

**CITY OF CHICAGO ZONING BOARD OF APPEALS
FRIDAY – October 15, 2021
VIRTUAL MEETING**

**THE CHAIRMAN HAS DETERMINED THAT AN IN-PERSON MEETING IS NOT PRACTICAL OR PRUDENT. ACCORDINGLY, ATTENDANCE AT THIS MEETING WILL NOT HAVE A PHYSICAL LOCATION AND WILL BE BY REMOTE MEANS ONLY. INSTRUCTIONS FOR HOW TO ACCESS THIS MEETING, PROVIDE WRITTEN COMMENT AND PARTICIPATE IN PUBLIC TESTIMONY ARE PROVIDED ON THE BOARD’S WEBSITE:
WWW.CHICAGO.GOV/ZBA.**

VIRTUALLY PRESENT VIA TELECONFERENCE FOR ALL OR SOME PORTIONS

**Timothy Knudsen
Zurich Esposito
Brian Sanchez
Jolene Saul
Sam Toia**

The Chairman called the meeting to order at 9:05 AM and then undertook a roll call to establish the presence of a quorum. The hearings commenced with five members present (Chairman, Esposito, Sanchez, Saul, and Toia).

Motion to approve the minutes from the September 17, 2021 regular meeting of the Board made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

Motion to approve the agenda for the October 15, 2021 regular meeting of Board made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

9:00 A.M.

411-21-S	ZONING DISTRICT: B3-1	WARD: 38
APPLICANT:	Angel Sanchez dba Angel's Shop, LLC	
OWNER:	Osicek Properties, LLC	
PREMISES AFFECTED:	6036 W. Irving Park Road	
SUBJECT:	Application for a special use to establish a hair salon. Withdrawn	

412-21-S	ZONING DISTRICT: B3-1	WARD: 36
APPLICANT:	Angelica Herrera dba Friends Unisex	
OWNER:	Angelica Herrera & Anastacio Herrera	
PREMISES AFFECTED:	6301-03 W. Grand Avenue	
SUBJECT:	Application for a special use to establish a hair and nail salon. Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.	

413-21-S
APPLICANT: KYC Hair salon
OWNER: Chicago Title and Land Trust # 1111928
PREMISES AFFECTED: 2900 N. Laramie Avenue
SUBJECT: Application for a special use to establish a hair salon.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

414-21-Z
APPLICANT: 4644 Inc.
OWNER: Halina Sedelmaier
PREMISES AFFECTED: 4644 N. Central Avenue
SUBJECT: Application for a variation to expand an existing non-conforming tavern use to include retail food service (pizza) on the ground floor of an existing two-story building.
Zoning denial issued in error. Motion to dismiss made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul and Toia.

415-21-S
APPLICANT: Addiction Nails
OWNER: Kimball One, LLC
PREMISES AFFECTED: 4411 N. Kimball Avenue
SUBJECT: Application for a special use to establish a nail salon.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

416-21-S
APPLICANT: Lele Nails Ltd, dba Ella Nails
OWNER: 2320 N Clark, LLC & Gerald Winkler
PREMISES AFFECTED: 2320 N. Clark Avenue
SUBJECT: Application for a special use to establish a nail salon.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

417-21-Z
APPLICANT: Rene Munoz
OWNER: Same as applicant
PREMISES AFFECTED: 4722 S. Tripp Avenue
SUBJECT: Application for a variation to increase the existing floor area from 3,367.92 to 3,534.96 square feet with a proposed 167.04 square foot third story addition to the existing three-story, three dwelling unit building to be deconverted to a two dwelling unit building.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

418-21-S
APPLICANT: Thaibinh Nguyen Hernandez dba Beauty Bladed Company
OWNER: Thaibinh Hernandez, Dong Nguyen, Ricardo Do, William Do
PREMISES AFFECTED: 4360 N. Milwaukee, Unit 1

SUBJECT: Application for a special use to establish a permanent make-up and body art tattoo facility.

