

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

APPLICANT: PH Chicago, LLC

Cal. No.: 45-24-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1854 N. Howe Street

NATURE OF REQUEST: Application for a variation to reduce the north and south side setbacks from 2' to 1' each, combined side yard setback from 4.4' to 2' for a proposed three-story, single-family residence with rooftop deck partially covered pergola 10' high, rooftop stair way and elevator enclosure and first floor open rear deck 4' high.

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm

THE VOTE



ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Baleria Garcia Frutos & Cesar Frutos **Cal. No.:** 46-24-Z

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6640 S. Kedvale Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 14.84' to 8.83', north side setback from 4' to 2.85', combined side yard setback from 9' to 5.57', rear setback from 35.1' to 3.01' for a proposed rear one-story addition with first floor covered open rear deck and new covered open front porch on the existing two-story single-family residence and to erect a new detached two car garage with accessory attic storage which is 16.54' in height.

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm

THE VOTE

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Daniel Varanauski

Cal. No.: 47-24-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 650 W. Wrightwood Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 50' to 1', reduce the east and west side setback from 2' to zero each, combined side yard setback from 5' to zero for a proposed detached two car garage with storage area and three enclosed bicycle spaces to serve an existing four-story, three dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 1', reduce the east and west side setback to zero each, combined side yard setback to zero for a proposed detached two car garage with storage area and three enclosed bicycle spaces to serve an existing four-story, three 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: In His Image Barber Lounge, LLC Cal. No.48-24-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5240 W. Belmont Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; 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 has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Vanessa Beckhoff Ferrero

Cal. No.: 49-24-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 911-13 N. Mozart Street

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to zero (south to be 3.3') combined side yard setback from 5' to 3.3' to allow the division of an improved zoning lot. The existing four-story, three dwelling unit shall remain. A vacant lot is proposed at 913 N. Mozart Street.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north side setback to zero (south to be 3.3') combined side yard setback to 3.3' to allow the division of an improved zoning lot. The existing four-story, three dwelling unit shall remain. A vacant lot is proposed at 913 N. Mozart Street; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18/24.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Pedro's & Family Barber Shop, LLC Cal. No.50-24-S

APPEARANCE FOR: Katarina Karac

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3858 W. Fullerton Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: ML Nail Spa Operating, LLC Cal. No.51-24-S

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1218 E. 53rd Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

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

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

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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Stefan Macy

Cal. No.: 52-24-Z

APPEARANCE FOR: Rolanda Acosta

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1046 N. Wood Street

NATURE OF REQUEST: Application for a variation to allow the expansion of the floor area that has been in existence for fifty years by 518.1 square feet for a proposed third story dormer addition and conversion of the existing attic into a finished third story for the existing two-story, four dwelling unit building to be converted to a five dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to allow the expansion of the floor area that has been in existence for fifty years by 518.1 square feet for a proposed third story dormer addition and conversion of the existing attic into a finished third story for the existing two-story, four dwelling unit building to be converted to a five 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.

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APPROVED AS TO SUBSTANCE

CHAIRMAN



**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

APR 29 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

**Cornerstone Community
Outreach**

APPLICANT(S)

53-24-S

CALENDAR NUMBER(S)

1132-1140 W. Wilson Ave.
SUBJECT PROPERTY

February 16, 2024
HEARING DATE

ACTION OF BOARD	THE VOTE	AFFIRMATIVE	NEGATIVE	ABSENT
The special use application was DENIED for failure to receive three affirmative votes.	Brian Sanchez, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Vaishali Rao (alternate)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	[vacant position]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. APPLICATION BACKGROUND

The subject property is located in the Uptown neighborhood. It is zoned C1-5 and is improved with an existing 3 story mixed-use building. The Applicant submitted a special use application, proposing to operate a transitional shelter with 40 non-congregate shelter units on the subject property. Pursuant to Section 17-3-0207-B.10 of the Chicago Zoning Ordinance, a transitional shelter is a special use in a C1 zoning district. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended approval to establish a 40-bed transitional shelter with staff support utilizing 39 efficiency units within an existing two-and three story, mixed-use building provided: (1) the special use is issued solely to the applicant, Cornerstone Community Outreach; (2) the development is consistent with the design and layout of the plans and drawings dated February 14, 2024 prepared by Manske Dieckmann Thompson, PLLC; (3) the building is exclusively utilized as a transitional shelter; and (4) there are no more than 40 unhoused single males residing on site at any time.

II. PUBLIC HEARING

In accordance with the Rules of Procedure of the Zoning Board of Appeals ("ZBA"), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant's special use application at its regular meeting held on Friday, February 16, 2024. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-

13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

III. SPECIAL USE CRITERIA

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZBA 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.

IV. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZBA makes the following findings:

In order to receive special use approval, an applicant must be able to prove that the proposed use meets all of the five special use criteria under Section 17-13-0905-A of the Chicago Zoning Ordinance. An application can only be approved by the ZBA if it receives three affirmative votes. For the present matter, the Applicant's case was deficient in that its proposed findings, evidence presented, and the five hours of testimony before the Board failed to persuade more than two of the four ZBA commissioners that this application met all five of the special use criteria. Furthermore, the Board was surprised that the Applicant did not continue the matter in order to work out the disagreements between the Applicant and the members of the community. As a result, the ZBA arrived at a split decision 2-2 which functions as a denial pursuant to Section 17-13-0907 of the Chicago Zoning Ordinance and p.11 of the ZBA Rules of Procedure. The ZBA is unable to make specific findings for each of the special use criteria when there is no agreement amongst a majority of commissioners.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

1. For all the above reasons, the ZBA finds that the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed

Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance.

2. The ZBA hereby DENIES the Applicant's application for a special use.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 4/29, 2024.


