ZBA

RESOLUTIONS

FEBRUARY 19, 2021

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

MINUTES OF MEETING:
February 19, 2021
Cal. No. 629-19-S

The Applicant Flags Social & Athletic Club presented a written request for an extension of time in which to expand an existing one-story private lodge with a proposed one-story addition at the subject property 552 W. 47th Street. The special use was approved on January 17, 2020 in Cal. No. 629-19-S.

The Applicant's representative, Agnes Plecka stated that the Applicant was in the process of obtaining the permits for renovations to the subject property. However, in the last year, this process has been slowed by the requirement of an alley access ordinance for the subject property as well as pandemic quarantine restrictions for both businesses and government offices.

Chairman Knudsen moved the request be granted and the time for obtaining the necessary permits be extended to February 25, 2022.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

MAR 22 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: James R. Nelson

CAL NO.: 24-21-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1541 W. George Street

NATURE OF REQUEST: Application for a variation to relocate the required 203.17 square feet of rear yard open space onto the roof of an existing two-car garage for a proposed new rear patio with side stairs and new unenclosed access stairs and walkway to the garage roof deck at the rear of the existing two-story single-family residence.

ACTION OF BOARD - VARIATION GRANTED

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 203.17 square feet of rear yard open space onto the roof of an existing two-car garage for a proposed new rear patio with side stairs and new unenclosed access stairs and walkway to the garage roof deck at the rear of the existing two-story single-family residence; an additional variation was granted to the subject property in Cal. No. 42-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: James R. Nelson

CAL NO.: 42-21-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1541 W. George Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 35' to 22.76', west side setback from 2' to zero, east side setback from 2' to zero, combined side setback from 5' to zero for a proposed rear patio with side stairs and a new unenclosed access stairs and walkway to the garage roof deck at the rear of the existing tow-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 22.76', west side setback to zero, east side setback to zero, combined side setback to zero for a proposed rear patio with side stairs and a new unenclosed access stairs and walkway to the garage roof deck at the rear of the existing tow-story, single family residence; an additional variation was granted to the subject property in Cal. No. 24-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Just Us Salon

Cal. No.43-21-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4056 W. Division Street

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

ACTION OF BOARD-
Continued to March 19, 2021

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mylissa L. Genaro / Liv My Beauty, LLC Cal. No.44-21-S

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7132 N. Harlem Avenue Suite 205

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

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

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

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

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Beyoutiful Beauty Bar, LLC — Cal. No.45-21-S

APPEARANCE FOR: Same as Applicant — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2042 W. 95th Street

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

ACTION OF BOARD-
Continued to March 19, 2021

THE VOTE

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Mirza Baig dba Al-Rahman Business Inc. Cal. No.46-21-S

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7201 N. Clark Street

NATURE OF REQUEST: Application for a special use to expand an existing 536,4333 square foot retail building with a 1,089.38 square foot addition to the retail building for an existing gas station.

ACTION OF BOARD-
Continued to April 16, 2021

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Shi Fang Wu

CAL NO.: 47-21-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1646 W. 32nd Place

NATURE OF REQUEST: Application for a variation to reduce the west side setback from the required 2.02' to 1' (east to be 3.88'), combined side setback from 5.06' to 4.88' for a proposed one-story rear addition to the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 22 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 1' (east to be 3.88'), combined side setback to 4.88' for a proposed one-story rear addition to the existing single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Hare and Company, LLC — Cal. No.48-21-S

APPEARANCE FOR: Same as Applicant — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2255 W. Roscoe Street Suite C-2

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

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

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

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

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: ZSD Madar, LLC

Cal. No.49-21-S

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6 N. Carpenter Street

NATURE OF REQUEST: Application for a special use to establish a six-story, thirteen dwelling unit building with commercial use under 20% of the lot area on the ground floor.

ACTION OF BOARD-
Continued to March 19, 2021

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: HQ Studio Development Group, LLC — Cal. No.50-21-S

APPEARANCE FOR: Frederick Agustin — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2313-17 W. North Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor and duplexed with the basement to convert a three-story, four-dwelling unit building with office to a seven-dwelling unit with building with office and five on-site parking spaces.

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 and duplexed with the basement to convert a three-story, four-dwelling unit building with office to a seven-dwelling unit with building with office and five on-site parking spaces; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated October 9, 2020, with Cover, Elevations and Sections dated August 21, 2020, and Site Plan and TSL Certification Plan dated February 10, 2021, prepared by 360 Design Studio.

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on _____, 20__.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Provenance Condominium Association **CAL NO.:** 51-21-Z

APPEARANCE FOR: Barry Ash **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5230 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from 5' to 0.9', south side setback from 5' to 0.86', combined side setback from 18' to 1.76' for two proposed roof decks on the existing side walls to enclose two existing exterior ramps serving the attached garage of the existing four-story, twenty dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 0.9', south side setback to 0.86', combined side setback to 1.76' for two proposed roof decks on the existing side walls to enclose two existing exterior ramps serving the attached garage of the existing four-story, twenty 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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Starbucks Corporation — Cal. No. 52-21-S

APPEARANCE FOR: Sara Barnes — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7127 N. Western Avenue

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

ACTION OF BOARD - APPLICATION APPROVED

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 one-lane drive-through 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 was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Starbucks Corp, and the development is consistent with the design and layout of the plans and drawings dated August 10, 2020, with Site Plan dated February 10, 2020 (with CDOT PRC approval 8/7/2020) and Landscape Plans dated February 18, 2021, prepared by Design Studio 24, LLC.

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3300 W. Warren, LLC

CAL NO.: 53-21-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3300 W. Warren Boulevard

NATURE OF REQUEST: Application for a variation to reduce the east side setback from the required 2.08' to zero (west to be zero), combined side setback from 5.2' to zero for the extension of landings at an existing side three-story open porch at the second and fourth stories for the existing four-story, six dwelling unit building being converted to seven dwelling units.

ACTION OF BOARD - VARIATION GRANTED

MAR 22 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 east side setback to zero (west to be zero), combined side setback to zero for the extension of landings at an existing side three-story open porch at the second and fourth stories for the existing four-story, six dwelling unit building being converted to seven dwelling units; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Celadon Holdings III, LLC

CAL NO.: 54-21-Z

APPEARANCE FOR: Mariah DiGrino

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3559 W. Lawrence Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 4'-7" on floors containing dwelling units for a proposed six-story, fifty dwelling unit building with thirteen om site parking spaces.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	RECUSED		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 4'-7" on floors containing dwelling units for a proposed six-story, fifty dwelling unit building with thirteen om site parking spaces; 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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: The Ethiopian Community Association of Chicago, Inc. Cal. No. 55-21-S

APPEARANCE FOR: Kate Duncan

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5800-02 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use to establish a community center in three existing retail and office tenant spaces in an existing retail and office building.

