

MAY 15, 2020

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

MINUTES OF MEETING:

May 15, 2020

Cal. No. 112-19-S

The Applicant Modern Guapos Company presented a written request for an extension of time in which to establish a barber shop at the subject property 6020 S. Archer Avenue. The special use was approved on February 15, 2019 in Cal. No. 112-19-S.

The Applicant's representative, Freddie Estrada stated that he was in the process of obtaining the permits for renovations to the subject property. However, in the last two months, this process has been slowed by the pandemic quarantine restrictions for both businesses and government offices.

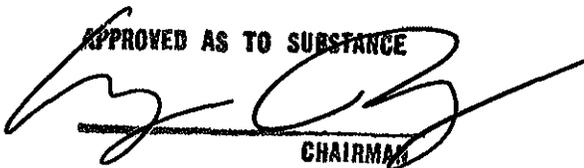
Chairman Parang moved the request be granted and the time for obtaining the necessary permits be extended to March 18, 2021.

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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APPROVED AS TO SUBSTANCE

CHAIRMAN

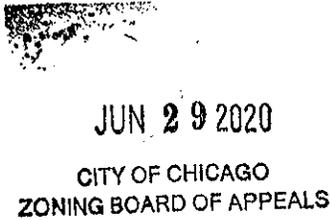
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Western Carmen Bldg, LLC **CAL NO.:** 119-20-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 2402 W. Carmen Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 2' for a proposed four-story, twenty four dwelling unit, mixed use building with ground floor-retail.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

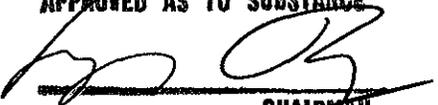
AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2' for a proposed four-story, twenty four dwelling unit, mixed use building with ground floor-retail; an additional variation was granted to the subject property in Cal. No. 120-20-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: Western Carmen Bldg, LLC

CAL NO.: 120-20-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2402 W. Carmen Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one required 10' x 25' loading space for a proposed four-story, twenty-four dwelling unit building with ground floor retail.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

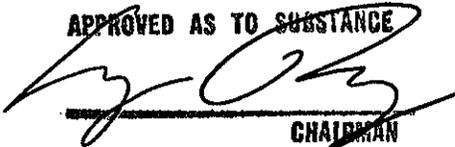
AFFIRMATIVE	NEGATIVE	ABSENT
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 10' x 25' loading space for a proposed four-story, twenty-four dwelling unit building with ground floor retail; an additional variation was granted to the subject property in Cal. No. 119-20-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: Scott Addison **CAL NO.:** 121-20-A
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 2737 and 2767 N. Cicero Avenue

NATURE OF REQUEST: Application for an appeal of the decision of the Office of the Zoning Administrator in refusing to establish auto sales in a B1-1 Zoning District.

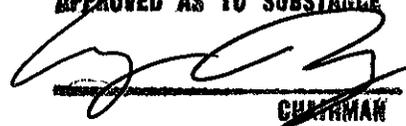
ACTION OF BOARD-
Continued to June 19, 2020

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Michael Clancy **CAL NO.:** 122-20-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 10815 S. St. Louis Avenue

NATURE OF REQUEST: Application for a variation to reduce the south setback from the required 6' to 3' (north to be 11') combined side setback from 18' to 14', front yard setback from 25.89' to 15.67' for a proposed two-story, single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

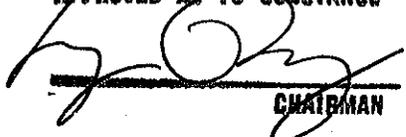
AFFIRMATIVE	NEGATIVE	ABSENT
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 south setback to 3' (north to be 11') combined side setback to 14', front yard setback to 15.67' for a proposed 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.

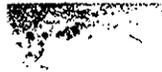
APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Richard Ferro **CAL NO.:** 123-20-Z
APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 3134 S. Shields Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 2' on Stewart Avenue, the parking setback from the front property line on Stewart Avenue to prevent the obstruction of the sidewalk by parked cars from 20' to 2', the unobstructed open space width required along the north property line from 5' to 3', the open space along the south property line from 5' to 2' for a proposed three-story, three welling unit building with side open stairs and the north wall and three unenclosed parking spaces on a through lot.

**ACTION OF BOARD-
VARIATION GRANTED**



JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 2' on Stewart Avenue, the parking setback from the front property line on Stewart Avenue to prevent the obstruction of the sidewalk by parked cars to 2', the unobstructed open space width required along the north property line to 3', the open space along the south property line to 2' for a proposed three-story, three welling unit building with side open stairs and the north wall and three unenclosed parking spaces on a through lot; 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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Richard Ferro

CAL NO.: 124-20-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3136 S. Shields Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 2' on Stewart Avenue, the parking setback from the front property line on Stewart Avenue to prevent the obstruction of the sidewalk by parked cars from 20' to 2', the unobstructed open space width required along the north property line from 5' to 3', the open space along the south property line from 5' to 2' for a proposed three-story, three welling unit building with side open stairs and the north wall and three unenclosed parking spaces on a through lot.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
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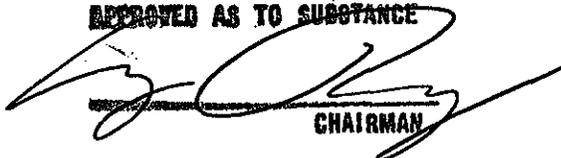
AFFIRMATIVE	NEGATIVE	ABSENT
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WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 2' on Stewart Avenue, the parking setback from the front property line on Stewart Avenue to prevent the obstruction of the sidewalk by parked cars to 2', the unobstructed open space width required along the north property line to 3', the open space along the south property line from 5' to 2' for a proposed three-story, three welling unit building with side open stairs and the north wall and three unenclosed parking spaces on a through lot; 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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Michelle E. Aponte Boska **CAL NO.:** 125-20-Z
APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2004 W. Superior Street

NATURE OF REQUEST: Application for a variation to reduce the front setback along Lee Place from 28.3' to zero, reduce the combined side setback from 4.8' to 4.5 (west to be 2' and east shall be 2.5') for a proposed two-story, single family residence with detached two-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

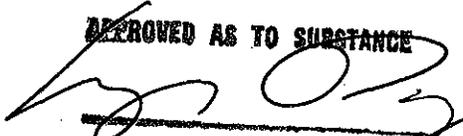
AFFIRMATIVE	NEGATIVE	ABSENT
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 along Lee Place to zero, reduce the combined side setback to 4.5 (west to be 2' and east shall be 2.5') for a proposed two-story, single family residence with detached two-car garage; an additional variation was granted to the subject property in Cal. No. 126-20-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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

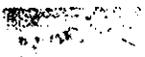
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Michelle E. Aponte Boska **CAL NO.:** 126-20-Z
APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2004 W. Superior Street

NATURE OF REQUEST: Application for a variation to reduce the front property line along Lee Place to the proposed garage from 20' to zero for a proposed two-story, single family residence with a detached two-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