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419-21-Z **ZONING DISTRICT: RS-3** **WARD: 46**
APPLICANT: Seeds of Joy Enterprises-NFP
OWNER: DW Davis, LLC
PREMISES AFFECTED: 4530 N. Beacon Street
SUBJECT: Application for a variation to reduce the rear setback from the required 50.14' to 22.16', south side yard setback from 4' to zero (north to be 4.06'), combined side yard setbacks from 10' to 4.06' to erect rear open decks and trash enclosure for a new day care in an existing three-three-story single family residence, a roof top elevator penthouse will also be erected.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

420-21-Z **ZONING DISTRICT: RS-3** **WARD: 46**
APPLICANT: Seeds of Joy Enterprises-NFP
OWNER: DW Davis, LLC
PREMISES AFFECTED: 4530 N. Beacon Street
SUBJECT: Application for a variation to reduce the rear yard open space from the required 541.52 square feet to zero to erect rear open porch with decks, trash enclosure and five car parking lot for a new day care in an existing three-story single-family residence, a roof top elevator penthouse will also be erected.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

421-21-S **ZONING DISTRICT: B3-2** **WARD: 16**
APPLICANT: Next Generation Tattoo Shop, LLC
OWNER: Paula Tate
PREMISES AFFECTED: 5527 S. Ashland Avenue
SUBJECT: Application for a special use to establish a body art service (tattoo shop).
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

At 10:52 AM, Chairman made a motion for a thirteen (13) minute recess. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia. The Board then stood in recess until 11:05 AM.

At 11:05 AM, Chairman made a motion to reconvene the meeting. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia. The Board then reconvened at 11:45 AM.

422-21-S **ZONING DISTRICT: B3-1** **WARD: 13**
APPLICANT: Tri City Foods of Illinois, LLC
OWNER: PLH-SGH Investments, LLC
PREMISES AFFECTED: 6350 S. Cicero Avenue

SUBJECT: Application for a special use to establish a tandem drive through and electronic menu boards to serve an existing fast-food restaurant.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

423-21-S ZONING DISTRICT: B3-1 WARD: 23
APPLICANT: Tri City Foods of Illinois, LLC
OWNER: All State BK Real Estate Holdings, Ltd.
PREMISES AFFECTED: 5425 S. Pulaski Road
SUBJECT: Application for a special use to establish a dual lane drive-through facility and electronic menu boards for an existing fast-food restaurant.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

424-21-S ZONING DISTRICT: C1-1 WARD: 36
APPLICANT: Wendy's Properties, LLC
OWNER: CRE JV Mixed Fifteen IL 3 Branch Holdings, LLC
PREMISES AFFECTED: 2811 N. Narragansett Avenue
SUBJECT: Application for a special use to establish a one-lane drive-through facility to serve a proposed fast-food restaurant in an existing one-story building.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

425-21-S ZONING DISTRICT: B3-2 WARD: 10
APPLICANT: McDonald's Corporation
OWNER: Same as applicant
PREMISES AFFECTED: 9211-13 S. Commercial Avenue
SUBJECT: Application for a special use to establish a dual lane drive through to serve an existing fast-food restaurant.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

426-21-S ZONING DISTRICT: C2-2 WARD: 44
APPLICANT: MedMar Lakeview, LLC
OWNER: CHP 3524 Clark, LLC
PREMISES AFFECTED: 3524 N. Clark Street
SUBJECT: Application for a special use to relocate an existing co-located medical cannabis dispensary / adult use cannabis dispensary in an existing commercial building.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

427-21-S ZONING DISTRICT: C2-2 WARD: 44
APPLICANT: MedMar Lakeview, LLC
OWNER: CHP 3524 Clark, LLC
PREMISES AFFECTED: 3524 N. Clark Street
SUBJECT: Application for a special use to relocate a co-located adult use

APPLICANT: Howard Orloff Imports, Inc.
OWNER: Peoria Enterprises, LLC
PREMISES AFFECTED: 1804 W. Armitage Avenue
SUBJECT: Application for a special use to permit a vehicle outdoor storage to serve an auto dealership located at another location.
Continued to December 17, 2021