Janine Klich-Jensen

HEARING PARTICIPANT EXHIBIT

Applicant is represented by an attorney: ☐ No ☒ Yes, Rich Klawiter

Name	Title (if applicable)	Address	Support	Oppose	Neutral
Andrew Winter	Executive Director of Applicant	4615 N. Clifton Avenue Chicago, IL 60640	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patrick Thompson	Project Architect	4629 N. Broadway Chicago, IL 60640	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Merideth Muir	Chicago Department of Housing	121 N. LaSalle St. 10 th Floor, Ste 1000 Chicago, IL 60602	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Howard	Chicago Department of Family and Support Services	1615 W. Chicago Ave 5th Floor Chicago, IL 60622-5127	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Kisiel	Land Planner	141 W. Jackson Blvd. Chicago IL 60604	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Sullivan	2Bears Tavern Uptown	1140 W Wilson Ave, Chicago, IL 60640	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lenny Asaro, counsel for and present with Matt Denny owner of Uptown Records, LLC		4654-56 N. Clifton Ave. Chicago, IL 60640	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Agustin, counsel for Uptown Covenant Church, present with Pastor Jeremy Falk		4612 N Clifton Ave Chicago, IL 60640	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Terry Lu	Uptown Covenant Church	4612 N Clifton Ave Chicago, IL 60640	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tara Pease	Neighbor	4603 N. Racine Chicago, IL 60640	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Denise Keim	Owner of Chicago Center for Photo Journalism	1226 W. Wilson Avenue Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ashtynn Baltimore		4711 N. Magnolia Ave. Chicago, IL 60640	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Hoffman	Neighbor	4603 N. Racine Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

[illegible]

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

APPLICANT: 2035 W. Race Ave., LLC

Cal. No.: 54-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2035 W. Race Avenue

NATURE OF REQUEST: Application for a variation to reduce the west side setback from the required 2' to zero (east to be 3.02', combined side yard setback from 4.8' to 3.02'), for a proposed rear, two-story addition, rear one-story open deck and new detached two car garage with roof deck and access stair for the existing two-story, two dwelling unit building to be deconverted to a single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the west side setback to zero (east to be 3.02', combined side yard setback to 3.02'), for a proposed rear, two-story addition, rear one-story open deck and new detached two car garage with roof deck and access stair for the existing two-story, two dwelling unit building to be deconverted to a single-family residence; Denice Alvera residing at 2033 W. Race Ave. filed her appearance in opposition; two additional variations were granted to the subject property in Cal. Nos. 55-24-Z and 56-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

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APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2035 W. Race Ave., LLC

Cal. No.: 55-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2035 W. Race Avenue

NATURE OF REQUEST: Application for a variation to relocate the 225 square feet of rear yard open space to a deck or patio that is greater than 4' from grade for a proposed rear, two-story addition, rear one-story open deck and new detached two car garage with roof deck and access stair for the existing two-story, two dwelling unit building to be deconverted to a single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate the 225 square feet of rear yard open space to a deck or patio that is greater than 4' from grade for a proposed rear, two-story addition, rear one-story open deck and new detached two car garage with roof deck and access stair for the existing two-story, two dwelling unit building to be deconverted to a single-family residence; Denise Alvera residing at 2033 W. Race Ave. filed her appearance in opposition; two additional variations were granted to the subject property in Cal. Nos. 54-24-Z and 56-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 2035 W. Race Ave., LLC

Cal. No.: 56-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2035 W. Race Avenue

NATURE OF REQUEST: Application for variation to expand the existing floor area in existence for 50 years by 283.2 square feet for a proposed rear, two-story addition, rear one-story open deck and new detached two car garage with roof deck and access stair for the existing two-story, two dwelling unit building to be deconverted to a single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ

ZURICH ESPOSITO

VAISHALI RAO

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to expand the existing floor area in existence for 50 years by 283.2 square feet for a proposed rear, two-story addition, rear one-story open deck and new detached two car garage with roof deck and access stair for the existing two-story, two dwelling unit building to be deconverted to a single-family residence; Denice Alvera residing at 2033 W. Race Ave. filed her appearance in opposition; two additional variations were granted to the subject property in Cal. Nos. 54-24-Z and 55-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Metro Salon Irving Park, LLC

Cal. No.57-24-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:

February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2024 W. Irving Park Road

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ

ZURICH ESPOSITO

VAISHALI RAO

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; 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 has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Timeout at Shannon's, LLC

Cal. No.58-24-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:

February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6700 W. North Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; 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 has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Michael Bojda and Mateusz Bojda

Cal. No.: 59-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2428 W. Erie Street

NATURE OF REQUEST: Application for a variation to reduce the west side setback from 2' to 1' (east to be 3'), combined side setback to be 4' for a proposed rear two-story, single-family residence.

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Michael Bojda and Mateusz Bojda

Cal. No.: 60-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2432 W. Erie Street

NATURE OF REQUEST: Application for a variation to reduce the east side setback from the required 2' to 0.12' (west to be 2.86') combined side yard setback from 4.8' to 2.8' to allow the division of an improved zoning lot. The existing three-story, three dwelling unit building at 2432 W. Erie Street shall remain. A single-family residence is proposed at 2428 W. Erie Street.

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Michael Bojda and Mateusz Bojda

Cal. No.: 61-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2432 W. Erie Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from 194 square feet to zero to divide an improved zoning lot. The existing three-story, three dwelling unit shall remain at 2432 W. Erie Street. A single-family residence is proposed at 2428 W. Erie Street.

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm

ZBA


MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Dresden Development Company, LLC **Cal. No.:** 62-24-Z
APPEARANCE FOR: Andrew Scott **MINUTES OF MEETING:**
APPEARANCE AGAINST: None February 16, 2024
PREMISES AFFECTED: 2222 N. Halsted Street

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to 0.21', south side setback from 2' to zero, combined side yard setback from 5' to 0.21', rear setback from 37.5' to 22.83' for a proposed fourth floor upper story addition with roof top deck and pergola. A four-story rear addition with elevator and five-story open rear egress stair with open rear decks over 4' high for the existing three story, three dwelling unit building being renovated and a new two-car garage with three enclosed bicycle spaces and accessory building roof top deck and bridge connection to an open rear deck.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north side setback to 0.21', south side setback to zero, combined side yard setback to .21', rear setback to 22.83' for a proposed fourth floor upper story addition with roof top deck and pergola. A four-story rear addition with elevator and five-story open rear egress stair with open rear decks over 4' high for the existing three story, three dwelling unit building being renovated and a new two-car garage with three enclosed bicycle spaces and accessory building roof top deck and bridge connection to an open rear deck; an additional variation was granted to the subject property in Cal. No. 63-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Dresden Development Company, LLC **Cal. No.:** 63-24-Z
APPEARANCE FOR: Andrew Scott **MINUTES OF MEETING:**
February 16, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2222 N. Halsted Street