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, The Ethiopian Community Association of Chicago, Inc., and the development is consistent with the design and layout of the plans and drawings dated May 31, 2019, with Zoning Plan and Floor Plan, Elevations, Sections dated September 29, 2020, prepared by Epidaurian 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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Thomas Plunkett

CAL NO.: 56-21-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2510 W. George Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero on floors containing dwelling units for a proposed four-story, four dwelling unit building with roof top stairway and elevator enclosure, roof deck and attached four car garage.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 zero on floors containing dwelling units for a proposed four-story, four dwelling unit building with roof top stairway and elevator enclosure, roof deck and attached four car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

APR 19 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Malden Development L.L.C. – 4606-4630 N. Malden Series
APPLICANT

PREMISES AFFECTED
57-21-Z, 58-21-Z & 59-21-Z
CALENDAR NUMBERS

4626 N. Malden Street
PREMISES AFFECTED

February 19, 2021
HEARING DATE

ACTION OF BOARD

The applications for the variations are approved.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Timothy Knudsen, Chairman	x		
Zurich Esposito	x		
Brian Sanchez	x		
Jolene Saul	x		
Sam Toia	x		

FINDINGS OF THE ZONING BOARD OF APPEALS IN THE MATTER OF THE VARIATION APPLICATIONS FOR 4626 N. MALDEN STREET BY MALDEN DEVELOPMENT LLC – 4606-4630 N. MALDEN SERIES.

I. BACKGROUND

Malden Development LLC – 4606-4630 N. Malden Series (the "Applicant") submitted three variation applications for 4626 North Malden Street (the "subject property"). The subject property is zoned RT-4 and is currently vacant. The Applicant proposed to construct a three-story, eight-dwelling unit residential building (the "proposed building") with a detached five-car garage (the "proposed garage") and two outdoor parking spaces (the "proposed parking spaces"). In order to permit the proposed building, the proposed garage and the proposed parking spaces (collectively, the "proposed development"), the Applicant sought variations to: (1) reduce the rear yard open space from the required 520 square feet to zero; (2) reduce the minimum lot area from 8,000 square feet to 7,721 square feet; and (3) reduce the required number of parking spaces from eight to seven.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing[1] on the Applicant's variations at its regular meeting held on February 19, 2021, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. June 26, 2020), the Applicant had submitted its proposed Findings of Fact. The Applicant's manager Mr. Steve Sgouras and its attorney Mr. Nicholas Ftikas were present. The Applicant's architect Mr. Zisong Feng was present. Testifying in opposition to the applications was Mr. Jon McNeely. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. January 26, 2021).[2]

The Applicant's attorney Mr. Nicholas Ftikas provided an overview of the variation applications.

The Applicant offered the testimony of its manager Mr. Steve Sgouras in support of the applications.

The Applicant offered the testimony of its architect Mr. Zisong Cheng in support of the application.

Mr. Ftikas then made statements. In response to questions from the ZONING BOARD OF APPEALS, Mr. Ftikas made further statements.

Mr. Jon McNeely, of 4617 North Beacon Street, offered testimony in opposition to the applications.

In response to Mr. McNeely's testimony, Mr. Ftikas made further statements.

In response to Mr. Ftikas' statements, Mr. McNeely offered further testimony.

Mr. Ftikas provided a brief closing statement.

B. Criteria for a Variation

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

---

[1] In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

[2] Such Emergency Rules were issued by the Chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers set forth in the Rules of Procedure.

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

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

III. FINDINGS OF FACT.

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

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

   The subject property is located within the Sheridan Park North Special Character Overlay District (the "Overlay District").[3] The Overlay District requires a 30' front setback for new residential development in order to be consistent with the existing pattern of front yards in the neighborhood. Typically, for a property situated in an RT-4 zoning district the front setback requirement is 15' or 12% of

[3] Section 17-7-1300 of the Chicago Zoning Ordinance.

lot depth, whichever is less.[4] As Mr. Cheng testified, the increased setback requirement forces back where a building may be constructed on the subject property, in turn forcing a reduction in available rear yard open space. As such, the ZONING BOARD OF APPEALS finds that these factors make strict compliance with the Chicago Zoning Ordinance a practical difficulty or particular hardship.

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

   The requested variations and proposed development are consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) protecting the character of established residential neighborhoods pursuant to Section 17-1-0503 of the Chicago Zoning Ordinance by allowing construction of a structure that is in harmony with the Overlay District as can be evidenced by the proposed building's front setback; (2) maintaining orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance by proposing a plan of development that is consistent with the existing development in the neighborhood; and (3) maintaining a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance by activating a vacant lot.

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

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

   The Applicant would be unable to achieve a reasonable rate of return if forced to develop the subject property in strict accordance to the Chicago Zoning Ordinance. Without the variations, the Applicant would only be able to construct a building with seven larger units. The loss of the eighth unit would cause construction costs to be spread out over seven units, which would lead to an increase on the pricing of the seven units on a per square foot basis. From a pricing standpoint, this increase would place the units in direct competition with single family homes. Without the variations, the viability of the sale of the units

[4] Section 17-2-0305-B of the Chicago Zoning Ordinance.

is in question. The ZONING BOARD OF APPEALS therefore finds that the subject property cannot yield a reasonable return without the variations.

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

   The subject property's location in the Overlay District is a particular hardship that is unique to the subject property and are not generally applicable to other vacant property in the City of Chicago (the "City").

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

   The variations will allow construction of the proposed development, which will be built in conformance to the 30' front setback requirement, which is an essential character of the Overlay District. In addition, the proposed development is similar to nearby multi-unit buildings, many of which have more units while offering less parking.

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

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

   The subject property is located in the Overlay District and, as such, its minimum front setback requirement is twice what is required for a typical parcel in an RT-4 zoning district. As previously referenced, the increased front setback requirement forces the proposed building toward the rear of the subject property, reducing the available rear yard open space and limiting the amount of space available for parking. If held to the strict letter of the Chicago Zoning Ordinance, the size of the subject property would allow the Applicant to only construct a maximum of seven dwelling units on the subject property. Because the construction costs would have to be distributed among the seven units, costs for the units would rise significantly, and the units would be in direct competition with single family homes that are for sale. This would make development of the subject property unviable and the subject property would remain vacant and underutilized. The ZONING BOARD OF APPEALS finds that this constitutes a particular hardship on the Applicant.

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

   The conditions upon which the Applicant's request for variations are not generally applicable to other property within the same zoning classification. Properties within RT-4 zoning districts - and indeed, any zoning district - generally are not located within a special character overlay district.

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

   The ZONING BOARD OF APPEALS finds that the purpose of the variations is to allow the construction of a structure that will have little impact on neighboring properties, comply with the requirements of Overlay District and yet yield a reasonable return for the Applicant. The variations are therefore not based exclusively upon a desire to make more money out of the subject property.

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

   The particular hardships or particular difficulties – that is, the location of the subject property within the Overlay District – precede the Applicant's ownership of the subject property and are not attributable to the Applicant's actions.

5. *The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

   The variations will enable the development of an unused and vacant parcel of land while respecting the enhanced setback requirements of the Overlay District. As such, the ZONING BOARD OF APPEALS finds that the variations will not be detrimental to the public welfare or injurious to other property in the neighborhood.

