four-story school; three additional variations were granted to the subject property in Cal. Nos. 453-19-Z, 454-19-Z, and 456-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



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

**APPLICANT:** Public Building Commission of Chicago      **CAL NO.:** 456-19-Z  
**APPEARANCE FOR:** Carol Stubblefield      **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 10538 S. Langley Avenue

**NATURE OF REQUEST:** Application for a variation to eliminate the required 7' landscape setback (with seven trees and approximately fifty shrubs), along E. 105th Pl. and S. Langley Avenue, eliminate interior landscape requirement (approximately 1,221 square feet with ten shrubs), allow the existing 4' high ornamental fence to remain at the property line instead of 5' from the property line for a proposed four-story addition to an existing four-story school.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to eliminate the required 7' landscape setback (with seven trees and approximately fifty shrubs), along E. 105th Pl. and S. Langley Avenue, eliminate interior landscape requirement (approximately 1,221 square feet with ten shrubs), allow the existing 4' high ornamental fence to remain at the property line instead of 5' from the property line for a proposed four-story addition to an existing four-story school; three additional variations were granted to the subject property in Cal. Nos. 453-19-Z, 454-19-Z, and 455-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Moonlight Studios, Inc.

**CAL NO.:** 457-19-S

**APPEARANCE FOR:** John Escobar

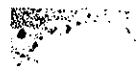
**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1455 W. Hubbard Street

**NATURE OF REQUEST:** Application for a special use to establish an accessory off-site parking lot with seventeen required parking spaces to serve a proposed industrial private event space located at 1446 W. Kinzie Street.

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




**THE VOTE**

**SEP 23 2019**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**APPROVED AS IN SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Moonlight Studios, Inc.

**CAL NO.:** 458-19-Z

**APPEARANCE FOR:** John Escobar

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1455 W. Hubbard Street

**NATURE OF REQUEST:** Application for a variation to establish shared parking for seventeen parking spaces for non-residential use with different peak hours to accommodate the required parking for a proposed industrial private event space located at 1446 W. Kinzie Street.

**ACTION OF BOARD-**

**Continued to September 20, 2019 at 2:00 p.m.**

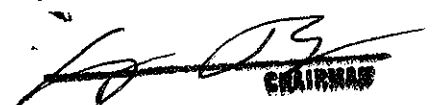
**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** GW Addison Kimball, LLC **CAL NO.:** 459-19-S  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 16, 2019  
**PREMISES AFFECTED:** 3343 W. Addison Street

**NATURE OF REQUEST:** Application for a special use to increase the maximum floor area to 10,269 square feet for a proposed one-story restaurant with a drive through facility.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the maximum floor area to 10,269 square feet for a proposed one-story restaurant with a drive through facility; an additional special use was granted to the subject property in Cal. No. 382-19-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated March 15, 2019, including the landscape plan dated April 3, 2019, all prepared by Atwell Group.

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

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

**APPLICANT:** GW Addison Kimball, LLC **CAL NO.:** 382-19-S  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3343 W. Addison Street

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a dual-lane\* drive through facility to serve a proposed one-story restaurant; an additional special use was granted to the subject property in Cal. No. 459-19-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated March 15, 2019, including the landscape plan dated April 3, 2019, all prepared by Atwell Group.

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

\*Amended at Hearing

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Frenchy Soccer Development, LLC

**CAL NO.:** 241-19-S

**APPEARANCE FOR:** Rolando Acosta

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4201 W. 36<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a special use to allow a sports and recreation, participant 149 person capacity (indoor soccer field) in an existing one-story warehouse.

**ACTION OF BOARD-  
APPLICATION WITHDRAWN**

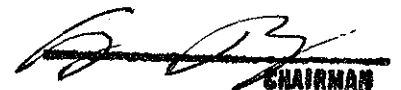
**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**APPROVED AS IN SUBSTANCE**

  
**CHAIRMAN**

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

APPLICANT: Maria Castro  
APPEARANCE FOR: Same as Applicant  
APPEARANCE AGAINST: None  
PREMISES AFFECTED: 2878 W. Cermak Road

CAL NO.: 309-19-S  
MINUTES OF MEETING:  
August 16, 2019

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

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE

SEP 23 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 2019; and

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

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

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

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

**APPLICANT:** Sonny Montijo **CAL NO.:** 339-19-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3219 W. McLean Avenue

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

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west setback to 1' (east to be 3.58') combined side setback to 4.58' for a proposed fourth floor addition to the existing three-story building to be converted with partial enclosure over the existing rear open porch and will convert from two dwelling units to three dwelling units; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



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

APPLICANT: Wilmot Construction Inc.