NATURE OF REQUEST: Application for a variation to relocate the required 164 square feet of rear yard open space to an accessory rooftop deck for a proposed fourth floor upper story addition with roof top deck and pergola. A four-story rear addition with elevator and five-story open rear egress stair with open rear decks over 4' high for the existing three story, three dwelling unit building being renovated and a new two-car garage with three enclosed bicycle spaces and accessory building roof top deck and bridge connection to an open rear deck.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate the required 164 square feet of rear yard open space to an accessory rooftop deck for a proposed fourth floor upper story addition with roof top deck and pergola. A four-story rear addition with elevator and five-story open rear egress stair with open rear decks over 4' high for the existing three story, three dwelling unit building being renovated and a new two-car garage with three enclosed bicycle spaces and accessory building roof top deck and bridge connection to an open rear deck; an additional variation was granted to the subject property in Cal. No. 62-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Kasper Development

APPEARANCE FOR: Paul Kolpak

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4243 N. Wolcott Avenue

Cal. No.: 64-24-Z

MINUTES OF MEETING:
February 16, 2024

NATURE OF REQUEST: Application for a variation to reduce the minimum front setback along Honore Street from the required 35.82' to 2', reduce the north side setback from 2.4' to zero (south side to be zero), combined side setback from 6' to zero, reduce the unobstructed open space width required along north and south property lines from 10.66' to zero and for a proposed two-story single-family residence with detached three-car garage with roof top deck and access stair on a through lot.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the minimum front setback along Honore Street to 2', reduce the north side setback to zero (south side to be zero), combined side setback to zero, reduce the unobstructed open space width required along north and south property lines to zero and for a proposed two-story single-family residence with detached three-car garage with roof top deck and access stair on a through lot; Steve Martin residing at 4240 N. Wolcott entered his appearance at the public hearing, however and after speaking with the attorney and applicant withdrew his opposition; an additional variation was granted to the subject property in Cal. No. 65-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Kasper Development

Cal. No.: 65-24-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4243 N. Wolcott Avenue

NATURE OF REQUEST: Application for a variation to reduce the front property line along N. Honore Street to prevent obstruction of the sidewalk by parked cars from the required 20' to 2' for a proposed two-story single-family residence with detached three-car garage with roof top deck and access stair on a through lot.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front property line along N. Honore Street to prevent obstruction of the sidewalk by parked cars to 2' for a proposed two-story single-family residence with detached three-car garage with roof top deck and access stair on a through lot; Steve Martin residing at 4240 N. Wolcott entered his appearance at the public hearing, however and after speaking with the attorney and applicant withdrew his opposition; an additional variation was granted to the subject property in Cal. No. 64-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: The Dog Bar, LLC Cal. No.66-24-S

APPEARANCE FOR: Daniel Rubinow

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2457 W. Montrose Avenue

NATURE OF REQUEST: Application for a special use to establish a tavern with rear outdoor patio.

ACTION OF BOARD – Continued to April 19, 2024 at 2 pm.

THE VOTE

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Lynn Paulson

Cal. No.: 67-24-Z

APPEARANCE FOR: John Sugrue

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2906 N. Major Avenue

NATURE OF REQUEST: Application for a variation to increase the floor area ratio from the maximum 0.65 to 0.68 (2,512.03 square feet total) for a proposed one-story rear addition to the existing two-story, two dwelling unit building being converted to a single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the floor area ratio to 0.68 (2,512.03 square feet total) for a proposed one-story rear addition to the existing two-story, two dwelling unit building being converted to a single-family residence; two additional variations were granted to the subject property in Cal. Nos. 68-24-Z and 69-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18/24.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Lynn Paulson

Cal. No.: 68-24-Z

APPEARANCE FOR: John Sugrue

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2906 N. Major Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from 4' to 1.85', south side setback from 4' to 3.21', combined side yard setback from 9' to 5.06' for a proposed one-story rear addition to the existing two-story, two dwelling unit building being converted to a single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north side setback to 1.85', south side setback 4' to 3.21', combined side yard setback to 5.06' for a proposed one-story rear addition to the existing two-story, two dwelling unit building being converted to a single-family residence; two additional variations were granted to the subject property in Cal. Nos. 67-24-Z and 69-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Lynn Paulson

Cal. No.: 69-24-Z

APPEARANCE FOR: John Sugrue

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2906 N. Major Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 400 square feet to zero for a proposed rear, one story addition to the existing two-story, two dwelling unit building being converted to a single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to zero for a proposed rear, one story addition to the existing two-story, two dwelling unit building being converted to a single-family residence; two additional variations were granted to the subject property in Cal. Nos. 67-24-Z and 68-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Knight Investments, LLC

Cal. No.: 70-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2712 W. 24th Place

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 3,000 square feet to 2,979.12 for a proposed two-story, three-dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the minimum lot area to 2,979.12 for a proposed two-story, three-dwelling unit building; an additional variation was granted to the subject property in Cal. No. 71-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Jahine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Knight Investments, LLC

Cal. No.: 71-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2712 W. 24th Place

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 195 square feet to 193.91 square feet for a proposed two-story, three dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to 193.91 square feet for a proposed two-story, three dwelling unit building; an additional variation was granted to the subject property in Cal. No. 70-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, 'Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS; certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 1801 W. Grace Street

Cal. No.: 72-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1805 W. Grace Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 12' for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off-street required accessory parking spaces on the ground floor.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

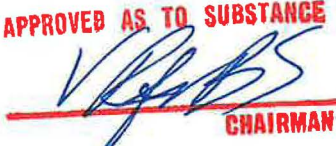
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 12' for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off-street required accessory parking spaces on the ground floor; three additional variations were granted to the subject property in Cal. Nos. 73-24-Z, 74-24-Z, and 75-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1801 W. Grace Street

Cal. No.: 73-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1805 W. Grace Street

NATURE OF REQUEST: Application for a variation to reduce the off-street loading space from the required one to zero for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off street parking spaces on the ground floor.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the off-street loading space to zero for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off street parking spaces on the ground floor; three additional variations were granted to the subject property in Cal. Nos. 72-24-Z, 74-24-Z, and 75-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1801 W. Grace Street

Cal. No.: 74-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1805 W. Grace Street

NATURE OF REQUEST: Application for a variation to allow a driveway to access required off-street accessory parking on a pedestrian street for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off-street required accessory parking spaces on the ground floor.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to allow a driveway to access required off-street accessory parking on a pedestrian street for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off-street required accessory parking spaces on the ground floor; three additional variations were granted to the subject property in Cal. Nos. 72-24-Z, 73-24-Z, and 75-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18/24,
20

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1801 W. Grace Street

Cal. No.: 75-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1805 W. Grace Street

NATURE OF REQUEST: Application for a variation to allow a front building facade to be setback more than 5' from the sidewalk for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off-street required accessory parking spaces on the ground floor.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