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

   The proposed building complies with all setback and building height requirements and thus will not impair adequate supply of light and air to the adjacent properties. As is evident from the plans, the proposed garage will be setback from the alley 2' in accordance with the Chicago Zoning Ordinance,[5] and will not

[5] Section 17-17-0309 of the Chicago Zoning Ordinance.

substantially increase congestion in the alley. Furthermore, though the Applicant is seeking to reduce the off-street parking requirement, the subject property will still offer seven parking spaces – five spaces via the proposed garage and two spaces via the proposed parking spaces – and the subject property is located only three blocks from the CTA's Red Line Wilson Station. As such, the ZONING BOARD OF APPEALS finds that there will not be a substantial increase in the congestion in the public streets. The proposed development will be built in accordance with building permits and will thus not increase the danger of fire or endanger the public safety. The variations will allow the replacement of a vacant property with, as can be seen from the plans, a new and modern structure that is in keeping with the minimum front setback requirement of the Overlay District. As such, the variations will have a positive impact on property values within the neighborhood.

IV. CONCLUSION

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

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

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

APPROVED AS TO SUBSTANCE

By: _____
Timothy Knudsen, 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 at 121 North LaSalle Street, Chicago, IL on 4/19, 2021.

_____
Janine Klich-Jensen

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

APPLICANT: Real Vet West Loop, LLC

CAL NO.: 60-21-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 451-57 N. Elizabeth Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the minimum required 12' to zero, rear setback from 30' to 12' for a proposed three-story veterinary, animal boarding and day care establishment with basement and seventeen car parking lot.

ACTION OF BOARD - Continued to March 19, 2021

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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Chicago, Illinois 60602
TEL: (312) 744-3888
WWW.CHICAGO.GOV/ZBA

APR 19 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Vidhi Properties, LLC
APPLICANT

61-21-S
CALENDAR NUMBER

1943 W. Monterey Avenue
PREMISES AFFECTED

February 19, 2021
HEARING DATE

ACTION OF BOARD

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

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Timothy Knudsen, Chairman	x		
Zurich Esposito	x		
Brian Sanchez	x		
Jolene Saul	x		
Sam Toia	x		

FINDINGS OF THE ZONING BOARD OF APPEALS IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1943 W. MONTEREY AVE. BY VIDHI PROPERTIES, LLC.

I. BACKGROUND

Vidhi Properties, LLC (the "Applicant") submitted a special use application for 1943 W. Monterey Avenue (the "subject property"). The subject property is currently zoned C1-2 and is vacant. The Applicant proposed to establish a one-story quick service restaurant building (the "proposed restaurant") and a single-lane drive-through facility (the "proposed drive-through"). The proposed restaurant is a Dunkin Donuts, and the Applicant's business model and as well as its franchise agreement with Dunkin Donut rely upon the proposed drive-through as a means of staying competitive in the quick-service restaurant market. To permit the proposed drive-through, the Applicant sought a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator") recommended approval of the proposed drive-through facility provided that: (1) the special use was issued solely to the Applicant; and (2) the

development was consistent with the design and layout of the plans and drawings dated February 18, 2021[1], prepared by Nick Scarlatis & Associates, LTD.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing[2] on the Applicant's special use application at its regular meeting held on February 19, 2021, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. Notice of the application was also continuously provided on the ZONING BOARD OF APPEALS' website beginning February 4, 2021. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. June 26, 2020), the Applicant had submitted its proposed Findings of Fact. The Applicant's manager Mr. Viral Kheni and its attorney Mr. Nicholas Ftikas were present. The Applicant's architect Ms. Nikoletta Scarlatis and its MAI certified real estate appraiser Mr. Joseph M. Ryan were present. Also present was 19th Ward Alderman Matthew O'Shea (the "Alderman"). No members of the public had signed up to provide public testimony on the application prior to the deadline set forth in the Emergency Rules (eff. January 26, 2021).[3] No members of the public had sent in written comment on the application prior to the deadline set forth in the Emergency Rules. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules.

The Applicant's attorney Mr. Nicholas Ftikas provided background on the application and the nature of the underlying relief sought. In particular, Mr. Ftikas reminded the ZONING BOARD OF APPEALS that the Applicant's application had been previously before the ZONING BOARD OF APPEALS on March 15, 2019.[4]

The Alderman made a public statement in support of the application.

The Applicant offered the testimony of its manager Mr. Viral Kheni in support of the application.

The Applicant offered the testimony of its architect Ms. Nikolleta Scarlatis in support of the application.

The Applicant offered the testimony of its MAI certified real estate appraiser Mr. Joseph M. Ryan in support of the application.

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[1] The recommendation incorrectly states the date of the plans as "February 18, 2020." This is a typographical error as the plans clearly show the date of February 18, 2021.
[2] In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*
[3] Such Emergency Rules were issued by the Chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers set forth in the Rules of Procedure.
[4] At such time, it bore Board Cal. No. 162-19-S.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Ftikas provided further background on the application.

B. Criteria for a Special Use

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

III. FINDINGS OF FACT

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

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

   The subject property is zoned C1-2. As a drive-through facility is a special use in C1 zoning districts, the Applicant requires a special use[5]. The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

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

   The proposed special use is in the interest of the public convenience because, as noted in Mr. Ryan's report, there is a demand for restaurants with drive-through facilities in the Chicago area. This is especially true during the COVID-19 pandemic. Moreover, and as the Alderman stated, there is a specific need for a Dunkin Donuts with a drive-through facility at this particular location. As stated

[5] See Section 17-3-0207(Z) of the Chicago Zoning Ordinance.

by the Alderman and as shown on the map in Mr. Ryan's report, the subject property is located in the immediate vicinity (i.e., almost directly across the street) of the 111th - Morgan Park station of the Rock Island Metra. It is also very near Morgan Park High School, the Morgan Park Post Office, the Morgan Park 22nd District Police Station and the I-57 112th entrance/exit ramp. A Dunkin Donuts drive-through at this location is therefore conveniently located to serve the needs of the Morgan Park community, especially those members of the community that commute.

Moreover, proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community. The subject property is currently a vacant, undeveloped lot (and has been for fifty years) that – until recently – was contaminated due to fly dumping. The proposed special use will therefore allow the Applicant to return the subject property to a productive use. Further, and as set forth in Mr. Ryan's report, the proposed special use will not negatively impact property values in the immediate area. The ZONING BOARD OF APPEALS finds Mr. Ryan to be a very credible witness, especially with respect to property valuation.

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

The subject property is a large vacant lot on the southwest corner of West Monterey Avenue and South Homewood Avenue. The subject property itself is zoned commercial making a one-story quick-service restaurant an appropriate use for this location. Directly to the south of the subject property and across the alley is residential use. Immediately to the north and northeast of the subject property is public transit (i.e., the Metra station) and institutional (i.e., Morgan Park High School) use. As can be seen from the proposed site plans and elevations, the proposed special use does not utilize the alley separating the subject property from the residential use. Instead, cars will ingress from South Homewood Avenue and egress onto West Monterey Avenue. Further, the landscaping plan ensures that the proposed special use will be shielded from the residential use, and the site plan itself shows that the entire development is oriented towards West Monterey, ensuring that any sounds from the proposed special use will go north into the public transit use (i.e., the Metra station). The proposed special use is only one lane and is attached to the proposed restaurant. Such proposed restaurant is of similar scale to other buildings in the immediate area and is, in fact, smaller than the building directly south of the subject property. Based on all this, the proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.