CAL NO.: 343-19-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:  
August 16, 2019

APPEARANCE AGAINST: None

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

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

ACTION OF BOARD-  
VARIATION GRANTED

THE VOTE

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS  
FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 1, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area per dwelling unit to 905.58 square feet for a proposed four-story, mixed use building with an attached thirty-two car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

**APPLICANT:** Wilmot Construction Inc. **CAL NO.:** 344-19-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3114 N. Ridgeway Avenue / 3105-19 N. Milwaukee Avenue

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

**ACTION OF BOARD-  
VARIATION WITHDRAWN**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**APPROVED AS IN SUBSTANCE**



**CHAIRMAN**

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



OCT 21 2019

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Robert Linn**  
APPLICANT

**356-19-Z**  
CALENDAR NUMBER

**2457 N. Artesian Avenue**  
PREMISES AFFECTED

**August 16, 2019**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the variation is denied.

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 2457 N.  
ARTESIAN AVENUE BY ROBERT LINN**

**I. BACKGROUND**

Robert Linn (the "Applicant") submitted a variation application for 2457 N. Artesian Avenue. The subject property is currently zoned RS-3 and is currently improved with a 21' x 20' garage that encroaches over the public way. The Applicant proposed to erect a new single-family home on the subject property. To permit this, the Applicant sought a variation to reduce: (1) the north side setback from the required 2' to 0' (south side setback to be 3'); and (2) the combined side setback from 5' to 3'.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on August 16, 2019, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times* and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant was present.

**APPROVED AS TO SUBSTANCE**

CHAIRMAN

The Applicant Mr. Robert Linn presented his case to the ZONING BOARD OF APPEALS.

#### B. Criteria for a Variation

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

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

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

### III. FINDINGS OF FACT.

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

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would not create practical difficulties or particular hardships for the subject property.*

It is up to the Applicant to prove its case. The Applicant provided no credible evidence that the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property. In the instant case, the subject property is a standard sized City lot of 125' x 25'. It was previously improved with a nonconforming structure that had been built to the subject property's north lot line, thus violating the side setbacks in a RS-3 zoning district. The Applicant incorrectly assumed that after he demolished the nonconforming structure he would be able to keep the nonconforming setback on the subject property. He therefore based his program of development for the subject property on such incorrect assumption. While the Applicant argued that without the variation he would sustain more of a loss on the subject property than without the variation, a practical difficulty or particular hardship cannot mean that "piece of property is better adapted for a forbidden use than the one for which it is permitted, or that a variation would be to the owner's profit or advantage or convenience." *River Forest State & Trust Co. v. Zoning Board of Appeals of Maywood*, 34 Ill.App.2d 412, 419 (1st Dist. 1961). In this case, as the variation would be solely to the Applicant's profit or advantage or convenience, it cannot be considered a practical difficulty or hardship.

2. *The requested variation is not consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

It is up to the Applicant to prove its case. The Applicant provided no credible evidence as to how the requested variation would be consistent with the stated purpose and intent of the Chicago Zoning Ordinance. While the Applicant argued that allowing a 0' north side setback would make the subject property consistent with the other properties on Altgeld, particularly the property next east, and therefore "preserve the character of the neighborhood," the ZONING BOARD OF APPEALS notes that actual standard is "preserving the character of *established residential* neighborhoods."<sup>1</sup> The property next east is zoned commercial and is therefore not part of the established RS-3 neighborhood in question and cannot be relied upon for meeting that standard. Further, the fact that other properties may have structures with reduced north setbacks on Altgeld is not, in and of itself, evidence that the proposed variation would be consistent with the purpose and intent of the Chicago Zoning Ordinance.

---

<sup>1</sup> Section 17-1-0503 of the Chicago Zoning Ordinance.

In fact, pursuant to Section 17-1-0513 of the Chicago Zoning Ordinance, the purpose and intent of the Chicago Zoning Ordinance is to “establis[h] clear and efficient development review and approval procedures.” One such procedure is the requirement that the ZONING BOARD OF APPEALS may not approve a variation unless it makes findings, based on the evidence submitted to it in each case, that strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property. Since the ZONING BOARD OF APPEALS declines to find that strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property, the requested variation is not consistent with the Chicago Zoning Ordinance’s clear and efficient development review and approval procedures.