438-21-Z **ZONING DISTRICT: C2-1** **WARD: 32**
APPLICANT: Howard Orloff Imports, Inc.
OWNER: Peoria Enterprises, LLC
PREMISES AFFECTED: 1804 W. Armitage Avenue
SUBJECT: Application for a variation to reduce the front setback from 1.31' to zero, west side setback from 2' to 1.82' for a proposed 6' high privacy fence and vehicular outdoor storage to serve an auto dealership located at another location.
Continued to December 17, 2021

439-21-Z **ZONING DISTRICT: B2-3** **WARD: 27**
APPLICANT: I Development, Inc.
OWNER: Same as applicant
PREMISES AFFECTED: 933-35 N. Orleans Street
SUBJECT: Application for a variation to reduce the rear setback from 30' to 20.25' for a proposed four-story with basement and partial ground floor nine dwelling unit building with roof deck, roof top penthouse stair and elevator enclosure and five open parking spaces at the rear.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

440-21-Z **ZONING DISTRICT: B3-3** **WARD: 44**
APPLICANT: SNS Realty Group, LLC
OWNER: Maurice Lipshutz Living Trust dated October 22, 1993
PREMISES AFFECTED: 1138 W. Belmont Avenue
SUBJECT: Application for a variation to reduce the front setback from the required 24.4' to 7.6', rear setback from 30' to zero for a proposed five-story, mixed use building with attached sixteen space parking garage. This is a transit served location.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

441-21-Z **ZONING DISTRICT: B3-3** **WARD: 44**
APPLICANT: SNS Realty Group, LLC
OWNER: Maurice Lipshutz Living Trust, dated October 22, 1993
PREMISES AFFECTED: 1138 W. Belmont Avenue
SUBJECT: Application for a variation to reduce the off-street loading space from the required one to zero for a proposed five-story, mixed use building with an attached sixteen space garage. This is a transit served location.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

442-21-Z **ZONING DISTRICT: RM-5** **WARD: 46**
APPLICANT: 700 W Grace Inc.
OWNER: Same as applicant
PREMISES AFFECTED: 700-10 W. Grace Street / 3802-04 N. Pine Grove Avenue
SUBJECT: Application for a variation to reduce the required rear yard open
space from 144 square feet to zero to allow the conversion of an
existing three-story sixteen dwelling unit building to a twenty
dwelling unit building.
**Motion to approve made by Chairman. Second by Toia. Motion
carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.**

443-21-Z **ZONING DISTRICT: RM-5** **WARD: 46**
APPLICANT: 700 W Grace Inc.
OWNER: Same as applicant
PREMISES AFFECTED: 700-10 W. Grace Street / 3802-04 N. Pine Grove Avenue
SUBJECT: Application for a variation to reduce the required on-site accessory
parking from four spaces to two for the conversion of an existing
sixteen dwelling unit building to a twenty dwelling unit building.
**Motion to approve made by Chairman. Second by Toia. Motion
carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.**

**At 2:28 PM, Chairman made a motion for a ten (10) minute recess. Second by Toia.
Motion carried 5-0: yeas – Chairman, Esposito, Sanchez, Saul, and Toia. The Board then
stood in recess until 5:20 PM.**

**At 2:38 PM, Chairman made a motion to reconvene the meeting. Second by Toia. Motion
carried 5-0: yeas – Chairman, Esposito, Sanchez, Saul, and Toia. The Board then
reconvened at 5:20 PM.**

444-21-S **ZONING DISTRICT: C1-2** **WARD: 7**
APPLICANT: Esther and Eugen Chukudebelu
OWNER: Same as applicant
PREMISES AFFECTED: 8108 S. Exchange Avenue
SUBJECT: Application for a special use to establish an additional dwelling
unit in the basement of a two-story, two dwelling unit building.
Continued to December 17, 2021

445-21-S **ZONING DISTRICT: B3-1** **WARD: 41**
APPLICANT: Starbucks Corporation
OWNER: DeMichele Properties, LLC
PREMISES AFFECTED: 5600 N. Harlem Avenue
SUBJECT: Application for a special use to establish a one-lane drive through
facility to serve a proposed one-story restaurant.
**Motion to approve made by Chairman. Second by Toia. Motion
carried 3-2; yeas – Sanchez, Saul, and Toia; nays – Chairman,
and Esposito.**