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

   As noted above and as can be seen from the site plans and elevations, the proposed development is oriented towards commercial West Monterey Avenue. The proposed special use is separated from the residential use to the south of the subject property by both the landscaping and the sixteen-foot (16') alley. Thus, any outdoor lighting or noise generated by the proposed special use will not affect the residential property to the south. Instead, any outdoor lighting and noise will be oriented towards the public transit use to the north and the institutional use to the northeast. Thus, the proposed special use will be compatible with the surrounding area in terms of outdoor lighting, hours of operation and noise. With respect to traffic generation, the proposed special use shall have separate ingress off of South Homewood Avenue and egress onto West Monterey Avenue, ensuring that no one public way will become overly congested from the proposed special use. Further, the site plan shows the proposed special use shall have the ability to stack seven vehicles (including the vehicle at the drive-through window). Indeed, and as testified by Ms. Scarlatis, the proposed site plan is safe and efficient, and the City's Department of Transportation has reviewed and approved the proposed site plan. Thus, the proposed special use is compatible with the surrounding area in terms of traffic generation.

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

   As noted above, the proposed special use will have vehicular ingress off of South Homewood Avenue and vehicular egress off of West Monterey Avenue. From the site plans, these driveways are not overly wide, and the landscaping plans ensure that both pedestrians and drivers will have adequate sight-lines at the intersection of these driveways with the sidewalk. Further, and as also can be seen from comparing the plans to the photographs of the subject property as it currently exists, the landscaping will drastically enhance the streetscape at this location. Thus, the proposed special use is designed to promote pedestrian safety and comfort.

IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be issued solely to the Applicant;

2. The development shall be consistent with the design and layout of the plans and drawings dated February 18, 2021, prepared by Nick Scarlatis & Associates, LTD.

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: _____
Timothy Knudsen, 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 at 121 North LaSalle Street, Chicago, IL on 4/19, 2021.

_____
Janine Klich-Jensen

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

APPLICANT: Zach and Leslie Archer

CAL NO.: 62-21-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3939 N. Hoyne Avenue

NATURE OF REQUEST: Application for a variation to 3.2', combined side setback from 8' to 5.99' for a proposed one-story side addition to the existing three-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 3.2', combined side setback to 5.99' for a proposed one-story side addition to the existing three-story, single family residence; an additional variation was granted to the subject property in Cal. No. 63-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Zach and Leslie Archer

CAL NO.: 63-21-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3939 N. Hoyne Avenue

NATURE OF REQUEST: Application for a variation to expand the existing 3,849 square feet of floor area which has been in existence for 50 years to 4,784.68 square feet for a proposed one-story side addition to the existing three-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 22 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand the existing 3,849 square feet of floor area which has been in existence for 50 years to 4,784.68 square feet for a proposed one-story side addition to the existing three-story, single family residence; an additional variation was granted to the subject property in Cal. No. 62-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joben and Elise Grimmius

CAL NO.: 64-21-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1833 W. Erie Street

NATURE OF REQUEST: Application for a variation to reduce the west side setback from the required 2' to .75' (east to be 2.61'), combined side setback from 4.8' to 3.36', for a proposed new metal stair to access the roof deck of an existing two-story, two dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 22 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west side setback to .75' (east to be 2.61'), combined side setback to 3.36', for a proposed new metal stair to access the roof deck of an existing two-story, two dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Clement Kirabo Jackson

CAL NO.: 65-21-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5326 N. Bowmanville Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the minimum 20.77' to 11.33' for a proposed two-story addition to the existing two-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 22 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 11.33' for a proposed two-story addition to the existing two-story, single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3139 N. Central Park, LLC

CAL NO.: 66-21-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3139-41 N. Central Park Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 12.41' to 6.95', north side setback from 2' to 0.85' (south to be 2.46') combined side setback from 5' to 3.31' to allow for the subdivison of one zoning lot into two zoning lots. The existing four-story, three dwelling unit building shall remain.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 6.95', north side setback to 0.85' (south to be 2.46') combined side setback to 3.31' to allow for the subdivison of one zoning lot into two zoning lots. The existing four-story, three dwelling unit building shall remain; 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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3139 N. Central Park, LLC

CAL NO.: 67-21-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3139-41 N. Central Park Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off street parking from the required three spaces to two spaces in order to subdivide one zoning lot into two zoning lots. The existing four-story, three dwelling unit building with two car garage at 3139 N. Central Park shall remain.

ACTION OF BOARD - VARIATION WITHDRAWN

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chi Partners, LLC 2711 Washtenaw Series **CAL NO.:** 68-21-Z

APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2711 N. Washtenaw Avenue

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

ACTION OF BOARD - Continued to April 16, 2021

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chi Partners, LLC 2711 Washtenaw Series **CAL NO.:** 69-21-Z

APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2711 N. Washtenaw Avenue

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

ACTION OF BOARD - Continued to April 16, 2021

THE VOTE

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: The Goat Parlor, LLC — Cal. No.70-21-S

APPEARANCE FOR: Mark Kupiec — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2727 N. Harlem Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Bottles and Cans Too, LLC — Cal. No.71-21-S

APPEARANCE FOR: Mark Kupiec — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5366-70 W. Devon Avenue / 6401 N. Central Avenue

NATURE OF REQUEST: Application for a special use to establish a liquor store (packaged good liquor license) in an existing one-story commercial building.

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 liquor store (packaged good liquor license) in an existing one-story commercial building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Bottles and Cans Too, LLC, and the development is consistent with the design and layout of the plans and drawings dated November 22, 2020, prepared by Woodhouse Tinucci Architects.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Rita E. Knorr

CAL NO.: 72-21-Z

APPEARANCE FOR: Amy Kurson

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2847-49 W. Palmer Street

NATURE OF REQUEST: Application for a variation to reduce the required parking spaces from two to zero to allow for the increase from six dwelling units to eight dwelling units in an existing three-story, six dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required parking spaces to zero to allow for the increase to eight dwelling units in an existing three-story, six 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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Door 24 Wine, LLC — Cal. No.73-21-S

APPEARANCE FOR: Tyler Manic — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2124 N. Damen Avenue

NATURE OF REQUEST: Application for a special use to establish a liquor store (wine store).

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	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 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 liquor store (wine store); expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Door 24 Wine, LLC, and the development is consistent with the design and layout of the plans and drawings dated February 15, 2021, prepared by Jackson Harlar Architecture.