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

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

It is up the Applicant to prove its case. The Applicant provided no credible evidence that the property in question could not yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance. The Applicant argued that if he were to build to the standards of the Chicago Zoning Ordinance, he would lose more money on his investment than if he were to build with the variation. However, the criterion is not how much money the Applicant will lose on his business investment but rather if the property itself can realize a reasonable rate of return. The ZONING BOARD OF APPEALS notes that the Applicant purchased the subject property for \$301,000. The ZONING BOARD OF APPEALS further notes that the appraisal the Applicant provided to the ZONING BOARD OF APPEALS states that the as-is value of the property as of April 2019 was \$385,000 (and this included the demolition estimate for the prior nonconforming structure). This shows that the subject property is able to realize a reasonable return without the requested variation. Indeed, the Applicant conceded that if he could not obtain the requested variation, he would try and sell the property.

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

To the extent there is a practical difficulty or particular hardship<sup>2</sup>, such practical difficulty or particular hardship is due to the Applicant making a bad business decision because of his incorrect assumption. However, making a bad business decision with respect to an investment property is not a unique circumstance and is, indeed, generally applicable to all properties purchased and held for investment purposes.

3. *The Applicant failed to prove that the variation, if granted, will alter the essential character of the neighborhood.*

It is up to the Applicant to prove its case. As the Applicant presented no credible evidence as to this criterion, the ZONING BOARD OF APPEALS finds that the Applicant has failed to prove that the proposed variation will not alter the essential character of the neighborhood. Although the Applicant argued that every other property on Altgeld had a structure with a 0' north setback and spent particular time discussing the property next east to the subject property, the ZONING BOARD OF APPEALS notes that the subject property zoned next east to the subject property is commercially zoned and thus cannot be used as evidence that the variation will not alter the essential character of the neighborhood. Further, the Applicant failed to specify how the other properties on Altgeld were zoned and if the structures erected on said properties were new construction (such as the Applicant was proposing) or older, nonconforming structures (such as the Applicant had demolished).

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

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would not result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

The ZONING BOARD OF APPEALS does not find that the particular physical surroundings, shape or topographical condition of the subject property result in particular hardship on the Applicant. As noted above, the subject property is a

---

<sup>2</sup> As noted above, a practical difficulty or particular hardship cannot mean that "piece of property is better adapted for a forbidden use than the one for which it is permitted, or that a variation would be to the owner's profit or advantage or convenience." *River Forest State & Trust Co. v. Zoning Board of Appeals of Maywood*, 34 Ill.App.2d 412, 419 (1st Dist. 1961).

standard sized City lot. It is also (with the exception of the garage that must either be moved off the public way or torn down) vacant. Although the Applicant argued that every other property on Altgeld had a 0' foot north side setback, the Applicant failed to show how this would be more than mere inconvenience, as the Applicant could still erect a standard 19 and a half foot home on the subject property.

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

The Applicant argued that he needed the variation in order to minimize his loss on his investment in the subject property. However, the desire to minimize loss on one's property investment is a condition applicable, generally, to other property within the RS-3 zoning classification.

3. *The purpose of the variation is based exclusively upon a desire to make more money out of the property.*

The purpose of the variation is so that the Applicant can minimize his business loss on the subject property. It is, therefore, based exclusively on a desire to make more money out of the subject property. Or, as the Applicant stated, "[T]here's a significant premium in Chicago for wider houses...because it feels a lot larger when a house is wider as opposed to the standard [house width] of 19 and a half [sic] foot."

4. *The alleged practical difficulty or particular hardship has been created by a person presently having an interest in the property.*

To the extent there is a practical difficulty or particular hardship<sup>3</sup>, such difficulty or hardship stems from the fact that the Applicant chose a program of development for the subject property that did not comply with the Chicago Zoning Ordinance.

5. *The Applicant failed to prove that 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.*

---

<sup>3</sup> As noted above, a practical difficulty or particular hardship cannot mean that "piece of property is better adapted for a forbidden use than the one for which it is permitted, or that a variation would be to the owner's profit or advantage or convenience." *River Forest State & Trust Co. v. Zoning Board of Appeals of Maywood*, 34 Ill.App.2d 412, 419 (1st Dist. 1961).



It is up to the Applicant to prove its case. As the Applicant presented no credible evidence as to this criterion, the ZONING BOARD OF APPEALS finds that the Applicant has failed to prove that the proposed variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located.

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

It is up to the Applicant to prove its case. As the Applicant presented no credible evidence as to this criteria, the ZONING BOARD OF APPEALS finds that the Applicant has failed to prove that 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 in the area.

#### IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

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

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

APPLICANT: Chi Partners, LLC 2711 Washtenaw Series

CAL NO.: 359-19-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:  
August 16, 2019

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2711 N. Washtenaw Avenue

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

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


THE VOTE

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Chi Partners, LLC 2711 Washtenaw Series

**CAL NO.:** 360-19-Z

**APPEARANCE FOR:** Paul Kolpak

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2711 N. Washtenaw Avenue

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

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

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
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:** Linlin Bai **CAL NO.:** 361-19-Z  
**APPEARANCE FOR:** Paul Kolpak **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2054 N. Burling Street

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

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

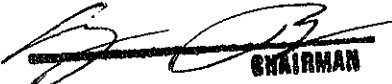
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 13.33', front setback to 2.5', south setback to 0.89', combined side setback to 4.23', roof top feature setback to 7.5' for a proposed front patio pit, roof deck with rooftop stairway enclosure and a rear two-story addition to the existing two-story, single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** FH7 Wicker Park, LLC **CAL NO.:** 368-19-S

**APPEARANCE FOR:** Meg George **MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1425 N. Milwaukee Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
FARZIN PARANG	X		
SYLVIA GARCIA	X		
SAM TOIA	X		

**SEP 23 2019**

**THE RESOLUTION:** **CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

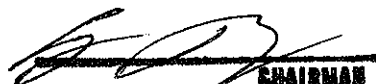
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair and nail salon; two additional special uses were approved for the subject property in Cal. Nos. 369-19-S and 370-19-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant FH7 Wicker Park, LLC.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** FH7 Wicker Park, LLC **CAL NO.:** 369-19-S  
**APPEARANCE FOR:** Meg George **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1425 N. Milwaukee Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

CITY OF CHICAGO

THE RESOLUTION: ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a massage establishment; two additional special uses were approved for the subject property in Cal.Nos.368-19-S and 370-19-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided, (a) the establishment maintains clear non-reflective windows on the street-facing building facade, which are not painted over, darkened or obstructed in any way, on the building facade so that the reception and waiting area is visible from the street, and (b) the special use is issued solely to the applicant FH7 Wicker Park, LLC.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** FH7 Wicker Park, LLC

**CAL NO.:** 370-19-S

**APPEARANCE FOR:** Meg George

**MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1425 N. Milwaukee Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 23 2019

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

THE RESOLUTION: CITY OF CHICAGO  
ZONING BOARD OF APPEALS

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a body art service to provide microblading / permanent makeup; two additional special uses were approved for the subject property in Cal. Nos. 368-19-S and 369-19-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant FH7 Wicker Park, LLC.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Keeper Property Holdings, LLC **CAL NO.:** 386-19-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
 August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1920 N. Kenmore Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 9.41' to zero, west setback from 11.38' to zero, north setback from 11.38' to 1.0'\*, combined side setback from 28.44' to zero, rear setback from 28.14' to zero, roof top feature setback from 20' to 6.17' for a proposed two-story, single family residence with an attached two-car\* garage, rooftop penthouse roof decks and pergolas.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

FARZIN PARANG  
 SYLVIA GARCIA  
 SAM TOIA


AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to zero, west setback to zero, north setback to 1.0'\*, combined side setback to zero, rear setback to zero, roof top feature setback to 6.17' for a proposed two-story, single family residence with an attached two-car\* garage, rooftop penthouse roof decks and pergolas; an additional variation was granted to the subject property in Cal. No. 387-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.  
 \*Amended at Hearing

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



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

**APPLICANT:** Keeper Property Holdings, LLC **CAL NO.:** 387-19-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 16, 2019  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1920 N. Kenmore Avenue

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

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 23 2019  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2019 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 2019; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to zero for a proposed two-story, single family residence with an attached two-car\* garage, rooftop penthouse roof decks and pergolas; an additional variation was granted to the subject property in Cal. No. 386-19-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

\*Amended at Hearing

**APPROVED AS TO SUBSTANCE**

  
CHAIRMAN

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

**APPLICANT:** Board of Education of City of Chicago **CAL NO.:** 394-19-S

**APPEARANCE FOR:** Scott Borstein **MINUTES OF MEETING:**  
August 16, 2019

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5300 N. Broadway

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

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

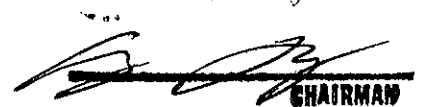
**THE VOTE**

**SEP 23 2019**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

FARZIN PARANG  
SYLVIA GARCIA  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**