446-21-Z **ZONING DISTRICT: RS-3** **WARD: 33**
APPLICANT: Luis Cuzco
OWNER: Same as applicant
PREMISES AFFECTED: 3343 W. Warner Avenue
SUBJECT: Application for a variation to reduce the west side setback from the required 2.8' to 1.12' (east to be 10.97'), combined side yard setback to be 12.09' for a proposed one-story rear addition to the first-floor unit to the existing two-story, two dwelling unit building.
Continued to December 17, 2021

447-21-Z **ZONING DISTRICT: RM-5** **WARD: 27**
APPLICANT: Conservatory Apartments, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 414 N. Central Park Avenue
SUBJECT: Application for a variation to reduce the front setback on Monticello Avenue from the required 9.88' to zero, the required parking setback from the front property line on Monticello Avenue to prevent obstruction by parked cars from 20' to zero for a proposed four-story, forty-three-unit SRO building on a through lot with substandard lot depth.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

448-21-Z **ZONING DISTRICT: RS-3** **WARD: 27**
APPLICANT: Juan Pineda
OWNER: Same as applicant
PREMISES AFFECTED: 1000 N. Lawndale Street
SUBJECT: Application for a variation to reduce the north side yard setback from the required 4' to 1.01', south side yard setback from 4' to zero, combined side yard setback from 10' to 1.01', rear yard setback from 37.47' to 1.24', rear feature setback from 2' to 1.24' for a two car garage with alley access and a four car garage with two vehicles having alley access and two vehicles having drive way access and a proposed 7' high iron fence to serve the existing four dwelling unit building.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

At 5:05 PM, Chairman made a motion for a fifteen (15) minute recess. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia. The Board then stood in recess until 5:20 PM.

At 5:20 PM, Chairman made a motion to reconvene the meeting. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia. The Board then reconvened at 5:20 PM.

449-21-Z **ZONING DISTRICT: RT-4** **WARD: 47**
APPLICANT: Joe Bollini
OWNER: Same as applicant

PREMISES AFFECTED: 1741 W. Roscoe Street
SUBJECT: Application for a variation to reduce the rear setback from the required 37.5' to 2', east side setback from 2' to zero (west side to be zero), combined side yard setback from 5' to zero for a proposed three-story open porch/ stair and roof deck with access bridge, pergola and screening on an existing two-car detached garage that serves the existing three-story, three-dwelling unit building.
Motion to approve made by Chairman. Second by Toia. Motion failed 2-3; yeas – Chairman and Esposito; nays - Sanchez, Saul, and Toia.

450-21-Z **ZONING DISTRICT:** RT-4 **WARD:** 47
APPLICANT: Joe Bollini
OWNER: Same as applicant
PREMISES AFFECTED: 1741 W. Roscoe Street
SUBJECT: Application for a variation to relocate the required 203 square feet of rear yard open space to a garage roof deck for a proposed three-story open porch/ stair and roof deck with access bridge, pergola and screening on an existing two-car detached garage that serves the existing three-story, three-dwelling unit building.
Motion to approve made by Chairman. Second by Toia. Motion failed 2-3; yeas – Chairman and Esposito; nays - Sanchez, Saul, and Toia.

451-21-Z **ZONING DISTRICT:** RS-2 **WARD:** 13
APPLICANT: John Svienty
OWNER: Same as applicant
PREMISES AFFECTED: 6336 W. 60th Street
SUBJECT: Application for a variation to reduce the rear setback from the required 39.30' to 6.10', west side yard setback from 4' to 2.80' (east to be 5') combined side yard setback from 9' to 7.80' for a proposed second level addition to the existing one-story detached garage with an overall height of 20.72 feet to serve an existing single-family residence.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

452-21-S **ZONING DISTRICT:** PMD-8A **WARD:** 11
APPLICANT: IDIL 3700 Morgan, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 1109 W. 37th Street
SUBJECT: Application for a special use to establish a non-accessory parking containing one-hundred, seventy-nine parking stalls.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