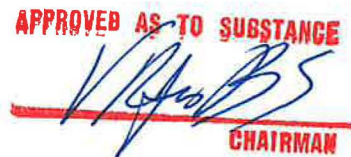
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to allow a front building facade to be setback more than 5' from the sidewalk for a proposed five-story, sixty-two dwelling unit building with roof top deck and thirty-one off-street required accessory parking spaces on the ground floor; three additional variations were granted to the subject property in Cal. Nos. 72-24-Z, 73-24-Z, and 74-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sejul Donuts, Inc. d/b/a Dunkin Donuts Cal. No.76-24-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3843 N. Cicero Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, Sejul Donuts, Inc. d/b/a/ Dunkin Donuts, and the development is consistent with the design and layout of the plans and drawings dated February 7, 2024, prepared by Kolbrook Design.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Sejul Donuts, Inc. d/b/a Dunkin Donuts **Cal. No.**77-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3843 N. Cicero Avenue

NATURE OF REQUEST: Application for a variation to reduce the interior trees from the required five to four, to allow non typ. canopy trees to be installed in fulfillment of required interior trees and to reduce partly 7' landscape along Cicero Avenue to 3'-11" and to reduce setback trees from two to one for a proposed drive through facility to serve a fast-food restaurant.

ACTION OF BOARD – APPLICATION WITHDRAWN

THE VOTE

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Volunteers of America of Illinois, an Illinois not for profit corp. **Cal. No.**78-24-S

APPEARANCE FOR: Steven Friedland

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5230 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use to convert an existing motel into a fifty-bed transitional residence with twelve general parking spaces, one agency fleet vehicle dedicated space and eight bicycle spaces.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
	X	
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; 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 convert an existing motel into a fifty-bed transitional residence with twelve general parking spaces, one agency fleet vehicle dedicated space and eight bicycle spaces; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: 1) the special use is issued solely to the applicant, Volunteers of America of Illinois, an Illinois not for profit corporation; 2) the development is consistent with the design and layout of the plans and drawings dated February 14, 2024, prepared by Gensler; 3) the facility is utilized exclusively as a transitional residence for persons experiencing chronic homelessness due to a combination of mental health challenges, substance use disorder, and other chronic health conditions; and 4) there are no more than 50 persons residing on-site at any time.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18/24.

Page 34 of 53

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Guidepost A, LLC

Cal. No.: 79-24-Z

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6701-09 N. Northwest Highway

NATURE OF REQUEST: Application for a variation to reduce the number of off-street parking spaces for a transit serve location from four parking spaces to zero for the establishment of a day care center in an existing two-story building that is located within 2,640' of a CTA rail station.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the number of off-street parking spaces for a transit serve location to zero for the establishment of a day care center in an existing two-story building that is located within 2,640' of a CTA rail station; an additional variation was granted to the subject property in Cal. No. 80-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Guidepost A, LLC

Cal. No.: 80-24-Z

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6701-09 N. Northwest Highway

NATURE OF REQUEST: Application for a variation to reduce the number of off-street loading spaces from seven to six for the establishment of a day care in an existing two-story building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE



BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 1, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the number of off-street loading spaces to six for the establishment of a day care in an existing two-story building; an additional variation was granted to the subject property in Cal. No. 79-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janinè Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZBA

JUN 3 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALSZONING BOARD OF APPEALS
CITY OF CHICAGO**1423-1425-1427 N. Sedgwick
Street LLC**

APPLICANT(S)

293-23-Z; 294-23-Z

CALENDAR NUMBER(S)

1421 N. Sedgwick Avenue

SUBJECT PROPERTY

February 16, 2024

HEARING DATE

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

FINDINGS OF THE ZONING BOARD OF APPEALS**I. APPLICATION BACKGROUND**

The subject property is located in the Old Town neighborhood. It is zoned B2-5 and is vacant and unimproved. The Applicant proposed to construct a six-story, twenty-three dwelling unit building with nine parking spaces. The Applicant sought the following variation(s) from the Chicago Zoning Ordinance: (1) reduce the rear setback on floors containing dwelling units from the required 30 feet to 10 feet 11 inches¹; and (2) eliminate the required loading space.

II. PUBLIC HEARING

In accordance with the Rules of Procedure of the Zoning Board of Appeals, the Applicant had submitted its proposed Findings of Fact. The Zoning Board of Appeals ("ZBA") held a public hearing on the Applicant's special use application at its regular meeting held on Friday, February 16, 2024. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**. At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

¹ While the original application requested a reduction to 6.92', the Applicant at the hearing stated that it was modifying its request after discussion with neighbors.

III. 17-13-1107 VARIATION APPROVAL CRITERIA AND REVIEW FACTORS

17-13-1107-A Approval Criteria. The Zoning Board of Appeals may not approve a variation unless it makes findings, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; and (2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance (See Sec. 17-1-0500).

17-13-1107-B Evidence of Practical Difficulties or Particular Hardship. 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 this 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.

17-13-1107-C Other Review Factors. 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.

For the purpose of clarity, the ZBA has rearranged the approval criteria under the Chicago Zoning Ordinance into five broad categories in its findings consisting of the following: (I) **practical difficulties or particular hardships** [17-13-1107 A(1) & C(4)]; (II) **reasonable return** [17-13-1107 B(1) & C(3)]; (III) **unique circumstances** [17-13-1107 B(2), C(1), & C(2)]; (IV) **neighborhood's essential character** [17-13-1107 B(3), C(5), & C(6)]; and (V) **consistency with the stated purpose and intent of the Zoning Ordinance** [17-13-1107 A(2)].

IV. FINDINGS OF FACT

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

I. Practical Difficulties or Particular Hardships:

The practical difficulties or particular hardships that would derive from strict compliance with the regulations and standards of the Zoning Ordinance are the following: (1) the lot size is substandard in depth, approximately 23 shorter and 1,150 square feet smaller than a standard 50'x 125' lot; and (2) the property does not have alley access. In reaching its conclusion that practical difficulties or particular hardships exist, the ZBA conducted an analysis of the variation requirements under the "reasonable return", "unique circumstances", and "neighborhood's essential character" categories below. Further, the ZBA finds that these practical difficulties or particular hardships were not created by any person having an interest in the property.

II. Reasonable Return:

The property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the zoning ordinance because much of the design, use, and layout of the proposed building was driven by the Community Review process when the subject property received a Type 1 Zoning change. To change the project specifications now would cause a significant financial burden on the Applicant. The ZBA finds that the purpose of the variation(s) sought by the Applicant were not based exclusively upon a desire to make more money out of the property but were in fact borne out of a desire to construct a building that would be more in accordance with the desires of the surrounding community.