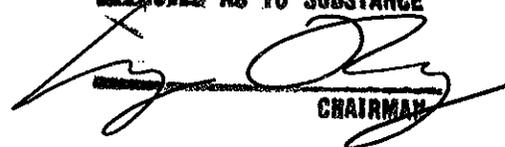
AFFIRMATIVE	NEGATIVE	ABSENT
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 property line along Lee Place to the proposed garage from 20' to zero for a proposed two-story, single family residence with a detached two-car garage; an additional variation was granted to the subject property in Cal. No. 125-20-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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Paradise Cliffs, LLC Cal. No. 127-20-S
APPEARANCE FOR: Liz Butler / Katie Dale **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 668 W. Diversey Parkway

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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THE RESOLUTION:

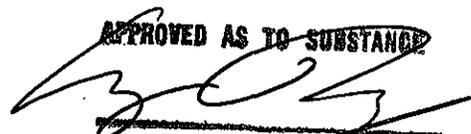
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; and

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; 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 license is issued solely to Davken LLC doing business as Massage Envy.*

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: Juan Carlos Santillian dba BRBL No. 2, LLC

Cal. No. 128-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:

APPEARANCE AGAINST: None

May 15, 2020

PREMISES AFFECTED: 5040 S. Archer Avenue, 1st Floor

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; and

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

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

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: Linh Pham Lincoln Square Nails Inc. Cal. No. 129-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4614 N. Western Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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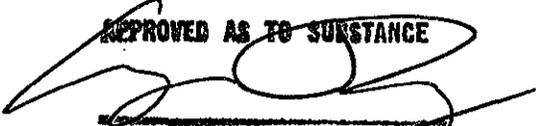
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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):

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: Michael Clancy **CAL NO.:** 130-20-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 10504 S. Spaulding Avenue

NATURE OF REQUEST: Application for a variation to reduce the combined side setback from the required 11.1' to 9' (north to be 4', south to be 5') for a proposed two-story, single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

THE VOTE

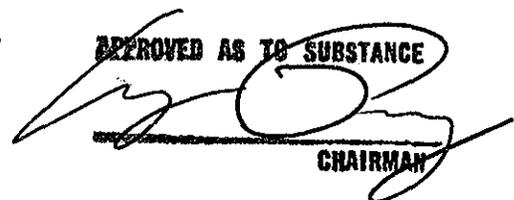
AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
	X	
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 combined side setback to 9' (north to be 4', south to be 5') for a proposed 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: Creative Property Group, LLC **CAL NO.:** 131-20-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 3357-59 W. 37th Place

gb
NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 13.5' to zero, west setback from 2.43' to zero (east to be 9.7") combined side setback to be 9.7' for the subdivision of one zoning lot into two zoning lots. The existing one-story single family residence shall remain. A single family residence is proposed for the vacant lot.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE



JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

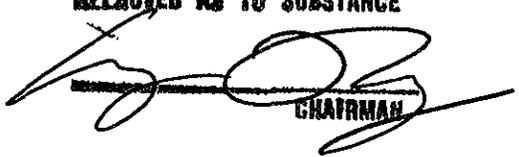
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 (east to be 9.7") combined side setback to be 9.7' for the subdivision of one zoning lot into two zoning lots. The existing one-story single family residence shall remain. A single family residence is proposed for the vacant lot; 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 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

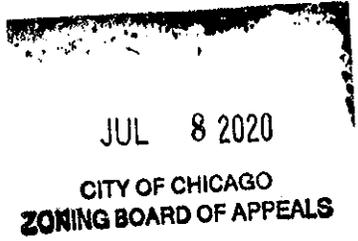
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Wilmot Construction Inc. **CAL NO.:** 132-20-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3207 N. Lawndale Avenue*

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 12' on floors containing dwelling units for a proposed four-story building with rooftop stairway and elevator enclosures and an attached nine-car garage for a retail use and nine dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 12' on floors containing dwelling units for a proposed four-story building with rooftop stairway and elevator enclosures and an attached nine-car garage for a retail use and nine dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property 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.

*Scrivener's Error

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

APPLICANT: Wilmot Construction Inc.

CAL NO.: 132-20-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3307 N. Lawndale Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 12' on floors containing dwelling units for a proposed four-story building with rooftop stairway and elevator enclosures and an attached nine-car garage for a retail use and nine dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

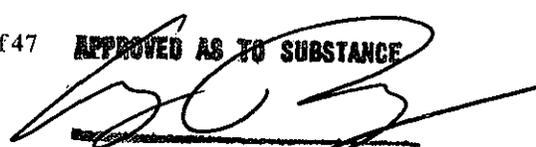
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; and

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 12' on floors containing dwelling units for a proposed four-story building with rooftop stairway and elevator enclosures and an attached nine-car garage for a retail use and nine dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property 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: CA Residential 3542 N. Southport, LLC **CAL NO.:** 133-20-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 3542 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the 30' to 6.69 for a proposed four-story, mixed use building with private residential roof deck and roof top elevator and stair penthouse enclosures and an attached two-car garage with roof deck from the second story.

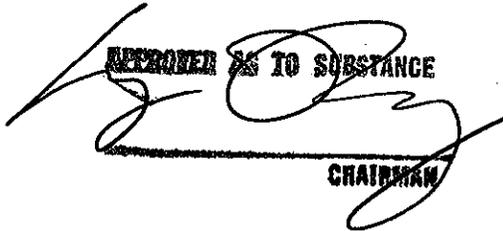
ACTION OF BOARD-
Continued to June 5, 2020

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: CA Residential 3542 N. Southport, LLC

CAL NO.: 134-20-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3542 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to increase the height from 50' to 55' for a proposed four-story, mixed use building with private residential roof deck and roof top elevator and stair penthouse enclosures and an attached two-car garage with roof deck from the second story.

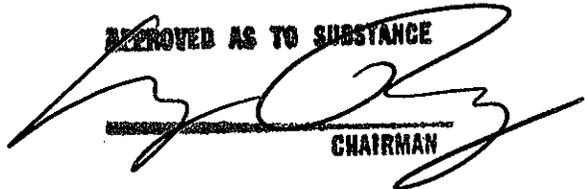
ACTION OF BOARD-
Continued to June 5, 2020

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Maria Saaverda **CAL NO.:** 135-20-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2900 W. 25th Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 33.6' to 3.64' west setback from 2.5' to zero, (east be zero for abutting a public street) for a proposed rear fence with rolling gate at 8.5' in height and a rear patio at the rear of the existing two- story building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

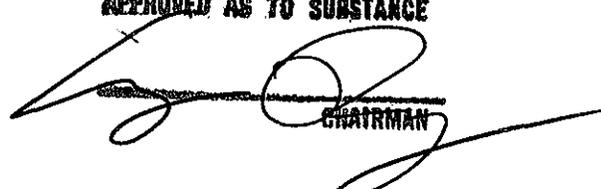
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 3.64' west setback to zero, (east be zero for abutting a public street) for a proposed rear fence with rolling gate at 8.5' in height and a rear patio at the rear of the existing two- story building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: John Downes Construction, Inc. **CAL NO.:** 136-20-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 3149 N. Sawyer Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback on N. Sawyer Street from the required 6.27' to zero a proposed three-story, seven dwelling unit building and a three and four car attached garages.