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3015 N. Southport, LLC **CAL NO.:** 74-21-Z

APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3015-17 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 6.13' to zero, rear setback from 30' to 15.33', north side setback from 4' to zero for a proposed five-story, seven dwelling unit building with thirteen parking spaces.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to zero, rear setback to 15.33', north side setback to zero for a proposed five-story, seven dwelling unit building with thirteen parking spaces; an additional variation was granted to the subject property in Cal. No. 75-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3015 N. Southport, LLC **CAL NO.:** 75-21-Z

APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3015-17 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 50' to 50.33' for a proposed five-story, seven dwelling unit building with thirteen on-site parking spaces.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the building height to 50.33' for a proposed five-story, seven dwelling unit building with thirteen on-site parking spaces; an additional variation was granted to the subject property in Cal. No. 74-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Lucas Blahnik

CAL NO.: 76-21-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3132 N. Spaulding Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to 1' (south to be 2.15'), combined side setback from 5' to 3.15' for the subdivision of one zoning lot into two zoning lots. A two-story, single family residence is proposed for the new lot at 3130 N. Spaulding Avenue.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 22 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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' (south to be 2.15'), combined side setback to 3.15' for the subdivision of one zoning lot into two zoning lots. A two-story, single family residence is proposed for the new lot at 3130 N. Spaulding Avenue; 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 caused~~ this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sharon and John Baldwin

CAL NO.: 77-21-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1064 W. Polk Street

NATURE OF REQUEST: Application for a variation to expand the existing 1,981.64 square feet of floor area that has existed for more than fifty years by 138.51 square feet for a proposed three story, elevator enclosure addition and new rear open bridge connection from the addition to the existing garage roof deck.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 22 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 1,981.64 square feet of floor area that has existed for more than fifty years by 138.51 square feet for a proposed three story, elevator enclosure addition and new rear open bridge connection from the addition to the existing garage roof deck; two additional variations were granted to the subject property in Cal. Nos. 78-21-Z and 79-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sharon and John Baldwin

CAL NO.: 78-21-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1064 W. Polk Street

NATURE OF REQUEST: Application for a variation to reduce the east side setback from the required 2' to zero, west side setback from 2' to zero, combined side setback from 5' to zero, rear setback from 28' to .1' for a proposed rear three-story elevator enclosure addition and new rear open bridge connection from the addition to the existing garage roof deck.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 east side setback to zero, west side setback to zero, combined side setback to zero, rear setback to .1' for a proposed rear three-story elevator enclosure addition and new rear open bridge connection from the addition to the existing garage roof deck; two additional variations were granted to the subject property in Cal. Nos. 77-21-Z and 79-21-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 caused~~ this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sharon and John Baldwin

CAL NO.: 79-21-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1064 W. Polk Street

NATURE OF REQUEST: Application for a variation to relocate the required 162.5 square feet of rear yard open space to a deck or patio that is more than four feet above grade for a proposed rear three-story elevator enclosure addition and new rear open bridge connection from the new addition to the existing garage roof deck.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 162.5 square feet of rear yard open space to a deck or patio that is more than four feet above grade for a proposed rear three-story elevator enclosure addition and new rear open bridge connection from the new addition to the existing garage roof deck; two additional variations were granted to the subject property in Cal. Nos. 77-21-Z and 78-21-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 caused~~ this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Anthony Roberts

CAL NO.: 80-21-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2224 E. 79th Street

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

ACTION OF BOARD - Continued to April 16, 2021

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: David Nickell **CAL NO.:** 81-21-Z

APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2129 W. Belle Plaine Avenue

NATURE OF REQUEST: Application for a variation to expand the existing 2,915 square feet of floor are that has been in existence for more than fifty years by 437 square feet for a total of 3,352 square feet for a proposed second floor raised roof addition a rear second floor addition and a rear one-story addition to the existing two-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 2,915 square feet of floor are that has been in existence for more than fifty years by 437 square feet for a total of 3,352 square feet for a proposed second floor raised roof addition a rear second floor addition and a rear one-story addition to the existing two-story, single family residence; an additional variation was granted to the subject property in Cal. Nos. 82-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: David Nickell **CAL NO.:** 82-21-Z

APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2129 W. Belle Plaine Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 14.78' to 124.11', west side setback from 2' to 0.62' (east to be 3.24'), combined side setback from 5' to 3.86' for a proposed second floor raised roof addition, a rear second floor addition and a rear one-story addition to the existing two-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 124.11', west side setback to 0.62' (east to be 3.24'), combined side setback to 3.86' for a proposed second floor raised roof addition, a rear second floor addition and a rear one-story addition to the existing two-story, single family residence; an additional variation was granted to the subject property in Cal. Nos. 81-21-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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Abdulqader Saleh — Cal. No.83-21-S

APPEARANCE FOR: John Pikarski — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 801-07 N. Cicero Avenue

NATURE OF REQUEST: Application for a special use to establish a gas station with a one-story mini mart.

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 gas station with a one-story mini mart; a variation was also granted to the subject property in Cal. No. 84-21-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Abdulqader Saleh, and the development is consistent with the design and layout of the plans and drawings dated September 18, 2020, with Site and Landscape Plan dated February 18, 2021, prepared by Proyekt Studio, LLC.

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Abdulqader Saleh **CAL NO.:** 84-21-Z

APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 801-07 N. Cicero Avenue

NATURE OF REQUEST: Application for a variation to reduce the lot area from the required 20,000 square feet to 15,543.17 square feet for a proposed gas station with a one-story mini mart.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; 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 lot area to 15,543.17 square feet for a proposed gas station with a one-story mini mart; a special use was also granted to the subject property in Cal. Nos. 83-21-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s): provided the special use is issued solely to the applicant, Abdulqader Saleh, and the development is consistent with the design and layout of the plans and drawings dated September 18, 2020, with Site and Landscape Plan dated February 18, 2021, prepared by Proyekt Studio, LLC.

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Progressive Baptist Church — Cal. No. 85-21-S

APPEARANCE FOR: Lewis Powell III — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3924 S. Wells Street

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

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a community center; a variation was also granted to the subject property in Cal. No. 86-21-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Progressive Baptist Church

CAL NO.: 86-21-Z

APPEARANCE FOR: Lewis Powell III

MINUTES OF MEETING: February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3924 S. Wells Street

NATURE OF REQUEST: Application for a variation to reduce the front setback along S. Princeton from 14.69' to zero, north side setback from 2' to 1' (south to be 4.35' and combined to be 5.35"), reduce the parking setback required to prevent obstruction of the sidewalk by cars from 20' to zero for the conversion of a single-family residence into a community center on a through lot.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback along S. Princeton to zero, north side setback to 1' (south to be 4.35' and combined to be 5.35"), reduce the parking setback required to prevent obstruction of the sidewalk by cars from 20' to zero for the conversion of a single-family residence into a community center on a through lot; a special use was also granted to the subject property in Cal. Nos. 85-21-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s): provided the special use is issued solely to the applicant, Progressive Baptist Church.

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

APR 19 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Mural Park, LLC
APPLICANT

87-21-S
CALENDAR NUMBER

1928 S. Jourdan Court
PREMISES AFFECTED

February 19, 2021
HEARING DATE

ACTION OF BOARD

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

THE VOTE

	AFFIRMATIVE	NEGATIVE	RECUSED
Timothy Knudsen, Chairman	x		
Zurich Esposito	x		
Brian Sanchez	x		
Jolene Saul			x
Sam Toia	x		

FINDINGS OF THE ZONING BOARD OF APPEALS IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1928 S. JOURDAN COURT BY MURAL PARK, LLC.