CONTINUANCES

37-21-S **ZONING DISTRICT:** PMD-9 **WARD:** 28
APPLICANT: Canna B Growth, LLC

OWNER: Charles Hall
PREMISES AFFECTED: 4411 W. Carroll Street
SUBJECT: Application for a special use to establish a cannabis craft grow facility.
Continued to December 17, 2021

38-21-S **ZONING DISTRICT: PMD-9** **WARD: 28**
APPLICANT: Canna B Growth, LLC
OWNER: Charles Hall
PREMISES AFFECTED: 4411 W. Carroll Street
SUBJECT: Application for a special use to establish a cannabis processor facility.
Continued to December 17, 2021

332-21-S **ZONING DISTRICT: B3-2** **WARD: 7**
APPLICANT: Toyin Omolasho dba Ty African Hair Braiding
OWNER: Yehuda Reich, BSD realty Essex, LLC
PREMISES AFFECTED: 2602 E. 79th Street
SUBJECT: Application for a special use to establish a hair (braiding) salon.
Continued to December 17, 2021

335-21-Z **ZONING DISTRICT: C1-2** **WARD: 25**
APPLICANT: 1600 Pilsen, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 1606 -10 S. Ashland Avenue
SUBJECT: Application for a variation to reduce the minimum lot area from the required 24,000 square feet to 23,380 square feet for a proposed four-story, twenty-four dwelling unit building with thirty-four parking spaces and retail use.
Withdrawn

336-21-S **ZONING DISTRICT: B3-2** **WARD: 34**
APPLICANT: Easyway Property
OWNER: Same as applicant
PREMISES AFFECTED: 11100 S. State Street
SUBJECT: Application for a special use to expand the floor area of an existing gas station from 437 square feet to 893 square feet.
Continued to December 17, 2021

341-21-S **ZONING DISTRICT: B3-2** **WARD: 45**
APPLICANT: Tim Pomaville
OWNER: 4013 Pulaski, LLC
PREMISES AFFECTED: 4013-15 N. Pulaski Road
SUBJECT: Application for a special use to establish residential use below the second floor for a proposed four-story, four dwelling unit building with four required on-site parking spaces.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

403-21-Z **ZONING DISTRICT: RT-4** **WARD: 4**

APPLICANT: William Dodds
OWNER: Same as applicant
PREMISES AFFECTED: 4343 S. Forrestville Avenue
SUBJECT: Application for a variation to reduce the north and south side setbacks from two feet each to zero each, combined side yard setback from 4' to zero for a proposed two-story, single-family residence with detached two-car garage.
Motion to approve made by Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

Motion to move into closed session pursuant to Sections 2(c)(4) and 2(c)(21) of the Open Meetings Act for the purpose of: (1) considering the evidence and testimony presented in open session; and (2) conducting Board’s mandatory six-month review of closed session minutes made by the Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia. Meeting went into closed session at 7:33 PM.

Motion to return to open session made by the Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia. Meeting returned to open session at 8:14 PM.

Motion to approve all continuance requests to the dates previously stated made by the Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

Motion to approve all withdrawal requests. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

Chairman reported that in closed session, the Board had determined that the Board’s written closed session minutes did not require confidentiality and after their approval at the Board’s next meeting, they would be available for public inspection. However, the Board had determined that the need for confidentiality still existed for all verbatim recordings of closed session.

Motion to approve the written resolutions containing findings of fact consistent with the votes of the Board for Board Cal. Nos. 328-21-Z, 329-21-Z, 333-21-S, and 334-21-Z made by the Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

Motion to approve the written resolutions containing findings of fact consistent with the votes of the Board at its regular meeting of September 17, 2021, with the exception of Board Cal. Nos. 398-21-Z, 399-21-Z, 404-21-Z, 405-21-Z, 406-21-Z, and 246-21-S made by the Chairman. Second by Toia. Motion carried 5-0; yeas – Chairman, Esposito, Sanchez, Saul, and Toia.

The Chairman moved to adjourn at 8:25 PM. Second by Toia. Motion carried 5-0; yeas- Chairman, Esposito, Sanchez, Saul, and Toia.

Adjournment.