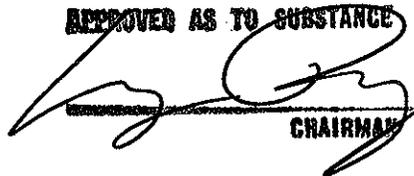
ACTION OF BOARD-
Continued to June 5, 2020

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Five Thirty One Partners, LLC **CAL NO.:** 137-20-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 6700-20 W. North Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to zero to convert an existing two-story building to residential use and construct a third story addition and establish thirty-six new dwelling units over an existing vacant ground floor financial service use.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 to convert an existing two-story building to residential use and construct a third story addition and establish thirty-six new dwelling units over an existing vacant ground floor financial service use; an additional variation was granted to the subject property in Cal. No. 138-20-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: Five Thirty One Partners, LLC **CAL NO.:** 138-20-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
 May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6700-20 W. North Avenue

NATURE OF REQUEST: Application for a variation to reduce the off-street loading zone requirement from one to zero to convert an existing two-story building to residential use and construct a third story addition and establish thirty-six new dwelling units over an existing vacant ground floor financial service use.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

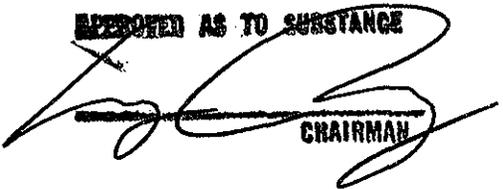
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 off-street loading zone requirement to zero to convert an existing two-story building to residential use and construct a third story addition and establish thirty-six new dwelling units over an existing vacant ground floor financial service use; an additional variation was granted to the subject property in Cal. No. 137-20-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: Five Thirty One Partners Cal. No. 139-20-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6746-58 W. North Avenue

NATURE OF REQUEST: Application for a special use to establish an off-site required accessory parking lot with thirty-six parking spaces to serve the proposed thirty-six dwelling unit building located at 6700-20 W. North Avenue which is located within 600 feet of the nearest off-site parking space.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
X		

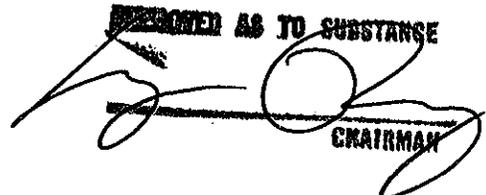
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 off-site required accessory parking lot with thirty-six parking spaces to serve the proposed thirty-six dwelling unit building located at 6700-20 W. North Avenue which is located within 600 feet of the nearest off-site parking space; 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 Five Thirty One Partners, and the development is consistent with the design and layout of the site and landscape plans dated April 13, 2020, prepared by Axios Architects and Consultants.

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: Edward Clark

Cal. No. 140-20-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1905 W. Belmont Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

78-11

JUN 29 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

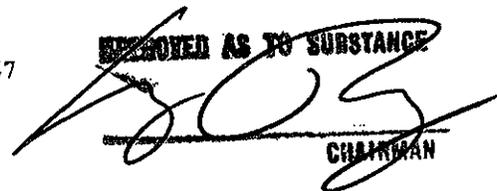
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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):

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: Jay Shetty **CAL NO.:** 141-20-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2220 W. Dickens Avenue

NATURE OF REQUEST: Application for a variation to increase the floor area ratio from 2,634 square feet to 2,698 square feet for a proposed west side addition to the existing two-story single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

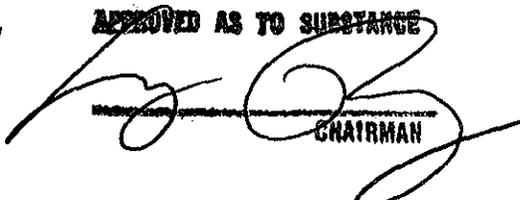
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 floor area ratio to 2,698 square feet for a proposed west side addition to the existing two-story single family residence; an additional variation was granted to the subject property in Cal. No. 142-20-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: Jay Shetty **CAL NO.:** 142-20-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 2220 W. Dickens Avenue

NATURE OF REQUEST: Application for a variation to reduce the west setback from 2' to 0.94' (south setback to be 3.67'), combined side yard setback from 4.83' to 4.61' for a proposed west side addition to the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

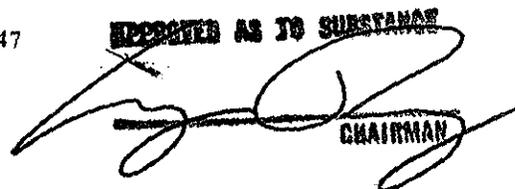
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 0.94' (south setback to be 3.67'), combined side yard setback to 4.61' for a proposed west side addition to the existing single family residence; an additional variation was granted to the subject property in Cal. No. 141-20-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 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.

REPORTED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Lakeside Bank, an Illinois Banking Corporation Cal. No. 143-20-S
APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:** May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3849-59 S. Halsted Street

NATURE OF REQUEST: Application for a special use to amend an existing special use for a two lane drive through facility to serve a bank. The amendment request will alter the bulk and function of the existing special use, from the design conditions specified by the Zoning Board of Appeals at the time of the approval specifically to re-design the exterior parking lay out ingress and egress. The parking shall be provided across the alley at 3850-52 S. Emerald Avenue.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 amend an existing special use for a two lane drive through facility to serve a bank. The amendment request will alter the bulk and function of the existing special use, from the design conditions specified by the Zoning Board of Appeals at the time of the approval specifically to redesign the exterior parking lay out ingress and egress. The parking shall be provided across the alley at 3850-52 S. Emerald Avenue; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated February 10, 2020, prepared by Pappageorge Haymes.

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: 1443 W. Summerdale Partners, LLC CAL NO.: 144-20-Z

APPEARANCE FOR: Nicholas Ftikas MINUTES OF MEETING:

May 15, 2020

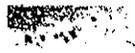
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1443 W. Summerdale Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35.15' to 2', east setback from 2.4' to zero (west to be zero) combined side setback from 7' to zero for a proposed front and rear addition, rear open deck, two car garage with roof deck and access stair directly from the rear deck to an existing two-story, two dwelling unit building to be converted to a single family residence.

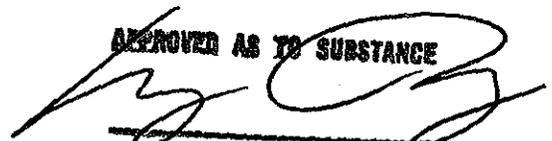
ACTION OF BOARD-
Continued to June 19, 2020

THE VOTE


JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1443 W. Summerdale Partners, LLC **CAL NO.:** 145-20-Z

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

May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1443 W. Summerdale Avenue

NATURE OF REQUEST: Application for a variation to increase the allowed floor area from the maximum 3,389 square feet (0.9) to 3,766 square feet (1.0) for a proposed front and rear addition, rear open deck, two-car detached garage with roof deck and access stair directly from the rear deck to an existing two-story, two dwelling unit building to be converted to a single family residence.