I. BACKGROUND

Mural Park, LLC (the "Applicant") submitted a special use application for 1928 W. Jourdan Court (the "subject property"). The Applicant's parent company is Condor Partners Real Estate Investors, LLC ("Condor"). As such, the Applicant and Condor were used interchangeably throughout the hearing. The subject property is currently zoned C1-2 and is used as a surface parking lot. The Applicant proposed to establish a three-story parking garage with 186 parking stalls on the subject property (the "Parking Garage"). The Applicant further proposed that thirty-four (34) of the Parking Garage's parking stalls would serve as the required accessory parking[1] for the office building located at 920 W. Cullerton Avenue (the "Cullerton Building"). The Parking Garage's remaining parking stalls would be non-accessory parking[2]. A non-accessory parking garage is a permitted use in a C1-2 zoning district.[3] However, off-site accessory parking requires a special use in a C1-2 zoning district.[4] In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City of Chicago's

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[1] Section 17-17-0204 of the Chicago Zoning Ordinance
[2] Section 17-17-02101 of the Chicago Zoning Ordinance.
[3] Section 17-3-0207(LL) of the Chicago Zoning Ordinance.
[4] Section 17-10-0603-A(2) of the Chicago Zoning Ordinance.

Department of Planning and Development (the "Zoning Administrator") recommended approval of the proposed off-site accessory parking provided that: (1) the special use was issued solely to the Applicant; (2) the development was consistent with the building elevations and site plan dated February 18, 2021, prepared by Hirsch|MPG Architects + Planning as they pertain to the development of the zoning lot only (the "February 18, 2021 Plans"); (3) the Applicant was responsible for the installation of ADA compliant public sidewalk improvements along the west side of Jourdan Court adjoining the front property line of the subject property; (4) the Applicant was responsible for ADA compliant sidewalk connections to West 19th Street and West Cullerton Street; (5) the Applicant was responsible for the installation of any traffic control and safety signs as they relate the Parking Garage; and (6) all improvements to and within the public right-of-way would be approved by the City of Chicago's Department of Transportation ("CDOT") and be in accordance with construction standards for work in the public right-of-way.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing[5] on the Applicant's special use application at its regular meeting held on February 19, 2021, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. June 26, 2020), the Applicant had submitted its proposed Findings of Fact. One of the Applicant's managers and a partner in Condor Mr. Michael McLean and its attorneys Mr. Michael Noonan and Ms. Donna Pugh were present. The Applicant's certified land planner Ms. Marie Pellot, its consulting architect Ms. Patricia Saldana Natke, its traffic consultant Mr. Luay Aboona, its certified land planner Mr. Geoff Dickinson and its project architect Mr. Howard Hirsch. The Assistant Zoning Administrator Mr. Steven Valenziano was present. Also present was Ms. Bridget O'Keefe. Ms. O'Keefe represented Podmajersky, Inc., Mr. John Podmajersky and Ms. Cynthia Podmajersky (collectively, the "Podmajerskys").

At the beginning of the ZONING BOARD OF APPEALS' regular meeting of February 19, 2021, Ms. Bridget O'Keefe requested a continuance on the application.

After hearing arguments from both Ms. O'Keefe and Mr. Noonan, the ZONING BOARD OF APPEALS denied the request a continuance and stated that the application would be heard later that day.

Approximately eight (8) hours later, the ZONING BOARD OF APPEALS reached the Applicant's application on its agenda[6]. Mr. Noonan, Ms. Pugh, Ms. O'Keefe and Mr.

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[5] In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

[6] It was the twenty-fourth matter heard and was heard at approximately 5:30 PM. There were twenty-seven separate matters heard at the meeting. Note: a matter may consist of one or more ZONING BOARD OF APPEALS' calendar numbers.

Valenziano informed the ZONING BOARD OF APPEALS that during those eight (8) hours, Condor, the Podmajerskys, CDOT, the City of Chicago's Department of Planning and Development ("DPD") and 11th Ward Alderman Patrick Thompson (the "Alderman") had been actively negotiating to reach a solution that satisfied both Condor and the Podmajerskys.

Ms. O'Keefe then formally withdrew the Podmajerskys' objection to the February 18, 2021 Plans.

The ZONING BOARD OF APPEALS then asked Ms. O'Keefe if the Podmajerskys planned to object to any other portion of the application.

Ms. O'Keefe represented that the Podmajerskys should not have any other objections to the application.

The Applicant offered the testimony of one of its managers Mr. Michael McLean in support of the application.

The Applicant offered the testimony of its certified land planner Ms. Maria Pellot in support of the application.

The Applicant offered the testimony of its consulting architect Ms. Patricia Saldana Natke in support of the application.

The Applicant offered the testimony of its traffic consultant Mr. Luay Aboona in support of the application.

The Applicant offered the testimony of its certified land planner Mr. Geoff Dickinson in support of the application.

The ZONING BOARD OF APPEALS then asked Ms. O'Keefe if she had any questions of the Applicant's witnesses.

Ms. O'Keefe stated that she did not need to ask the Applicant's witnesses any questions. She then made a brief statement on behalf of the Podmajerskys.

B. Criteria for a Special Use

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

characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

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

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

   The subject property is zoned C1-2. As off-site required accessory parking is a special use in C1 zoning districts, the Applicant requires a special use[7]. The Applicant is seeking no other relief from the Chicago Zoning Ordinance. As set forth in Ms. Pellot and Ms. Saldana Natke's report, but for the special use, the Parking Garage complies with all other applicable standards of the Chicago Zoning Ordinance, including building height, setbacks, floor area ratio ("FAR"), landscaping, vehicular parking depth and width and vehicular drive aisle width. It is only the special use that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

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

   The proposed special use is in the interest of the public convenience and will have a positive impact on the general welfare of the neighborhood as it will allow 400 jobs to be relocated from the Loop to Pilsen. These 400 jobs will create, as set out in Mr. Geoff Dickinson's memo, positive economic benefit to Pilsen in the form of increased spending in the neighborhood by the re-located workers. Moreover, the proposed special use will allow a current gravel parking lot to be improved with the Parking Garage. As can be seen from comparing the February 18, 2021 Plans and pictures of the subject property, the Parking Garage is far more aesthetically pleasing for the block. Moreover, if the special use is not granted, Condor cannot lease the Cullerton Building to Health Care Service Corporation. The Cullerton Building is a repurposed loft timber building that (as can be seen from the site photographs) is built lot line to lot line; therefore, there

[7] See Section 17-10-0603-A(2) of the Chicago Zoning Ordinance.

is no ability to put required accessory parking on-site. Denying the special use would therefore lead to either: (1) the Cullerton Building remaining vacant or (2) Condor requesting zoning relief to reduce the Cullerton Building's required accessory parking. Both options would not be in the interest of public convenience and could potentially have a significant adverse impact on the general welfare of the neighborhood. Indeed, allowing the Cullerton Building to remain vacant would not provide positive economic benefit to Pilsen. Alternatively, allowing a reduction in the required accessory parking for the Cullerton Building would – as set forth in the Applicant's proposed Findings of Fact – lead to a decrease in available on-street parking in the area.

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

   As can be seen from the February 18, 2021 Plans, the Applicant has spent much time and effort into ensuring that the Parking Garage is compatible with the character of the surrounding area in terms of site planning and building scale and project design. At three stories, the Parking Garage is compatible with the character of other buildings in the neighborhood, which are primarily two to five stories. With all masonry construction, the Parking Garage is compatible with other larger buildings in the neighborhood in terms of project design, especially the five-story building next east of the subject property. In terms of site planning, it is clear that the Applicant has spent much time and effort to ensure that the ingress and egress to the Parking Garage will not disrupt pedestrian traffic in the neighborhood.