III. Unique Circumstances:

The practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property because the subject property has a substandard depth of 102 feet. Furthermore, looking at the particular physical surroundings, shape, or topographical condition of the subject property, the present conditions would result in a particular hardship upon the property owner if the strict letter of the regulations were carried out because the Applicant would have great difficulty designing a building that satisfies all of the demands of the community while conforming to the unmodifiable requirements of the zoning ordinance. The ZBA also finds that the conditions upon which the variation application is based are not generally applicable to other property within the same zoning classification because the subject property is substandard in size and lacking secondary access, such as an alley, while also bound by the underlying Type 1 Zoning Ordinance which calls for a standard building on a substandard depth lot.

IV. Neighborhood's Essential Character:

If granted, the variation(s) sought will not alter the essential character of the neighborhood because the subject property is situated mid-block, on a portion of Sedgwick Avenue where all of the properties are zoned B-3 and B-5 which call for moderate to high density residential and mixed-use improvements. Accordingly, the subject block consists of an assortment of residential and mixed-use developments, including a series of five-story multiunit residential buildings. The buildings vary significantly in terms of design, scale, density, and programming based in part on their respective dates of construction which range from the early 1900s to the present.

Neighboring property owners who appeared in opposition to the setback variation argued that the proposed building would infringe upon their privacy and significantly reduce sunlight. The Applicant and neighbors had previously communicated about this concern and as a result the Applicant eliminated rear balconies from the building's design and adjusted the requested setback from 6.92 feet to 10 feet 11 inches. However, the neighbors still believe the proposed building will be too close to theirs. With the elimination of the rear balconies in the proposed building's design, the setback will be almost eleven feet, resulting in approximately 25 feet of open space between the proposed building and the neighboring building.

Therefore, the ZBA believes that granting the variation will not be detrimental to the public welfare or injurious to other property or improvements in which the subject property is located. Furthermore, the ZBA finds that granting of the variations will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger public safety, or substantially diminish or impair property values within the neighborhood because there will be a sufficient amount of square footage of unencumbered open space between the proposed building and neighboring properties. Additionally, the provision of off street parking spaces in the basement garage and bicycle storage space will prevent congestion on the public way. There is sufficient area within the garage to accommodate residential move-ins and move-outs, so the variation to eliminate the loading berth will also not negatively impact traffic.

V. Consistency with the Stated Purpose and Intent of the Zoning Ordinance:

The ZBA finds that variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) promoting the public health, safety and general welfare, pursuant to Section 17-1-0501, by revitalizing an idle property which was abandoned by a prior owner, which had invited nuisance and trespass for several years; (2) protecting the character of established residential neighborhoods, pursuant to Section 17-1-0503, by constructing family-oriented housing units with risks and control shared among a multi-member association, so to provide a unique highly-desirable alternative to a single-family residence, while still providing the stability of ownership for those unable to afford a single-family home; (3) promoting pedestrian, bicycle and transit use, pursuant to Section 17-1-0507, because the proposed building is in a transit-served location and will only provide 9 on-site parking spaces; and (4) maintaining a

range of housing choices and options, pursuant to Section 17-1-0512, by providing an ownership alternative to single-family residences.

**CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF
APPEALS**

1. For all the above reasons, the ZBA finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance.
2. The ZBA hereby APPROVES the Applicant's applications for variations.

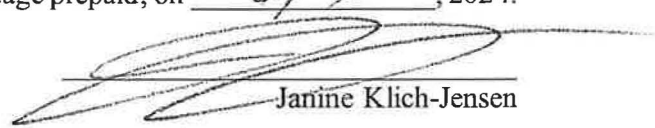
This is a final decision subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

APPROVED AS TO SUBSTANCE

By: 

Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 6/3, 2024.


Janine Klich-Jensen

HEARING PARTICIPANT EXHIBIT

Applicant is represented by an attorney: ☐ No ☒ Yes, Nick Ftikas

[illegible]

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

APPLICANT: Kenneth Donner

Cal. No.: 325-23-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7645 S. St. Lawrence Avenue

NATURE OF REQUEST: Application for a variation to reduce the south side setback from the required 6' to 5.46' (north to be 2.62'), combined side yard setback from 18' to 8.11' for a proposed swimming pool in the rear of an existing single-family residence.

ACTION OF BOARD – Continued to May 17, 2024 at 2:00pm

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZBA

JUN 3 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALSZONING BOARD OF APPEALS
CITY OF CHICAGO**Racine Product, Inc.**
APPLICANT(S)**338-23-S**
CALENDAR NUMBER(S)8137-47 Racine Avenue
SUBJECT PROPERTY**February 16, 2024**
HEARING DATE

ACTION OF BOARD	THE VOTE			
		AFFIRMATIVE	NEGATIVE	ABSENT
The special use application was APPROVED SUBJECT TO CONDITIONS.	Brian Sanchez, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Vaishali Rao (alternate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	[vacant position]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS**I. APPLICATION BACKGROUND**

The subject property is located in the Auburn Gresham Community Area. It is zoned C2-2 and is currently unimproved, with only a concrete foundation covering part of the property. The Applicant submitted a special use application, proposing to construct and operate a one-story cannabis infuser facility on the subject property. Pursuant to Section 17-3-0207-AAA(4) of the Chicago Zoning Ordinance, a Cannabis Infuser is a special use in a C2-2 district.

In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended approval to establish a cannabis infuser facility provided: (1) the special use is issued solely to the applicant, Racine Product, Inc.; (2) no retail sales, samples, or physical product displays or stock are allowed at this facility; (3) no cannabis growing or production are allowed at this facility; (4) the development is consistent with the design and layout of the plans and drawings dated February 13, 2024, prepared by Architectural Solutions, Inc., and the Racine Products, Inc., Odor Control Plan, dated February 16, 2024, prepared by Cameron Keluche; (5) details and final design for the odor control system and components, including but not limited to: the size, type, and location of equipment, filters, roof top mechanical units and exterior system exhaust, etc. and details on the design and location of the airlocks, system layout, etc. are prepared by a qualified engineer and reviewed and

approved by Chicago Department of Public Health (CDPH) prior to issuance of any building permits; and (6) a fully detailed written Final Odor Control Plan, detailing the proposed operations, maintenance schedule and proposed remedies to address any system failures as well as any additional details requested by CDPH, prepared by a qualified engineer, is submitted for review and approval by CDPH, prior to issuance of any building permits.