ACTION OF BOARD-
Continued to June 19, 2020

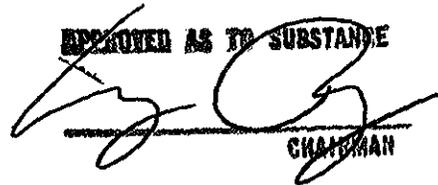
THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Sika Blanche Toneho dba Gloria Africa Beauty

Cal. No. 146-20-S

APPEARANCE FOR: Ebere Ekechukwu

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2332 W. 111th Street

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

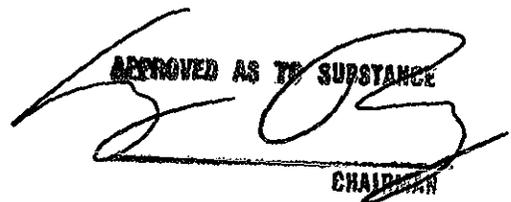
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 braiding 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):

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: Fletcher Lofts, LLC Cal. No. 147-20-S
APPEARANCE FOR: Talar Berberian **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3133-43 N. Sheffield Avenue

NATURE OF REQUEST: Application for a special use to reduce the amount of required on-site parking for a transit served location from eighty-six spaces to twenty-nine spaces to convert the existing five-story building to an eight six dwelling unit building with twenty-nine parking spaces in the basement.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

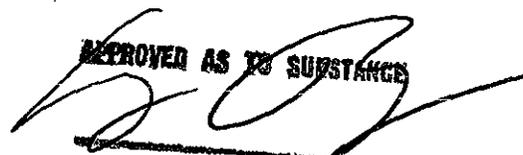
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 amount of required on-site parking for a transit served location to twenty-nine spaces to convert the existing five-story building to an eight six dwelling unit building with twenty-nine parking spaces in the basement; a variation was also granted to the subject property in Cal. No. 148-20-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 Fletcher Lofts, LLC, and the development is consistent with the design and layout of the plans and drawings dated August 17, 2019, prepared by Jef and Associates, LLC.

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: Fletcher Lofts, LLC Cal. No. 148-20-Z
APPEARANCE FOR: Talar Berberian **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3133-43 N. Sheffield Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 15,578.9 square feet to 14,512.15 square feet to convert the existing five-story building to an eighty-six dwelling unit building with twenty-nine parking spaces in the basement.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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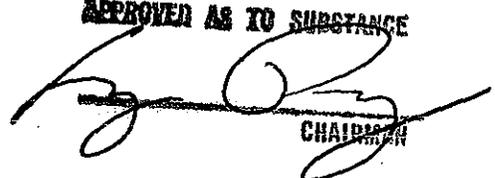
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; 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 to 14,512.15 square feet to convert the existing five-story building to an eighty-six dwelling unit building with twenty-nine parking spaces in the basement; a special use was also granted to the subject property in Cal. No. 147-20-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: Coen Developers, LLC Cal. No. 149-20-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4932 N. Damen

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story, three dwelling unit building and a detached three-car garage with roof deck and access from the three-story open porch and stairs in the rear.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

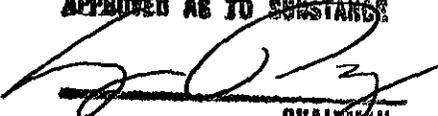
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed three-story, three dwelling unit building and a detached three-car garage with roof deck and access from the three-story open porch and stairs in the rear; a variation was also granted to the subject property in Cal. No. 150-20-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 9, 2020, prepared by MC and Associates, LLC..

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

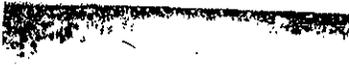
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Coen Developers, LLC Cal. No. 150-20-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 4932 N. Damen Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 2' for a proposed three-story, three dwelling unit building with detached three-car garage with roof deck and direct access from the three-story open porch and stairs.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

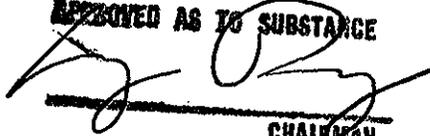
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 1, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2' for a proposed three-story, three dwelling unit building with detached three-car garage with roof deck and direct access from the three-story open porch and stairs; a special use was also granted to the subject property in Cal. No. 149-20-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: A.I.M. Art in Motion Cal. No. 151-20-S

APPEARANCE FOR: Graham Grady / Sylvia Michas **MINUTES OF MEETING:**
May 15, 2020

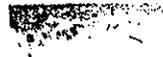
APPEARANCE AGAINST: None

PREMISES AFFECTED: 7401-45 S. East End Avenue

NATURE OF REQUEST: Application for a special use to expand an existing special use for a school with a one story addition. The applicant will occupy 117,998 square feet of the 125,037 square foot expanded building. There will be on-site parking spaces for employees, visitors, student drop off and pick up and a landscaped plaza.

**ACTION OF BOARD-
APPLICATION WITHDRAWN**

THE VOTE



JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: PC AU 3, LLC Cal. No. 152-20-S
APPEARANCE FOR: Katriina McGuire **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 12-14 W. Maple Street

NATURE OF REQUEST: Application for a special use to establish an Adult Use Cannabis Dispensary.

ACTION OF BOARD-

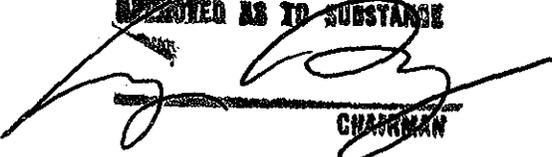
Continued by the Chairman pursuant to his authority under the Emergency Rules until such time that the Board can either: (1) resume in-person hearings; or (2) the Chairman feels the virtual meeting format is sufficient to accommodate everyone who wishes to speak on this application.

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

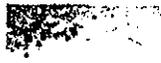
APPLICANT: PDI Medical III, LLC Cal. No. 153-20-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 21-29 W. Division Street

NATURE OF REQUEST: Application for a special use to establish an Adult Use Cannabis Dispensary.

ACTION OF BOARD-

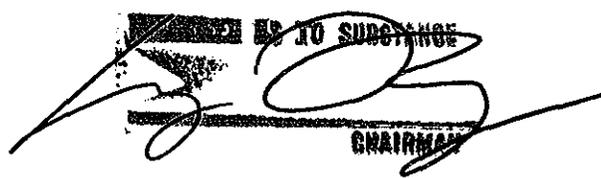
Continued by the Chairman pursuant to his authority under the Emergency Rules until such time that the Board can either: (1) resume in-person hearings; or (2) the Chairman feels the virtual meeting format is sufficient to accommodate everyone who wishes to speak on this application.

THE VOTE


JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


CHAIRMAN

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

APPLICANT: Pilsen Church

Cal. No. 18-20-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:

May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1809 S. Racine

NATURE OF REQUEST: Application for a special use to establish an eighty-four seat religious assembly facility.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

APPROVED

JUN 29 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

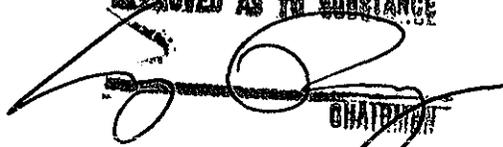
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 2, 2020; 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 eighty-four seat religious assembly 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 development is consistent with the design and layout of the plans and drawings dated September 21, 2018, prepared by Aiello Architecture Design.

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: Pilsen Church Cal. No. 19-20-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 1854 S. Racine

NATURE OF REQUEST: Application for a special use to establish eleven, off-site parking spaces to serve the religious assembly located at 1809 S. Racine Avenue.