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

   The Parking Garage will operate in conjunction with the regular business hours of the Cullerton Building (i.e., 9:00 AM – 5:00 PM, Monday through Friday). As such, the proposed special use will be compatible with the hours of operation with the other commercial and industrial uses in the surrounding area. The Parking Garage will have outdoor exterior lighting for safety but such lighting will not be disruptive or spill over onto adjacent properties. Moreover, the interior lighting for the Parking Garage will be both shielded and motion activated, again ensuring that the proposed special use will not have any disruptive outdoor lighting. The subject property is currently used for vehicular parking so traffic generation at the subject property already exists. Further, and as set forth in Mr. Aboona's report, the increase in traffic generation (due to the Parking Garage allowing an increase in the amount of vehicles that will be able to utilize the subject property) will not

disrupt traffic patterns in the area as all intersections have sufficient capacity. Based on all this, the proposed special use is compatible with the character of the surrounding area in terms of operating characteristics.

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

   Due to the recommendations of the Zoning Administrator, the Applicant will be installing an ADA-compliant sidewalk improvement along the west side of Jourdan Court adjoining the front property line of the subject property. Moreover, the Applicant shall be responsible for ADA-compliant sidewalk connections to West 19th Street and West Cullerton Street. Further, the Applicant will be installing additional security measures on the subject property, such as the aforementioned exterior lighting as well as security cameras. Landscaping to the subject property will be done in accordance with the Chicago Landscape Ordinance and will soften the streetscape. Based on all this, the proposed special use is designed to promote pedestrian safety and comfort.

IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special shall be issued solely to the Applicant;

2. The development shall be consistent with February 18, 2021 Plans;

3. The Applicant shall be responsible for the installation of ADA compliant public sidewalk improvements along the west side of Jourdan Court adjoining the front property line of the subject property;

4. The Applicant shall be responsible for ADA compliant sidewalk connections to West 19th Street and West Cullerton Street;

5. The Applicant shall responsible for the installation of any traffic control and safety signs as they relate the Parking Garage; and

6. All improvements to and within the public right-of-way shall be approved by CDOT and shall be in accordance with construction standards for work in the public right-of-way.

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: _____
Timothy Knudsen, 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 at 121 North LaSalle Street, Chicago, IL on 4/19, 2021.

_____
Janine Klich-Jensen

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

APPLICANT: 15 North Elizabeth, LLC — Cal. No. 88-21-S

APPEARANCE FOR: Andrew Scott — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 15 N. Elizabeth Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor in an existing six-unit residential building with eight parking spaces. The ground floor commercial unit shall be converted to a dwelling unit.

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

MAR 22 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 4, 2021; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated February 8, 2021 prepared by Osterhaus McCarthy LLC Architects.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

APR 19 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

David Swendsen and Amanda Anderson
APPLICANTS

89-21-Z, 90-21-Z & 91-21-Z
CALENDAR NUMBERS

2434 N. Fairfield Avenue
PREMISES AFFECTED

February 19, 2021
HEARING DATE

ACTION OF BOARD

The applications for the variations are approved.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Timothy Knudsen, Chairman	x		
Zurich Esposito	x		
Brian Sanchez	x		
Jolene Saul	x		
Sam Toia	x		

FINDINGS OF THE ZONING BOARD OF APPEALS IN THE MATTER OF THE VARIATION APPLICATIONS FOR 2434 N. FAIRFIELD AVENUE BY DAVID SWENDSEN AND AMANDA ANDERSON.

I. BACKGROUND

David Swenden and Amanda Anderson (the "Applicants") submitted three variation applications for 2434 N. Fairfield Avenue (the "subject property"). The subject property is currently zoned RS-3 and is currently improved with a three-story single-family home (the "home"). The home is over 100 years old and in need of extensive renovation and rehabilitation. As part of this renovation and rehabilitation, the Applicants proposed to construct a three-story addition to the home (the "proposed addition"). In order to permit the proposed addition, the Applicants sought the following variations: (1) to reduce the south side setback from the required 2' to 1.4' (north to be 2.85') and to reduce the combined side setbacks from the required 5' to 4.25'; (2) to increase the existing 2,834.34 square feet to 3116.14 square feet[1]; and (3) increase the maximum allowable building height from 30' to 31.01'.

II. PUBLIC HEARING

A. The Hearing

[1] Such increase in the floor area ratio does not exceed the 15% allowed under Section 17-13-1101-G of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS held a remote public hearing[2] on the Applicants' variation applications at its regular meeting held on February 19, 2021, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. June 26, 2020), the Applicants submitted their proposed Findings of Fact. One of the Applicants Mr. David Swenden and the Applicants' attorney Mr. Patrick Turner were present. Also present on behalf of the Applicants was its architect Mr. Corey Dunne. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. January 26, 2021).[3]

The Applicants' attorney Mr. Patrick Turner provided an overview of the Applicants' applications.

The Applicant Mr. David Swendsen offered testimony in support of the Applicants' applications.

The Applicants' architect Mr. Corey Dunne offered testimony in support of the Applicants' applications.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Dunne and Mr. Swendsen provided further testimony.

B. Criteria for a Variation

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

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

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[2] In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

[3] Such Emergency Rules were issued by the Chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers set forth in the Rules of Procedure.

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

III. FINDINGS OF FACT.

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

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

   The home is over 100 years old and is currently nonconforming with respect to its south side setback. Further as Mr. Swenden and Mr. Dunne testified, and as shown in the Applicants' plans and elevations, the home's basement is located slightly below grade level (approximately 30" below grade). Section 17-17-0305-A-1 of the Chicago Zoning Ordinance expressly includes toward floor area ratio ("FAR") any floor located partially below grade when more than one half the floor-to-ceiling height of the below-grade floor is above grade level. As such, the basement of the home counts against the home's FAR. This severely constrains possible renovations options for the home.

   As Mr. Dunne credibly testified, the home is unsafe and in need of renovation. The proposed variations will allow the home to be functional for the Applicants and their family. Without the variations, the current third floor of the home would remain in its present, mostly unusable condition as any third floor addition that could be built without the variations would be unsafe (due to inability to build a

code compliant stair to the third floor) and financially unfeasible. It would also be – due to the inability to build off the home's existing south wall – be hard to weatherproof. Thus, without the variations, the home would either remain in its current, dilapidated condition or would need to be demolished. Based on all this, the ZONING BOARD OF APPEALS finds that strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.

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

   The requested variations will allow for the home's proposed renovation and rehabilitation, including the proposed addition. As such, the requested variations are 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 of the Chicago Zoning Ordinance by rehabilitating a dilapidated and unsafe structure; (2) preserving the overall quality of life for residents and visitors pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance by allowing for rehabilitation of the home as well as equipping the home with usable storage area; (3) protecting the character of the established residential neighborhood pursuant to Section 17-1-0503 of the Chicago Zoning Ordinance by updating and repairing the home in such a way that is sensitive to the other improvements on the block; (4) promoting rehabilitation and reuse of older buildings pursuant to Section 17-1-0511 by rehabilitating the home as opposed to demolishing the home and constructing an addition that is harmonious with the home's setbacks; and (5) maintaining a range of housing choices and options pursuant to Section 17-1-0512 by allowing for the rehabilitation of the home so that the Applicants and their family may reside in the home.