II. PUBLIC HEARING

In accordance with the Rules of Procedure of the Zoning Board of Appeals (“ZBA”), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant’s special use application at its regular meeting held on Friday, February 16, 2024. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune* and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

III. SPECIAL USE CRITERIA

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZBA 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.

IV. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant’s proposed Findings of Fact, the ZBA hereby makes the following findings with reference to the Applicant’s application for a special use pursuant to Section 17-13-0905-A (1)-(5) of the Chicago Zoning Ordinance:

(1). The subject property is located in a C2-2 zoning district. Since a cannabis business establishment is a special use in this zoning district, the Applicant requires a special use. The proposed use complies with all other standards set forth in the Chicago Zoning Ordinance because it is only the requirement to request a special of use from the Zoning Board of Appeals that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance.

(2). The proposed use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community because the subject property and adjacent lots are vacant lots and the proposed use will reactivate the property and bring more business and jobs to the area. The facility being constructed, a cannabis infuser, is very similar to a commercial bakery or candy maker, with the exception that its products such as chocolates and gummies will be infused with cannabis. The facility will not be open to the public and no product will be sold on-site. The Applicant provided detailed business and security plans as part of its state application, as well as odor control plans, deemed satisfactory by the Board. Therefore, the proposed use will not have a significant impact on the general welfare of the neighborhood. The ZBA notes that many of those who appeared in opposition to this facility opposed the consumption of cannabis. They were told at the hearing that the question of whether people should be consuming cannabis is not a local zoning issue, it is a State and Federal issue; these were not objections that the ZBA could recognize.

(3). The proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the construction of a new commercial building will improve the current physical condition, character, and appearance of the now-vacant property. The proposed building would also fit within the scale and design of historical commercial improvements along South Racine Avenue which consists of mainly 1-3 story buildings, some of which have on-site parking. The construction of the building will improve the surrounding properties because it will replace a vacant land parcel which is an unattractive element and a non-productive use of the land.

(4). The proposed 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 because the proposed use will be located in a neighborhood shopping district. The infuser will operate from 7:00am to 5:00pm Monday through Friday, and will be closed on Saturdays and Sundays, which is a lower operating intensity than other commercial uses in the area. There will be eight off-street parking spaces for staff and an internal loading dock. The CTA operates public bus services along South Racine Avenue. It is anticipated that most of the employees will come to the facility by public transportation or private vehicles. All business operations will take place inside, eliminating outdoor noise generation.

(5). The proposed use is designed to promote pedestrian safety and comfort because the building will be built in compliance with building code standards and the facility will be closed to the public. There will be very little traffic to and from the facility. Nevertheless, pedestrian friendly improvements include landscaped fenced vehicle parking which will create a barrier between employee vehicles and the pedestrian rights of way. There are also plans for four bicycle parking spots.

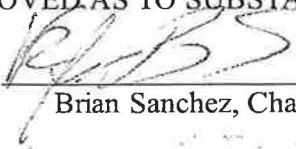
Since the applicant meets all five of the special use criteria as required by the Chicago Zoning Ordinance, the application will be approved.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

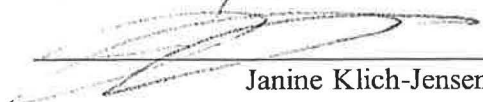
1. For all the above reasons, the ZBA finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance.
2. The ZBA hereby APPROVES the Applicant's application for a special use, and pursuant to the authority granted 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 is issued solely to the applicant, Racine Product, Inc.; (2) no retail sales, samples, or physical product displays or stock are allowed at this facility; (3) no cannabis growing or production are allowed at this facility; (4) the development is consistent with the design and layout of the plans and drawings dated February 13, 2024, prepared by Architectural Solutions, Inc., and the Racine Products, Inc., Odor Control Plan, dated February 16, 2024, prepared by Cameron Keluche; (5) details and final design for the odor control system and components, including but not limited to: the size, type, and location of equipment, filters, roof top mechanical units and exterior system exhaust, etc. and details on the design and location of the airlocks, system layout, etc. are prepared by a qualified engineer and reviewed and approved by Chicago Department of Public Health (CDPH) prior to issuance of any building permits; and (6) a fully detailed written Final Odor Control Plan, detailing the proposed operations, maintenance schedule and proposed remedies to address any system failures as well as any additional details requested by CDPH, prepared by a qualified engineer, is submitted for review and approval by CDPH, prior to issuance of any building permits.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 6/3, 2024.


Janine Klich-Jensen

HEARING PARTICIPANT EXHIBIT

Applicant is represented by an attorney: ☐ No ☒ Yes, John George

Name	Title (if applicable)	Address	Support	Oppose	Neutral
Leslie Patrick	President of Applicant	1028 Eastern Avenue, Bellwood, IL 60104	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cameron Keluche	Consultant/Expert for Applicant	2100 16 th Street, Denver, CO 80202	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvester Kerwin	MAI Appraiser for Applicant	7765 W. North Avenue, River Forest, IL 60305	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oscar Alba	Licensed Architect for Applicant	1400 W. Hubbard Street Chicago, IL 60642	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. EliYahh Ysr'Ai	Chaplain		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Israel		8742 S. Washtenaw, Evergreen Park	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pastor Wayne	Pastor	New Pisgah Baptist Church 8130 S. Racine, Chicago, IL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pastor Barclay	Pastor	1301 W. 87 th Street Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Al Childress		8005 South Bishop Street Chicago, IL 60620	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Irma Childress		8005 South Bishop Street Chicago, IL 60620	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frederick Calvin		10049 South Indiana	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rose Meyer		1400 W. 104 th Street	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joseph Cole		10906 S. Beverly Avenue, Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carly Lampton		2116 W. 51 st Place, Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joanne Turner		11031 South Peoria Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gary Breathett		8445 S. Aberdeen Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shirley Harris		8514 South Justine Street Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kenny Boisseau		8824 S. Throop, Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Charles Gordon		8119 S. Peoria Street, Chicago, IL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Franklin		8557 South Ada, Chicago, IL 60620	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carla Glover		4458 South Greenwood Avenue, Chicago, IL	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

ZBA

SEP 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

**Green & Randle, LLC
Nature's Grace & Wellness, LLC
2605 W. Cermak, LLC**
APPLICANT(S)

398-23-S

CALENDAR NUMBER(S)

2601-07 W. Cermak Rd.
SUBJECT PROPERTY

February 16, 2024
HEARING DATE

ACTION OF BOARD	THE VOTE	AFFIRMATIVE	NEGATIVE	ABSENT
The special use application was DENIED.	Brian Sanchez, Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Vaishali Rao (alternate)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Sam Toia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	[vacant position]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. APPLICATION BACKGROUND

The subject property is located in the South Lawndale neighborhood. It is zoned C1-2 and is improved with two (2) separate one-story commercial buildings and a 28-car parking lot. The Applicant submitted a special use application, proposing to operate an adult-use cannabis dispensary on the subject property. Pursuant to Section 17-3-0207-AAA (1) of the Chicago Zoning Ordinance, an adult-use cannabis dispensary is a special use in a C1-2 district. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended: approval of the proposed adult use cannabis dispensary provided: (1) the special use is issued solely to the applicant, Green and Randle, LLC and Nature's Grace & Wellness, LLC; (2) all on-site customer queuing occurs within the building; and (3) the development is consistent with the design and layout of the plans and drawings dated October 20, 2023, all prepared by Interform Architecture + Design.

II. PUBLIC HEARING

In accordance with the Rules of Procedure of the Zoning Board of Appeals ("ZBA"), the Applicant had submitted their proposed Findings of Fact. The ZBA held a public hearing on the Applicant's special use application at its regular meeting held on Friday, February 16, 2024. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-

13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

III. SPECIAL USE CRITERIA

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZBA 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.

IV. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZBA hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A (1)-(5) of the Chicago Zoning Ordinance:

(1). The subject property is located in a C1-2 zoning district. Since an adult use cannabis dispensary is a special use in this zoning district, the Applicant requires a special use. The proposed use complies with all other standards set forth in the Chicago Zoning Ordinance because it is only the requirement to request a special of use from the Zoning Board of Appeals that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance.

(2). The proposed use **is not** in the interest of the public convenience and **will** have a significant impact on the general welfare of the neighborhood or community because it has not been tailored to the needs of the community in which it sought to be established. The Applicant is required by the municipal code and expected by this Board to tailor their use and operation so that it will not have a significant impact on the general welfare of the neighborhood or community. It was evident to the ZBA that this proposed use was not tailored to address the unique needs of this community or neighborhood. For example, objectors noted the unique attributes of the immediate area of the proposed special use. These attributes included the presence of many police cameras, some of which have ShotSpotter technology, gang activity, the proximity to the only community center in the area, the proximity of 3 schools in the immediate area, and the challenges of homelessness and drug addiction in the neighborhood. This, coupled with the amount of objection to the special use at both community meetings and informally with the dueling petitions, presented a strong case for denying the application. The ZBA notes that these objections

alone were not fatal to Applicant's case for special use: the Applicant presented the same case at hearing as it did in its submissions to the ZBA. What doomed the Applicant's case was its failure to specifically address the objections and concerns in any meaningful way once they were presented to the ZBA.

(3). The proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the use will occur entirely within an existing building and there will be no additions or material changes (other than cosmetic) to the exterior of building or the parking lot.

(4). The proposed 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 because the proposed retail business hours of 9:00am to 9:00pm are not outside the hours of operation of nearby businesses, and there will be security lighting outside of the proposed location. Further, the generation of noise will be non-existent because all business will be conducted indoors, waiting in line outside of the business is prohibited, and there are no outdoor speakers. Traffic generation is mitigated by the numerous public transit that serves this location. The ZBA finds that this use will generate similar amounts of traffic as the existing neighboring pizza takeout location.

(5). The proposed use is designed to promote pedestrian safety and comfort because it will use existing infrastructure such as the existing driveway and six (6) exclusive parking spaces. The proposed location is served by the #49 CTA bus (Western Ave) and the #21 CTA bus (Cermak Road). This location is walking distance to stops along the CTA Green and Pink Lines. There are marked pedestrian crosswalks at the Cermak and Rockwell intersection along with traffic signals and pedestrian walk signals. The approach for customers will be properly lit and will be under video surveillance.

After careful consideration of the evidence, testimony and the entire record, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-G of the Chicago Zoning Ordinance: Based on the Applicant's submissions to the ZONING BOARD OF APPEALS, the ZONING BOARD OF APPEALS finds that the Applicant has/has not held its required community meeting in accordance with Section 17-13-0905-G of the Chicago Zoning Ordinance.

Since the applicant does not meet all five of the special use criteria as required by the Chicago Zoning Ordinance, the application will be denied.

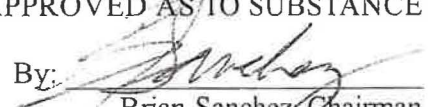
CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

1. For all the above reasons, the ZBA finds that the Applicant has not proved their case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance.

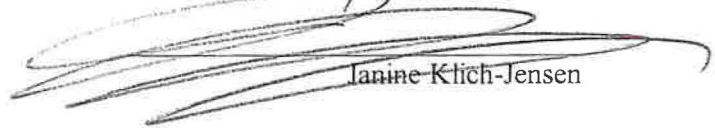
2. The ZBA hereby DENIES the Applicant's application for a special use

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that
I caused this to be placed in the USPS mail, postage prepaid, on 9/18, 2024.


Janine Klich-Jensen

HEARING PARTICIPANT EXHIBIT

Applicant is represented by an attorney: ☐ No ☒ Yes, Nick Ftikas

[illegible]

ZBA

JUN 3 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALSZONING BOARD OF APPEALS
CITY OF CHICAGO**2410 Prop Limited**
APPLICANT(S)**435-23-S**
CALENDAR NUMBER(S)**2435-55 E. 95th Street**
SUBJECT PROPERTY**February 16, 2024**
HEARING DATE

ACTION OF BOARD	THE VOTE	AFFIRMATIVE	NEGATIVE	ABSENT
The special use application was DENIED for failure to receive three affirmative votes.	Brian Sanchez, Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Vaishali Rao (alternate)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	[vacant position]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS**I. APPLICATION BACKGROUND**

The subject property is located in the Jeffrey Manor neighborhood. It is zoned B3-1 and is a vacant 30,066 square foot parcel. The Applicant submitted a special use application, proposing to operate a one-story gas station building with mini mart on the subject property. Pursuant to Section 17-3-207-HH and 17-9-0109-A of the Chicago Zoning Ordinance, the proposed use requires a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended denial of the proposed gas station for the following reasons: The proposed gas station will have an adverse impact on the neighborhood as this proposed regional vehicle oriented business is not compatible with the character of the immediate surrounding area, which is predominantly residential to the south, and includes primarily lower intensity and/or community focused retail, personal service, quick service restaurants, etcetera, within a half mile of the site, each way along this stretch of east 95th Street. Further, the proposed 24/7 hours of operation far exceed the more common hours of businesses in the immediate area, which primarily open between 8:00 to 10:00 a.m. and generally close by 6:00 to 10:00 p.m., with a couple staying open to midnight, 2:00 a.m., on weekend nights only. Based on the foregoing, it's the department's recommendation that the proposal to establish a gas station be denied because it is not compatible with the character of the surrounding area in terms of operating characteristics, including hours of operation, and is not in the interest of public

convenience, and will have a significant adverse impact on the general welfare of the neighborhood.

II. PUBLIC HEARING

In accordance with the Rules of Procedure of the Zoning Board of Appeals (“ZBA”), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant’s special use application at its regular meeting held on Friday, February 16, 2024. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune* and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

III. SPECIAL USE CRITERIA

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZBA 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.

IV. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant’s proposed Findings of Fact, the ZBA makes the following findings:

In order to receive special use approval, an applicant must be able to prove that the proposed use meets all of the five special use criteria under Section 17-13-0905-A of the Chicago Zoning Ordinance. An application can only be approved by the ZBA if it receives three affirmative votes. In this case, only two of the four ZBA commissioners believed that this application met all five of the special use criteria. As a result, the ZBA arrived at a split decision 2-2 which functions as a denial pursuant to Section 17-13-0907 of the Chicago Zoning Ordinance and p.11 of the ZBA Rules of Procedure. The ZBA is unable to make specific findings for each of the special use criteria when there is no agreement amongst a majority of commissioners.

**CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF
APPEALS**

1. For all the above reasons, the ZBA finds that the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance.
2. The ZBA hereby DENIES the Applicant's application for a special use.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 4/3, 2024.


Janine Klich-Jensen

HEARING PARTICIPANT EXHIBIT

Applicant is represented by an attorney: ☐ No ☒ Yes, Timothy Barton

[illegible]

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

APPLICANT: He IZ King, Inc. Db a Nom Cuts Barber and Beauty Salon Cal. No.438-23-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 242 E. 35th Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on November 30, 2023; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Murphy's Lounge 2017 dba Blaq's Cal. No.439-23-S

APPEARANCE FOR: Harlen Powell

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7628 S. Cottage Grove Avenue

NATURE OF REQUEST: Application for a special use to establish an outdoor patio to serve an existing tavern.

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm.

THE VOTE

ZBA

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Maricela Guzman Cal. No.441-23-S

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2008 W. 18th Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor to convert the existing unfinished first story into habitable space for the existing two-story, single-family residence.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on November 30, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the development is consistent with the design and layout of the plans and drawings dated December 12, 2022, prepared by 606 Design + Construction.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Furry Paws Chicago, Inc.

Cal. No.446-23-S

APPEARANCE FOR: Ximena Castro

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4225-29 W. Madison Street

NATURE OF REQUEST: Application for a special use to establish a proposed three-story, eight-unit mixed use building with first floor boarding kennel and grooming and five parking spaces located at the rear.

ACTION OF BOARD – APPLICATION WITHDRAWN

THE VOTE

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Consignment Lounge, LLC

Cal. No.450-23-S

APPEARANCE FOR: Frederick Agustin

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3520 W. Diversey Avenue

NATURE OF REQUEST: Application for a special use to allow the expansion of an existing special use with a proposed roof cover outdoor patio to serve an existing tavern use on the ground floor of an existing two-story building.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

MAR 18 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on November 30, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, Consignment Lounge, LLC, and the development is consistent with the design and layout of the plans and drawings dated December 15, 2023, prepared by Silvestro Design Operations.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: McDonald's Corporation

Cal. No.453-23-S

APPEARANCE FOR: Lenny Asaro

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3229-45 W. North Avenue

NATURE OF REQUEST: Application for a special use to establish a dual lane drive-through facility for an existing fast-food restaurant.

ACTION OF BOARD – Continued to March 15, 2024 at 2:00pm

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: McDonald's Corporation

Cal. No.454-23-S

APPEARANCE FOR: Lenny Asaro

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2307-17 N. Cicero Avenue

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

ACTION OF BOARD – Continued to March 15, 2024 at 2:00pm

ZBA


MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Shaan Howard, LLC

Cal. No.460-23-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2321 W. Howard Street

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

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm

THE VOTE

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Shaan Howard, LLC

Cal. No.461-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2321 W. Howard Street

NATURE OF REQUEST: Application for a variation to reduce the perimeter landscape setback from the required 7' to zero along Claremont Avenue for a proposed fast-food restaurant.

ACTION OF BOARD – Continued to April 19, 2024 at 2:00pm

ZBA

THE VOTE

MAR 18 2024
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: GLI Management and Consulting, LLC Series 7931 Eberhart

Cal. No.: 468-23-Z

APPEARANCE FOR: Alfred Quijano

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7931 S. Eberhart Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 4,000 square feet to 3,728.4 square feet for the conversion of an existing three-story, three dwelling unit building to a four dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on November 30, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the minimum lot area to 3,728.4 square feet for the conversion of an existing three-story, three dwelling unit building to a four 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Big City Ventures Infuser, LLC dba Smokiez Edibles Cal. No.41-24-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3300 W. Franklin Boulevard

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; 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 cannabis infuser facility; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: (1) the special use is issued solely to the applicant, Big City Ventures Infuser, LLC dba Smokiez Edibles; (2) no retail sales, samples, or physical product displays or stock are allowed at this facility; (3) no cannabis growing or production are allowed at this facility; (4) the development is consistent with the design and layout of the plans and drawings dated January 19, 2024, prepared by Main Architecture, and the Smokiez Odor Mitigation Plan, dated February 1, 2024, prepared by Building Engineering Systems; (5) details and final design for the odor control system and components, including but not limited to: the size, type, and location of equipment, filters, roof top mechanical units and exterior system exhaust, etc. and details on the design and location of the airlocks, system layout, etc. are prepared by a qualified engineer and reviewed and approved by Chicago Department of Public Health (CDPH) prior to issuance of any building permits; and (6) a fully detailed written Final Odor Control Plan, detailing the proposed operations, maintenance schedule and proposed remedies to address any system failures as well as any additional details requested by CDPH, prepared by a qualified engineer, is submitted for review and approval by CDPH, prior to issuance of any building permits.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 3/18/24.

APPROVED AS TO SUBSTANCE


CHAIRMAN