**ACTION OF BOARD-
APPLICATION WITHDRAWN**

THE VOTE



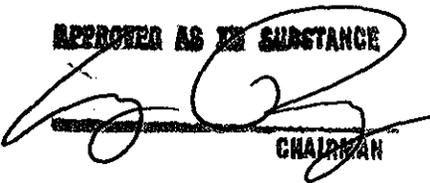
JUN 29 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Pilsen Church Cal. No. 20-20-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 1854 S. Racine

NATURE OF REQUEST: Application for a variation to establish shared parking for two non-residential uses with different hours of operation, with proposed off-site parking to serve a religious assembly at 1809 S. Racine Avenue.

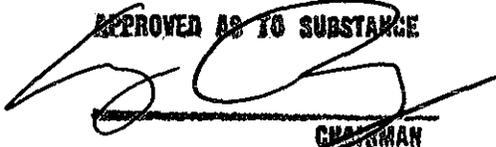
**ACTION OF BOARD-
APPLICATION WITHDRAWN**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Webster 914 LLC

APPLICANT

26-20-Z
CALENDAR NUMBER

916 West Webster Avenue

PREMISES AFFECTED

May 15, 2020

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<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 916 WEST
WEBSTER AVENUE BY WEBSTER 914 LLC.**

I. BACKGROUND

Webster 914 LLC (the "Applicant") submitted a variation application for 916 West Webster Avenue (the "subject property"). The subject property is currently zoned RT-4 and is vacant. The Applicant sought a variation to reduce: (1) the combined side setback from the required 4.8' to 4'; and (2) the rear setback from 34.5' to 21.67' to allow the construction of a proposed three-story, two-unit building (the "proposed building") and to provide access to the proposed garage roof deck (the "garage roof deck").

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 May 15, 2020¹, 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

¹ Note that due to the COVID-19 public health emergency, the ZONING BOARD OF APPEALS' regular March 20, 2020 meeting had been rescheduled to the ZONING BOARD OF APPEALS' May 15, 2020 regular meeting. Thus, all items heard at the May 15, 2020 meeting were items from the ZONING BOARD OF APPEALS' March 20, 2020 agenda.

without further notice until May 15, 2020, as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. August 16, 2019), the Applicant had submitted its proposed Findings of Fact. In accordance with the ZONING BOARD OF APPEALS' Emergency Rules (eff. March 18, 2020)², the Applicant had submitted all documentary evidence. The manager of the manager of the Applicant³ Mr. Alan Keribar and the Applicant's attorney Mr. Thomas Moore were present. The Applicant's architect Mr. Christopher Dasse and a partner with the manager of the Applicant Mr. Luke Bakalar were also present. 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. Thomas Moore provided an overview of the requested variation. Mr. Moore stated that the subject property was short in length and narrow. He stated that the dimensions of the subject property led the Applicant to seek a variation to reduce the side setback. He stated that the Chicago Zoning Ordinance required a minimum combined side setback of 4'8"⁴ and that the Applicant sought to reduce the side setback to 2' on each side of the subject property, reducing the combined side setback by 8" to 4'. He stated that the variation would enable the subject property to have the same amount of area available for construction as the 25' wide properties in the area. He stated that the Applicant also sought to construct the garage roof deck and that a majority of houses on the subject property's block have garage roof decks. He stated that the stairs to the garage roof deck could be built as-of-right and that the stairs would "kiss the drive."

The Applicant offered the testimony of the manager of its manager Mr. Alan Keribar. Mr. Keribar testified that he was part of the development team that owns the subject property and planned to develop the subject property. He testified that the subject property faced two hardships: (1) the subject property is only 115' long; and (2) and the subject property is only 24' wide.⁵ He testified that the 8"⁶ of additional width was needed in order to allow the Applicant to build the proposed building to the same dimensions as those located on 25' wide properties. He stated that the purpose of the

² Such Emergency Rules were issued by the chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers pursuant to Article II, Section 2 of that certain ordinance adopted by the City Council of the City of Chicago (the "City Council" and the "City") on April 24, 2020, and retroactively applied to March 18, 2020, to protect the health, safety and welfare of City residents during the COVID-19 public health emergency, State of Illinois Executive Order 2020-7, issued by the Governor of the State of Illinois ("Governor") on March 16, 2020, in which certain sections of the Open Meetings Act (5 ILCS 120/1 *et seq.*) were suspended during the COVID-19 public health emergency and State of Illinois Executive Order 2020-10 issued by the Governor on March 20, 2020, in which all public gatherings were limited, in accordance with guidelines recommended by the United States Center for Disease Control, to no more than 10 people.

³ As disclosed in the Applicant's Economic Disclosure Statements to the ZONING BOARD OF APPEALS, the Applicant is wholly owned by Bak Home Development Partners, LLC.

⁴ Mr. Moore incorrectly stated that the combined side setback for the subject property required by the Chicago Zoning Ordinance is 4'8". However, Section 17-2-0309-A of the Chicago Zoning Ordinance requires a combined side setback of 20% of the lot width, which in this case is 4.8' or 4' 9.6".

⁵ The plat of survey shows that the subject property is 24' wide for 93' of its length. The rear 22' of the subject property is 25' wide.

⁶ Mr. Keribar, like Mr. Moore before him, incorrectly stated that the reduction in combined side setback is 8". However, and as noted above, the reduction in combined side setback is 0.8' or 9.6".

second variation was to access the garage roof deck. He further stated that five neighbors enjoyed such access, including the immediate neighbors to the east and west of the subject property. Mr. Keribar testified that 7' would be between the proposed building and the building immediately east even if the entire requested combined side setback relief (i.e., the 0.8' or 9.6") were taken off the east side setback. Mr. Keribar testified that he had conducted a committee⁷ meeting and that he had at least two letters of support from the property owners to the east. He testified he also had a letter of no objection from the ward alderman.⁸ He testified that if he were to continue to testify, such testimony would be consistent with the affidavit submitted by the Applicant on his behalf.

The Applicant offered the testimony of Mr. Luke Bakalar, a partner with the manager of the Applicant. He testified that he had his real estate license with @properties and that he performs residential sales. He testified that he was Mr. Keribar's partner. He testified that he intended to address why the requested variation was necessary in order to achieve a reasonable rate of return and that this was likewise discussed in his affidavit. He testified that without the garage deck access and without the bedroom dimensions exceeding 10', the Applicant would fall short of competitive units and the ultimate sales prices would likewise suffer, thereby affecting the reasonable rate of return. He testified that in his affidavit he provided information on comparable sales. He testified that he could find only one new comparable construction unit that did not have a garage roof deck and that such unit languished on the market for five times the average number of days it took to sell units without a garage roof deck. He testified that a unit with a bedroom smaller than 10' is difficult to sell. He testified that he completed an affidavit that addressed the criteria for a variation and that if he were to continue to testify, such testimony would be consistent with such affidavit.

The Applicant offered the testimony of its architect Mr. Chris Dasse. Mr. Dasse testified that he designed the proposed building and that the shortness and slimness of the subject property presented certain difficulties to his design.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Keribar testified that the Applicant is wholly owned by Bak Home Development Partners, LLC. In response to further questions from the Zoning Board of Appeals, Mr. Moore stated that the Applicant had two letters of support from the neighbors to the immediate east of the subject property. He stated that the Applicant had a community meeting with the community group⁹ (the "community group") and that the community group did not support the application for the variation. He stated that the letter did not specify that the community group objected to the application for variation. He stated that the alderman had previously received two continuances on this matter and had intimately discussed the

⁷ Although not specified at the time, Mr. Moore's later comments make clear that the committee in question was the Sheffield Neighborhood Association's planning committee.

⁸ The subject property is located in the 43rd Ward of Chicago. The alderman of the 43rd Ward is alderman Michelle Smith.

⁹ Mr. Moore later clarified that the community group was the Sheffield Neighborhood Association. A letter from the Sheffield Neighborhood Association was submitted to the record.

application for variation with all neighbors. He stated that the Applicant had done everything the alderman had asked the Applicant to do in regard to the application for variation and as a result, the alderman sent a letter stating that she had no objection. In response, the ZONING BOARD OF APPEALS indicated that though the ZONING BOARD OF APPEALS respects an alderman's input regarding development in his or her ward, the ZONING BOARD OF APPEALS is also interested in the input of neighborhood groups and block clubs. In response to questions from the ZONING BOARD OF APPEALS, Mr. Moore stated that at one time a neighbor wished to purchase the subject property, and that there was a neighbor that was against the application for variation (the "west neighbor").¹⁰ He stated that the Applicant then approached the community group, which then had discussions with the west neighbor. Mr. Moore stated that due to the objection of the west neighbor, the community group did not want to affirmatively support the application for variation, which is reflected by the letter from the community group. In response to further questions from the Zoning Board of Appeals, Mr. Keribar testified that the community group in question was the Sheffield Neighbors.¹¹

In response to further requests for clarification from the ZONING BOARD OF APPEALS, Mr. Moore confirmed that the alderman was not in support of the application for variation and that the alderman provided a letter to the Applicant stating that she was not in objecting to the application for variation. The ZONING BOARD OF APPEALS confirmed that it was in receipt of the letter from the community group.

Mr. Moore stated that he did not want to mislead the ZONING BOARD OF APPEALS. He further stated that in his experience, there may be a person that an applicant cannot make happy. He stated that the alderman spoke extensively with the west neighbor and that the alderman did not want to be affirmatively against the west neighbor. Mr. Moore stated that the alderman was very involved in speaking with the west neighbor.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Keribar testified that the side of the block upon which the subject property was located is 115' in depth. He testified that nearly all neighbors to the subject property have setback accommodations to deal with the hardship associated with the short lot. He testified that pretty much everyone's side setback was zero or less than a foot.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Keribar testified that the west neighbor was the neighbor that opposed the application for variation and that the Applicant met with the west neighbor, at which time the west neighbor was fairly hostile. He testified that the west neighbor purchased the property immediately west of the subject property in the summer of 2019 and that it became apparent that the west neighbor did not think that the subject property would be developed so quickly. He testified that the complaints were not as to the requested

¹⁰ Mr. Keribar testified later in the hearing that the neighbor in opposition was the property owner immediately to the west of the subject property.

¹¹ The full name of the community group is the Sheffield Neighborhood Association.

variation and did not affect the west neighbor, as the variation only affected the east side¹² of the subject property. He testified that the basis of the west neighbor's complaints related to downzoning the subject property and whether the subject property could instead be developed into a single-family home. He testified the since the building to the west is on the property line, the west neighbor has needed to access the subject property in order to perform repairs to his/her own property and the Applicant had allowed the such access. He testified that just that week it became apparent that part of the west neighbor's rear deck was on the subject property. He testified that said rear deck needed repairs and that the alderman reached out to the Applicant in order to ask that the Applicant accommodate the west neighbor. He testified that the Applicant would be working with the west neighbor's title company in order to provide a permanent easement to allow the deck to remain on the subject property. He testified that the Applicant was forced to develop around the west neighbor's rear deck. He testified that the Applicant has accommodated the west neighbor as much as it possibly could and that the accommodation was beyond what was actually normal.

In response to question from the ZONING BOARD OF APPEALS, Mr. Keribar testified that the Bak Home Development LLC also developed 910 West Webster and 912 West Webster and that the plan for the subject property was to follow a similar program of development as those properties. In response to further questions from the ZONING BOARD OF APPEALS, Mr. Keribar testified that in addition to a letter of support from 908 West Webster, the Applicant had submitted a letter of support from itself because at the time the application for variation was filed, there were no owners living at 910 West Webster and 912 West Webster.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Keribar testified that it would not be feasible to develop the property without the variation. He testified that the Applicant attempted to sell the subject property and originally only planned to develop 910 West Webster and 912 West Webster. He testified that the subject property was on the market for eleven months and the Applicant dropped the price after eight months to a price point at which the Applicant would have lost money on the sale. He testified that the Applicant considered developing the subject property with a single-family home but that there was a preference is to be located on north-south streets such as Fremont or Dayton instead of Webster. He testified that the subject property is undersized, and that people are looking for 5,200 square foot homes, while the proposed building is 4,000 square feet. He testified that it was not economically feasible to develop the subject property into a single-family home. He further testified that the variation would allow the Applicant to realize a return of 5.7%.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Bakalar testified that without the variation, the subject property would fall short of comparable properties. He testified that he had been unable to find whether any of the thirty-four

¹² As can be seen from the Applicant's site plan, Mr. Keribar was speaking about the Applicant's request to reduce the combined side setback. For the most part, both the east and west side setbacks will each be 2'. However, on the east side setback there is a chimney that extends into the setback (though such chimney is a permitted obstruction pursuant to Section 17-17-0309 of the Chicago Zoning Ordinance).

(34) new construction units that had been sold within the area in the past year had bedroom dimensions under 10'. He testified that the subject property would be an anomaly with such bedroom dimensions. He further testified that after a search of seventeen newly constructed duplex down units, he had been unable to find any which had sold without a garage roof deck. He testified that the subject property would be an anomaly if sold without a garage roof deck.

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 proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby

makes the following findings with reference to the Applicant 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 shorter and narrower than the standard lot. The subject property is 115' in depth and 24' in width for much of its length, while a standard lot is 125' in depth and 25' in width. As Mr. Bakalar credibly testified, without the variation, the substandard size of the lot would prevent the Applicant from constructing bedrooms in excess of 10' for the proposed building. Likewise, the variation allows the Applicant to provide access to the garage roof deck. As Mr. Bakalar further testified, in order for the proposed building to be competitive with comparable sales in the area, the proposed building would need to provide bedrooms in excess of 10' and access to the garage roof deck. As Mr. Keribar credibly testified, the Applicant had failed to sell the subject property after eleven months on the market. Without the variation, the Applicant would be unable to achieve a reasonable rate of return and the subject property would remain underutilized.

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 orderly and compatible land use and development patterns pursuant to §17-1-0508 of the Chicago Zoning Ordinance in that it allows for the development of the subject property and the construction of the proposed building; (2) ensuring adequate light, air, privacy, and access to property pursuant to §17-1-0509 of the Chicago Zoning Ordinance by maintaining a 2' side setback on either side of the subject property; and (3) maintaining a range of housing choices and options pursuant to §17-1-0512 by enabling the Applicant to construct the proposed building with bedrooms that are functional, marketable and consistent with other new construction in the area.

After careful consideration of the evidence, testimony and the entire record, including the Applicant proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant 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.*

As stated previously, Mr. Keribar credibly testified that the Applicant attempted to sell the subject property without seeking a variation. After eight months on the market, the Applicant lowered the price of the subject property to a sum that would have resulted in a loss for the Applicant. Even after the price reduction, the Applicant was unable to sell the subject property after an additional three months on the market. Because of this, it is clear that the subject property cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.

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

The ZONING BOARD OF APPEALS finds that the particular hardship facing the subject property, namely the subject property's substandard size, is unique to the subject property and is not generally applicable to other similarly situated property. Most residential property in the City of Chicago is 25' wide by 125' deep.

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

The ZONING BOARD OF APPEALS finds that the variation, if granted, will not alter the essential character of the neighborhood because it will allow the proposed building to be constructed. As Mr. Keribar credibly testified, the variation allows the proposed building to be constructed with dimensions that are comparable with buildings built on standard-width lots. Side setbacks of 2' will not result in any change to the essential character; indeed, the property next west has a building built on the lot line. Further, the reduction to the rear yard setback so that the proposed building may have access to the proposed rooftop deck will also not alter the essential character of the neighborhood. As Mr. Keribar also testified, five neighbors enjoyed such access, including the immediate neighbors to the east and west of the subject property.

After careful consideration of the evidence, testimony and the entire record, including the Applicant proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant 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.

Because of the substandard width and depth of the subject property, the variation is needed in order to provide the proposed building with suitably-sized bedrooms and access to the garage roof deck. As credibly testified to by Mr. Keribar, without the variation the Applicant would not be able to develop the subject property and the subject property would remain underutilized.

- 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 ZONING BOARD OF APPEALS finds that substandard depth and width of the subject property are not applicable to other properties within the RT-4 zoning classification. Standard lots in the City of Chicago are 125' in depth and 25' in width.

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

The purpose of the variation is to enable the Applicant to develop the subject property. As noted previously, without the variation the proposed building would not have bedrooms of a marketable size and the Applicant would not be able to provide access to the garage deck. As Mr. Keribar credibly testified, the Applicant was unable to sell the subject property, even after dropping the price to a sum that would result in a loss. Without the variation, the Applicant would be unable to realize a reasonable return on the subject property, which would lead to an inability for the Applicant to develop the subject property. Thus, the purpose of the variation is not based exclusively upon a desire to make more money out of the subject property but rather out of a desire to put the subject property to productive use.

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

As can be seen from the plat of survey, the subject property is considerably shorter than a standard lot. The substandard depth of the subject property precedes the Applicant's purchase of the property and cannot be attributed in any way to the Applicant actions.

- 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 variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The variation to the combined side setback is a reduction of only 9.6". The east and west side setbacks will each be 2'. Further, the reduction of the rear yard setback will allow the Applicant to provide access to the garage roof deck, which is consistent with nearby properties, including the adjacent properties to the east and west of the subject property. As the reduction in the combined side setback is de minimis and access to the garage roof deck is in keeping with nearby and adjacent properties, the ZONING BOARD OF APPEALS finds that the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood which the subject property is located.

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.*

As the subject property will maintain a 2' side setback on its east and west sides, as the proposed building will be built in conformance to all height restrictions imposed by the Chicago Zoning Ordinance, and as the rear yard setback will allow the proposed building to provide access to the garage roof deck in a fashion similar to its adjacent east and west neighbors, the ZONING BOARD OF APPEALS finds that the granting of the variation will not impair an adequate supply of light and air to adjacent property. As the site plans evidence parking for three vehicles (which meets and exceeds the requirements of the Chicago Zoning Ordinance), congestion in the public streets will not substantially increase. The proposed building will not be built unless and until the Applicant has obtained valid building permits and thus the variation will not increase the danger of fire or endanger the public safety. Because the variation enables the Applicant to construct a new structure in place of a vacant and underutilized parcel, property values in the neighborhood will not be impaired.

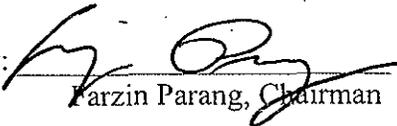
IV. CONCLUSION

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 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.*

APPROVED AS TO SUBSTANCE

By: 
Farzin Parang, Chairman

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

APPLICANT: Joseph Caldwell, Jr.

Cal. No. 55-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 901 W. 129th Place

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15.41' to zero, east side setback from 6.83' to zero, west side setback from 5' to zero for a proposed one-story addition connecting a new one-story addition with parking and a rear two-story addition to the existing one-story single family residence being converted to two dwelling units.

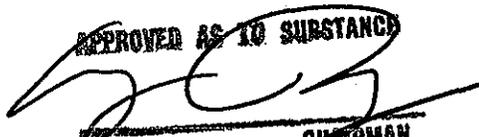
ACTION OF BOARD-
Continued to June 5, 2020

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: FJ Homestead, LLC Cal. No. 65-20-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 15, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1044 W. Polk Street

NATURE OF REQUEST: Application for a variation to reduce the east side setback from 2' to 0.33', (west side setback shall be 3'), combined side setback from 4.8' to 3.33', rear setback from 28.8' to 19.33' for a proposed new stair bridge connection that will access a proposed roof deck top deck on an existing detached two-car garage from the existing rear open porch that serves the existing four-story, two dwelling unit building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
	X	
	X	
X		

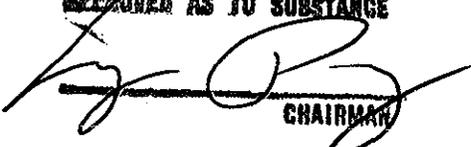
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; 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 0.33', (west side setback shall be 3'), combined side setback to 3.33', rear setback to 19.33' for a proposed new stair bridge connection that will access a proposed roof deck top deck on an existing detached two-car garage from the existing rear open porch that serves the existing four-story, two dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3027-29 W. Logan, LLC Cal. No. 78-20-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3027-29 W. Logan Boulevard

NATURE OF REQUEST: Application for a variation to reduce the east setback from the required 4.24' to 3.83', west setback from 4.24' to 3.25', combined side setback from 10.6' to 7.08', rear setback from 32.54' to 3.6' for a proposed rear three-story addition to the existing three story, seven dwelling unit building to be converted to a fifteen dwelling unit building.

ACTION OF BOARD-

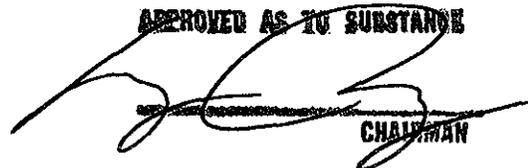
Continued at the request of the applicant until such time that the Emergency Rules are repealed and the Board can resume in-person hearings.

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3027-29 W. Logan, LLC Cal. No. 79-20-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 3027-29 W. Logan Boulevard

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 540 square feet to zero for a proposed three story addition to the existing three story, seven dwelling unit building to be converted to a fifteen dwelling unit building.

ACTION OF BOARD-

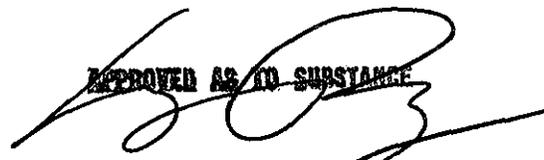
Continued at the request of the applicant until such time that the Emergency Rules are repealed and the Board can resume in-person hearings.

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: TP Packers Cal. No. 86-20-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 15, 2020
PREMISES AFFECTED: 4301 S. Packers Avenue

NATURE OF REQUEST: Application for a special use to establish a major utilities and service use which would allow for an existing one-story building to be used for transit maintenance with outdoor vehicle storage.

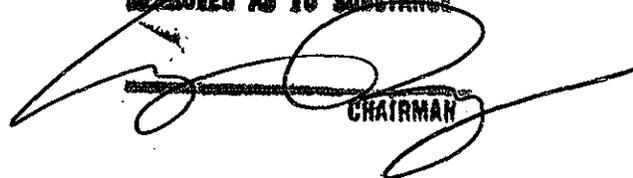
**ACTION OF BOARD-
APPLICATION WITHDRAWN**

THE VOTE

JUN 9 9 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: TP Packers Cal. No. 87-20-S

APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
May 15, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4301 S. Packers Avenue

NATURE OF REQUEST: Application for a special use to establish outdoor vehicle storage for a proposed transit maintenance facility in an existing one-story building.

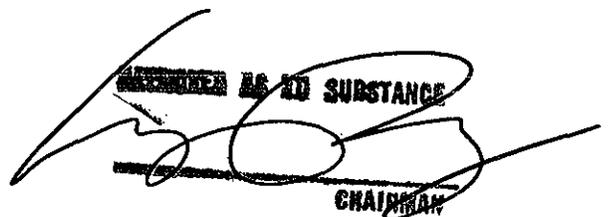
ACTION OF BOARD-
APPLICATION WITHDRAWN

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

~~MEMBER 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



JUN 29 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Jimmy's Food & Deli, Inc.

APPLICANT

90-20-S

CALENDAR NUMBER

5601 W. Madison Street

PREMISES AFFECTED

May 15, 2020

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"/>
Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<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 5601 W.
MADISON STREET BY JIMMY'S FOOD & DELI, INC.**

I. BACKGROUND

Jimmy's Food & Deli, Inc. (the "Applicant") submitted a special use application for 5601 W. Madison Avenue (the "subject property"). The subject property is currently zoned C1-3 and is improved with a one-story restaurant (the "existing restaurant") and a parking lot that services the restaurant (the "parking lot"). The Applicant proposed to establish a one-lane drive-through facility for the existing restaurant. 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 of Chicago's Department of Planning and Development (the "Zoning Administrator") recommended approval of the proposed one-lane drive-through facility, provided that: (1) the special use was issued solely to the Applicant; and the development was consistent with the design and layout of the plans and drawings dated April 22, 2020, prepared by BAU Design & Development.

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 on May 15, 2020¹, 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 (eff. August 16, 2019), the Applicant had submitted its proposed Findings of Fact. In accordance with the ZONING BOARD OF APPEALS' Emergency Rules (eff. March 18, 2020)², the Applicant had submitted all documentary evidence. The Applicant's president Mr. Yasser Nasser and its attorney Mr. Mark Kupiec were present. The Applicant's project architect Mr. Damien Babicz and its MAI certified real estate appraiser Mr. Joseph M. Ryan were also present. The statements, documentary evidence and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Emergency Rules and Rules of Procedure.

The Applicant's attorney Mr. Mark Kupiec provided a short overview of the application.

The Applicant offered the testimony of its president Mr. Yasser Nasser in support of the application.

The Applicant offered the testimony of its project architect Mr. Damien Babicz in support of its application.

The Applicant offered the testimony of its MAI certified appraiser Mr. Joseph M. Ryan in support of the application. The ZONING BOARD OF APPEALS recognized Mr. Ryan's credentials as an expert in real estate appraisal.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Nasser offered further testimony in support of the application. In particular, he testified that: (1) he did not sell liquor at the existing restaurant; (2) there would be no issue with the ZONING BOARD OF APPEALS' conditioning its approval of the Applicant's special use on the Applicant not selling liquor at the existing restaurant.

¹ Note that due to the COVID-19 public health emergency, the ZONING BOARD OF APPEALS' regular March 20, 2020 meeting had been rescheduled to the ZONING BOARD OF APPEALS' May 15, 2020 regular meeting. Thus, all items heard at the May 15, 2020 meeting were items from the ZONING BOARD OF APPEALS' March 20, 2020 agenda.

² Such Emergency Rules were issued by the chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers pursuant to Article II, Section 2 of that certain ordinance adopted by the City Council of the City of Chicago (the "City Council" and the "City") on April 24, 2020, and retroactively applied to March 18, 2020, to protect the health, safety and welfare of City residents during the COVID-19 public health emergency, State of Illinois Executive Order 2020-7, issued by the Governor of the State of Illinois ("Governor") on March 16, 2020, in which certain sections of the Open Meetings Act (5 ILCS 120/1 *et seq.*) were suspended during the COVID-19 public health emergency and State of Illinois Executive Order 2020-10 issued by the Governor on March 20, 2020, in which all public gatherings were limited, in accordance with guidelines recommended by the United States Centers for Disease Control and Prevention, to no more than 10 people.

B. Criteria for a Special Use

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

III. FINDINGS OF FACT

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

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

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

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

The proposed special use is in the interest of the public convenience. As set forth in Mr. Ryan's report, there is a demonstrated demand for drive-through facilities in Chicago as consumers have shown a preference for consumables via a drive-through facility. Further, as can be seen from the site plans and drawings, the proposed drive-through facility is very well designed so that it will not have a significant adverse impact on the general welfare of the neighborhood. Nor will

³ Pursuant to Section 17-3-0207-Z of the Chicago Zoning Ordinance.

the proposed special use (as set forth in Mr. Ryan's report) negatively impact property values in the area.

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

As can be seen from the site plans, the proposed special use allows for ample car stacking, as it is located at the rear of the subject property. The parking lot itself has good vehicular circulation, and the subject property has three separate curb-cuts to accommodate vehicular ingress and egress. Further, Madison Street is an arterial street at this location. Based on all this, the proposed special use is 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.*

The Applicant already operates a seven (7) days a week, twenty-four (24) hours a day restaurant on the subject property and has for the past three (3) years. As the Applicant proposes that the special use shall share the same hours of operation with the existing restaurant, the proposed special use is therefore compatible with the character of the surrounding area in terms of hours of operation. The existing restaurant has adequate outdoor lighting. As can be seen from the site plans, the proposed special use will not generate excessive noise or traffic generation, as the proposed special use is located at the rear of the subject property and there is (as mentioned above) ample car stacking. Thus, the proposed special use is compatible with character of the surrounding area in terms of outdoor lighting, noise and traffic generation.

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

As can be seen from the site plans, the proposed special use is designed to promote pedestrian safety and comfort. It is situated at the rear of the subject property so that any excess stacking will occur within the parking lot, not in the street or over the sidewalk. As the proposed special use will need to be developed consistently with the site plans, the Applicant shall improve the parking lot with a wrought iron fence, which will further ensure that the sidewalk and the parking lot are separated. Further, from the pictures contained in the Applicant's proposed Findings of Fact, the site lines for the vehicular ingress and egress to the proposed special use are clear for both pedestrians and drivers.

IV. CONCLUSION

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

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

1. The special use shall be issued solely to the Applicant;
2. The special use shall be developed consistently with the design and layout of the plans and drawings dated April 22, 2020, prepared by BAU Design & Development;
3. The Applicant shall not sell liquor at the subject property while the special use is in operation.

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

APPROVED AS TO SUBSTANCE

By: 
Farzin Parang, Chairman