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

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

   The home on the subject property is dilapidated and in need of rehabilitation. Because the home is nonconforming, any rehabilitation to the home will require variations. Without the variations requested, the home will remain in an unsafe condition. In addition to the rehabilitation, the Applicants proposed an addition to improve the currently unusable storage space. As the Applicants intend to live the

home, the ZONING BOARD OF APPEALS finds reasonable return in this instance to be more in terms of livability of the home than monetary value. To that end, the Applicants require the proposed variations in order for the home to be livable.

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

   The ZONING BOARD OF APPEALS finds that the particular hardships facing the subject property, namely the nonconforming home on the subject property and the basement located just below grade are unique circumstances not generally applicable to other residential property in the City.

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

   The ZONING BOARD OF APPEALS finds that the variations requested will preserve the essential character of the neighborhood in that they will allow the home to be rehabilitated in a manner that preserves the face of the home. The proposed addition is located at the rear of the home and will not be visible from the street. The variations will have no effect on the home's density, height or width. Thus, the requested variation will not alter the essential character of the neighborhood.

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

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

   The nonconforming home on the property results in particular hardship upon the property owner. If the strict letter of the Chicago Zoning Ordinance were carried out, the Applicants would not be able to perform the much needed rehabilitation to the home, and the subject property would continue to be burdened with an unsafe structure. Such a result is far more than a mere inconvenience.

2. *The conditions upon which the petitions for the variations are based would not be applicable, generally, to other property within the same zoning classification.*

The ZONING BOARD OF APPEALS finds that nonconforming home on the subject property and the basement that is just below grade are not applicable, generally, to other property within the RS-3 zoning classification.

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

   The variations are not based exclusively upon a desire to make more money out of the subject property. Instead, the variations are requested so that the home may be rehabilitated in line not only with current building and fire codes but also for the needs of a modern family.

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

   The nonconforming home on the subject property and the essentially at-grade basement predates the Applicants' interest in the subject property.

5. *The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

   The variations will allow the Applicants to perform much needed rehabilitation to the home. The variations will also allow the Applicants to make the current storage space usable. Improving the functionality of the home by means of a modest addition and repairing the home's unsafe conditions will not be detrimental or injurious to other property or improvements in the neighborhood.

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

   As can be seen from the plans and elevations, the proposed addition will not impair an adequate supply of light and air to adjacent properties. The proposed addition is modest in size and will not cause additional shade to neighboring rear yards. The proposed addition will not change the density of the home or remove any of the existing parking spaces and so there will be no effect on congestion in the public streets. As the proposed addition will not be constructed unless and until the Applicants have received valid building permits, the variations will not increase the danger of fire or endanger the public safety. Finally, as the variations

allow the rehabilitation of an unsafe structure in the neighborhood, the variations will not diminish or impair property values within the neighborhood.

IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicants' applications for variations, and the Zoning Administrator is authorized to permit said variations.

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

APPROVED AS TO SUBSTANCE

By: _____
Timothy Knudsen, 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 at 121 North LaSalle Street, Chicago, IL on 4/19, 2021.

_____
Janine Klich-Jensen

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

APPLICANT: Mi Canchita Indoor Field, LLC — Cal. No. 343-20-S

APPEARANCE FOR: Mark Kupiec — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7625 S. Kedzie Avenue`

NATURE OF REQUEST: Application for a special use to establish a sports and recreation, participation use within an existing one-story building with new on-site parking areas.

ACTION OF BOARD - Continued to April 16, 2021

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mi Canchita Indoor Field, LLC — Cal. No. 344-20-S

APPEARANCE FOR: Mark Kupiec — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7625 S. Kedzie Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one required loading berth for a proposed Sports and Recreation participant use in an existing one-story building with new on-site parking areas.

ACTION OF BOARD - Continued to April 16, 2021

THE VOTE

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Eli and Chana Webster — Cal. No. 372-20-Z

APPEARANCE FOR: Sara Barnes — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3555 W. Granville Avenue

NATURE OF REQUEST: Application for a variation to increase the floor area ratio from .67 to .75 for a proposed two-story, single family residence with an attached two car garage.

ACTION OF BOARD - WITHDRAWN

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

MAR 22 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Eli and Chana Webster — Cal. No. 373-20-Z

APPEARANCE FOR: Sara Barnes — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3555 W. Granville Avenue

NATURE OF REQUEST: Application for a variation to reduce the required front setback from the required 20.31' to 10.33', rear setback from 34.83' to 22.83' for a proposed two-story single-family residence with an attached two-car garage.

ACTION OF BOARD - WITHDRAWN

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Public Building Commission of Chicago — Cal. No. 404-20-S

APPEARANCE FOR: Scott Borstein — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2555 W. Grand Avenue

NATURE OF REQUEST: Application for a special use to establish a major utilities and services.

ACTION OF BOARD - APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

MAR 22 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on November 5, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): (1) the development is consistent with the design and layout of the plans and drawings dated February 18, 2021, prepared by HBK Engineering, LLC., (2) the final trees and plantings are salt-tolerant species, and (3) the existing concrete block retaining wall along Grand Avenue is replaced with a salt-tolerant wall.

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 caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 3/22, 2021.

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Public Building Commission of Chicago — Cal. No. 405-20-Z

APPEARANCE FOR: Scott Borstein — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2555 W. Grand Avenue

NATURE OF REQUEST: Application for a variation to retain the existing conditions that includes twenty-three trees within the landscape setback instead of ornamental fencing and reduce the number of trees from 157 to 94. Applicant is providing alternative treatments that exceed the required interior green space.

ACTION OF BOARD – APPLICATION WITHDRAWN

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Nimi Abraham

Cal. No. 437-20-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6411 N. Northwest Highway

NATURE OF REQUEST: Application for a special use to establish a gas station with a one- story accessory convenience store.

ACTION OF BOARD - Continued to April 16, 2021

THE VOTE

MAR 2 2 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Nimi Abraham

Cal. No. 438-20-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6411 N. Northwest Highway

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 20,000 square feet to 17,120 square feet for a proposed gas station with a one-story accessory convenience store.

ACTION OF BOARD - Continued to April 16, 2021

THE VOTE

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Canna B Growth, LLC — Cal. No. 37-21-S

APPEARANCE FOR: Charlotte Huffman — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4411 W. Carroll Street

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

ACTION OF BOARD - Continued to March 19, 2021

MAR 2 2 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Canna B Growth, LLC — Cal. No. 38-21-S

APPEARANCE FOR: Charlotte Huffman — **MINUTES OF MEETING:** February 19, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4411 W. Carroll Street

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

ACTION OF BOARD - Continued to March 19, 2021

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
TIMOTHY R. KNUDSEN	X		
ZURICH ESPOSITO	X		
BRIAN H. SANCHEZ	X		
JOLENE SAUL	X		
SAM TOIA	X		

MAR 22 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN