

MINUTES OF MEETING:

August 20, 2021

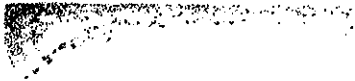
Cal. No. 205-20-S

The Applicant Growen, LLC presented a written request for an extension of time in which to establish a cannabis infuser at the subject property 309-19 N. Justine Avenue. The special use was approved on June 26, 2020 in Cal. No. 205-20-S.

The Applicant's representative, Paul Montes stated that the Applicant is at the end of the process of obtaining the permits from the City which is contingent on the issuance of the State of Illinois license which should be forthcoming well before the State's December 12, 2021 deadline for same.

Chairman Knudsen moved the request be granted and the time for obtaining the necessary permits be extended to August 23, 2022.

THE VOTE



SEP 20 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

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 9/20, 2021.

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

MINUTES OF MEETING:

August 20, 2021

Cal. No. 206-20-S

The Applicant Growen, LLC presented a written request for an extension of time in which to establish a cannabis craft grower at the subject property 309-19 N. Justine Avenue. The special use was approved on June 26, 2020 in Cal. No. 206-20-S.

The Applicant's representative, Paul Montes stated that the Applicant is at the end of the process of obtaining the permits from the City which is contingent on the issuance of the State of Illinois license which should be forthcoming well before the State's December 12, 2021 deadline for same.

Chairman Knudsen moved the request be granted and the time for obtaining the necessary permits be extended to August 23, 2022.

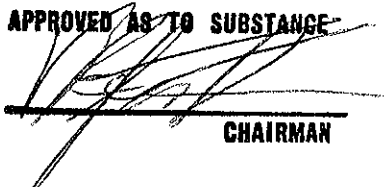
THE VOTE

SEP 20 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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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 9/20, 20 21.

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

MINUTES OF MEETING:  
August 20, 2021  
Cal. No. 207-20-S

The Applicant Growen, LLC presented a written request for an extension of time in which to establish a cannabis processor at the subject property 309-19 N. Justine Avenue. The special use was approved on June 26, 2020 in Cal. No. 207-20-S.

The Applicant's representative, Paul Montes stated that the Applicant is at the end of the process of obtaining the permits from the City which is contingent on the issuance of the State of Illinois license which should be forthcoming well before the State's December 12, 2021 deadline for same.

Chairman Knudsen moved the request be granted and the time for obtaining the necessary permits be extended to August 23, 2022.

SEP 20 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

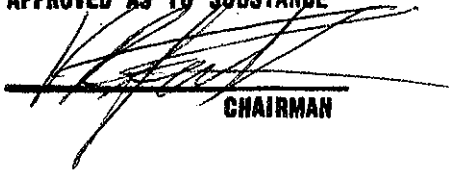
- TIMOTHY R. KNUDSEN
- ZURICH ESPOSITO
- BRIAN H. SANCHEZ
- JOLENE SAUL
- SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

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 9/20, 2021.

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

**APPLICANT:** Candice Macis dba Salon Aster, LLC Cal. No.322-21-S

**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:** August 20, 2021

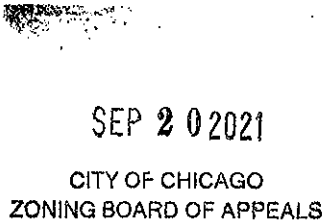
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2825 N. Southport Avenue

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**



TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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**THE RESOLUTION:**

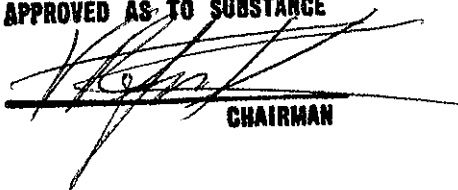
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 2021; and

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 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 9/20, 2021.

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

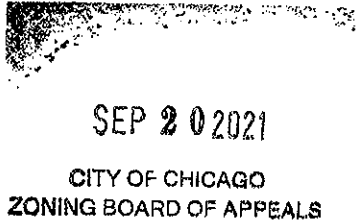
**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905**

**APPLICANT:** Jasmine's Boutique Inc. Cal. No.323-21-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 20, 2021  
**PREMISES AFFECTED:** 3905 W. Belmont Avenue

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**



TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 nail salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all 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 9/20, 2021.

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

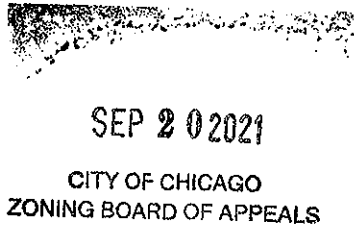
**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905**

**APPLICANT:** Rebel Barbershop Inc. Cal. No.324-21-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None August 20, 2021  
**PREMISES AFFECTED:** 6700 N. Northwest Highway

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**



SEP 2 0 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

**THE RESOLUTION:**

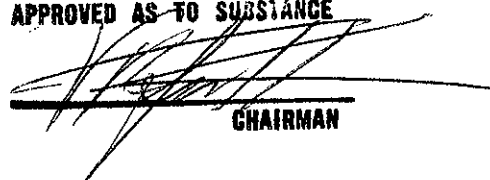
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 2021; and

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 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 9/20, 2021.

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

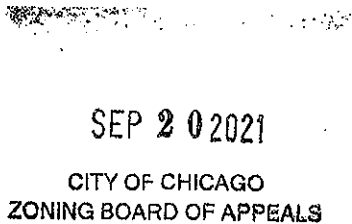
**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905**

**APPLICANT:** Aditya Ramani **CAL NO.:** 325-21-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 20, 2021  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2440 N. Lorel Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 300 square feet to zero for the conversion of the two-story, two-dwelling unit building to a three dwelling unit building.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**



TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 yard open space to zero for the conversion of the two-story, two-dwelling unit building to a three dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 9/20, 2021.

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** 1445 N. Ashland Ave, LLC **CAL NO.:** 326-21-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:** August 20, 2021  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1445 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 14.08' for a proposed four-story twelve unit building with ground floor retail, front and rear balconies, roof top decks, elevator, interior trash enclosure and six\* parking spaces.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

**SEP 20 2021**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 14.08' for a proposed four-story twelve unit building with ground floor retail, front and rear balconies, roof top decks, elevator, interior trash enclosure and six 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 \_\_\_\_\_, 20\_\_.

\*Scrivener's error

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



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

APPLICANT: 1353 Western, LLC

CAL NO.: 327-21-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:  
August 20, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1355 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30' to 16.5' for a proposed four-story, twelve dwelling unit building with first floor retail and interior parking.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

SEP 20 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 2021; and

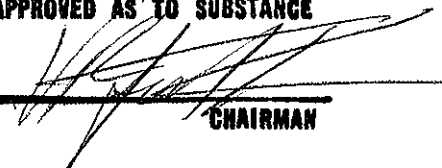
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard setback to 16.5' for a proposed four-story, twelve dwelling unit building with first floor retail and interior parking; 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 9/20, 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



OCT 25 2021

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**KDG Irving Park LLC**

APPLICANTS

**328-21-Z & 329-21-Z**

CALENDAR NUMBERS

**3953-61 W. Dakin Avenue**

PREMISES AFFECTED

**August 20, 2021**

HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The applications for the variations are approved.

Timothy Knudsen,  
Chairman  
Zurich Esposito  
Brian Sanchez  
Jolene Saul  
Sam Toia

AFFIRMATIVE    NEGATIVE    ABSENT

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**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 3953-61 W.  
DAKIN AVENUE BY KDG IRVING PARK LLC.**

**I. BACKGROUND**

KDG Irving Park LLC (the "Applicant") submitted two variation applications for 3953-61 W. Dakin Avenue (the "subject property"). The subject property is currently zoned C1-2 and is currently vacant. The Applicant proposed to construct a four-story mixed-use building (the "proposed building"). In order to permit the proposed building, the Applicant sought the following variations: (1) to reduce the blended minimum lot area from the required 17,676 square feet to 16,153 square feet; and (2) to reduce the front setback from the required 12.46' to 2' and the rear setback from the required 30' to 0'.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a remote public hearing<sup>1</sup> on the Applicants' variation applications at its regular meeting held on August 20, 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

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

with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. June 26, 2020), the Applicants submitted their proposed Findings of Fact. The Applicant's managing and sole member Mr. Joseph Kieferbaum and its attorney Ms. Sara Barnes were present. The Applicant's architect Mr. Mark Peters was also present. The alderman for the 45th ward Mr. James Gardiner (the "Alderman") was present and in opposition to the applications. 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. March 22, 2021).

The Applicant's attorney Ms. Sara Barnes presented a brief overview of the Applicant's applications.

The Applicant offered the testimony of its managing and sole member Mr. Joseph Kieferbaum in support of the applications.

The Applicant offered the testimony of its architect Mr. Mark Peters in support of its applications.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Peters offered further testimony.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Keiferbaum offered further testimony.

The Alderman offered testimony in opposition to the applications.

In response to questions by the ZONING BOARD OF APPEALS, the Alderman offered further testimony.

In response to the Alderman's testimony, Ms. Barnes provided clarifying statements.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Kieferbaum offered further testimony.

In response to further questions by the ZONING BOARD OF APPEALS, Ms. Barnes provided further statements and Mr. Kieferbaum offered 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.

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.*

As can be seen from the plat of survey, the subject property is an irregular triangular parcel. The subject property is bordered on the north by Dakin Street which is a one-way, westbound street in this location. The subject property is bordered to the west and south by Pulaski Road (west) and the Kennedy Expressway (west and south). To the east of the subject property is a RS district. Because the subject property shares a side property line and street frontage with a RS zoning property, the subject property is required to maintain a front setback

and an east side setback.<sup>2</sup> Further, the triangular shape of the subject property makes it very difficult, if not impossible, to design a building that does not touch or almost touch a property line.<sup>3</sup> In addition, the subject property lacks an alley forcing ingress and egress to the subject property from Dakin (as the City's Department of Transportation would not allow a curbcut onto Pulaski at this location). Because of all these factors, 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 proposed building to be constructed on the subject property. 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 allowing a formerly contaminated and currently vacant lot to be improved with a brand new mixed-used development; (2) preserving the overall quality of life for residents and visitors pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance by ensuring that the proposed building will not impede site lines for traffic exiting Dakin Avenue onto Pulaski Road; (3) protecting the character of the established residential neighborhood pursuant to Section 17-1-0503 of the Chicago Zoning Ordinance by ensuring that there is residential use on the subject property consistent with the residential neighborhood on Dakin; (4) maintaining economically vibrant as well as attractive business and commercial areas pursuant to Section 17-1-0511 by ensuring there is ground floor business use on subject property consistent with the other ground floor business use on Pulaski; and (5) maintaining a range of housing choices and options pursuant to Section 17-1-0512 by allowing the proposed building.

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:

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<sup>2</sup> See Sections 17-3-0404 and 17-3-0406 of the Chicago Zoning Ordinance.

<sup>3</sup> Thus requiring a rear setback reduction to 0'.

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 subject property was previously improved with first a gas station and then a metal refinery. Because of this, the Applicant had to environmentally remediate the subject property. Currently, the subject property is vacant. Without the proposed variations, Mr. Kieferbaum and Mr. Peters very credibly testified that residential development of the site would not be feasible.<sup>4</sup> Mr. Kieferbaum further very credibly testified that without the proposed variations, commercial use of the site would be limited to a self-storage facility. Such self-storage facility would not – as shown by the Applicant’s financial analysis – allow the subject property to yield a reasonable return.

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

The ZONING BOARD OF APPEALS finds that the particular hardships facing the subject property, that is: its irregular triangular shape, its proximity to a RS zoning district and its lack of an alley are unique circumstances that are not generally applicable to other vacant commercial property.

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

As can be seen from comparing the photographs of the neighborhood with the proposed building’s plans and drawings, the variations, if granted, will not alter the essential character of the neighborhood. On the contrary, the ZONING BOARD OF APPEALS finds that the variations requested will preserve the essential character of the neighborhood as the proposed building will provide the perfect transition between the business character of this section of Pulaski and the residential character of this section of Dakin.

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.*

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<sup>4</sup> As any building would touch at least one of the property lines.

The particular physical surroundings (that is, the subject property's location next to a RS zoning district and its lack of an alley) and the shape (that is, the subject property's irregular triangular shape) of the subject property would result in particular hardship upon the Applicant. If the strict letter of the Chicago Zoning Ordinance were carried out, the Applicant would be limited to building a self-storage facility on the subject property. Such a result is far more than a mere inconvenience as such self-storage facility is not the highest and best use of the property, would not fit into the character of the neighborhood and would make the subject property unable to realize a reasonable return.

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 irregular triangular shape of the lots, its proximity to a RS zoning district and its lack of alley access are conditions that are not applicable, generally, to other property within the C1-2 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 subject property may be improved with a building that is consistent with the character of the neighborhood. The ZONING BOARD OF APPEALS finds from the testimony presented by the Applicant's witnesses that the Applicant spent great time and effort ensuring that the proposed building fits within the context of the neighborhood, not only in terms of the façade and building scale but also in terms of setting the proposed building eight feet (8') off of Pulaksi so that those driving west on Dakin do not have their lines of sight impeded at the Dakin/Pulaski intersection as well as providing a one-to-one dwelling unit to parking ratio.

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

The irregular size and shape of the subject property was created by the construction of the Kennedy Expressway. The Applicant had no part in placement or the construction of the Kennedy Expressway. Similarly, the Applicant did not create the RS zoning district to the east of the subject property and did not create the subject property's lack of alley access.

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 Applicant to construct the proposed building. As can be seen by comparing the proposed building's plans and drawings with photographs of the neighborhood, the proposed building will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. On the contrary, as the proposed building will replace a currently vacant lot with all new construction, it will be beneficial to the public welfare and other property in the neighborhood. In particular, the ZONING BOARD OF APPEALS finds a 8' setback off of Pulaski to be entirely sufficient to ensure that the public welfare remains unharmed as those traveling westbound on Dakin by car will not have their lines of sight impeded by the proposed building at the Pulaski/Dakin intersection.

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 variations will allow the Applicant to construct the proposed building. As can be seen from the plans and elevations, the proposed building will not impair an adequate supply of light and air to adjacent properties. The proposed building will have a one-to-one dwelling unit to parking space ratio so it will not substantially increase 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 will allow for quality brand new construction on a vacant lot, the variations will not substantially 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 10/25/21, 2021.

  
Janine Klich-Jensen

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

APPLICANT: Supplementary, LLC

Cal. No.330-21-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:  
August 20, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1879 N. Milwaukee Avenue

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**

SEP 20 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 body art service (tattoo studio); 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 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 9/20, 2021.

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

**APPLICANT:** Malgorzata Wojdyla dba HG Studio Cal. No.331-21-S

**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2010 W. Foster Avenue

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**

SEP 2 0 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 studio; 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 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 9/20, 2021.

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Toyin Omolasho dba Ty African Hair Braiding Cal. No.332-21-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 20, 2021

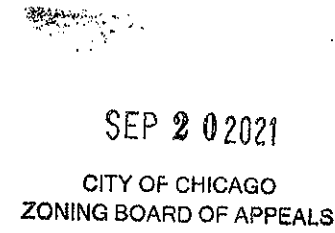
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2602 E. 79<sup>th</sup> Street

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

**ACTION OF BOARD – Continued to October 15, 2021**

**THE VOTE**

  
SEP 20 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



OCT 25 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**2115 Damen LLC**

APPLICANT

**333-21-S & 334-21-Z**

CALENDAR NUMBERS

**2115 N. Damen Ave.**

PREMISES AFFECTED

**August 20, 2021**

HEARING DATE

**ACTION OF BOARD**

The application for the special use is denied. The variation is denied.

**THE VOTE (SPECIAL USE – 321-21-S)**

	AFFIRMATIVE	NEGATIVE	ABSENT
Timothy Knudsen, Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brian Sanchez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**THE VOTE (VARIATION – 332-21-Z)**

	AFFIRMATIVE	NEGATIVE	ABSENT
Timothy Knudsen, Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brian Sanchez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS  
FOR 2115 N. DAMEN AVE. BY 2115 DAMEN LLC.**

**I. BACKGROUND**

2115 Damen LLC (the “Applicant”) submitted a special use application and a variation application for 2115 N. Damen Avenue. The subject property is currently zoned B3-2 and is currently vacant. The Applicant proposed to construct a four-story, three-dwelling unit building on the subject property (the “proposed building”). To permit this construction, the Applicant sought: (1) a special use to establish residential use below the second floor; and (2) a variation to reduce the rear setback on floors containing dwelling units from the

required 30 feet to 2 feet<sup>1</sup>. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended denial of the proposed special use.

## II. PUBLIC HEARING

### A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing<sup>2</sup> on the Applicant's special use application at its regular meeting held on August 20, 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. Danas Bagdonas and its attorney Mr. Nick Ftikas were present. The Applicant's architect Mr. John Hanna and its MAI certified real estate appraiser Mr. Sylvester ("Bud") Kerwin, Jr., were present. The chief of staff for 32nd ward alderman Scott Waguespack (the "Alderman") Mr. Paul Sajovec was present and in opposition to the applications. The Department's Assistant Commissioner Ms. Nancy Radzevich was present and in opposition to the application for the special use. 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. March 22, 2021).

The Applicant's attorney Mr. Nick Ftikas provided a brief overview of the applications.

The Applicant offered the testimony of its manager Mr. Danas Bagdonas in support of the applications.

The Applicant offered the testimony of its architect Mr. John Hanna in support of the variation application.

The Applicant offered the testimony of its MAI certified real estate appraiser Mr. Sylvester ("Bud") Kerwin, Jr., in support of the special use application.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Kerwin offered further testimony.

The Department's Assistant Commissioner Ms. Nancy Radzevich offered testimony in opposition to the special use application.

The Alderman's chief of staff Mr. Paul Sajovec offered testimony in opposition to the applications.

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<sup>1</sup> See Section 17-3-0405-A of the Chicago Zoning Ordinance.

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

In response to questions by Mr. Ftikas, Ms. Radzevich and Mr. Sajovec offered further testimony.

Mr. Ftikas then made a closing statement.

#### 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) 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.

#### C. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation are based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical

difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

### III. FINDINGS OF FACT

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

1. *The proposed special use does not comply with all applicable standards of the Chicago Zoning Ordinance.*

The subject property is located in a B3-2 zoning district. The Applicant's proposed residential use below the second floor is a special use in a B3-2 zoning district.<sup>3</sup> Since the ZONING BOARD OF APPEALS declines to grant the proposed special use, the proposed special use does not comply with all applicable standards of the Chicago Zoning Ordinance.

2. *The Applicant failed to prove that the proposed special use is in the interest of the public convenience. The proposed special use will have a significant adverse impact on the general welfare of the neighborhood or community.*

It is up to the Applicant to prove its case. While the Applicant provided evidence that the proposed special use would be commercially expedient for the Applicant, the Applicant failed to prove that the proposed special use would be expedient or reasonably convenient for the public welfare. Further, ZONING BOARD OF APPEALS agrees with Ms. Radzevich and Mr. Sajovic that the proposed special use will have a significant adverse impact on the general welfare of the neighborhood or community. The subject property located on Damen Avenue in a retail shopping district that is predominately comprised of first floor retail uses. As Mr. Sajovic very credibly testified, there are thirty-eight (38) distinct first floor uses between Webster and Dickens, only six (6) of which are residential uses. Instituting a residential ground floor use at the subject property would impair the contiguous retail shopping district and would have a detrimental effect on the overall context and character of this segment of Damen Avenue. The ZONING BOARD OF APPEALS finds Mr. Sajovic to be a very credible witness with respect to the

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<sup>3</sup> Section 17-3-0207-A(7) of the Chicago Zoning Ordinance.



context and character of this segment of Damen Avenue, including its very few retail vacancies, its trend of new development including viable ground floor retail and its commercial vibrancy. As retail uses are already struggling due to the COVID-19 pandemic, the ZONING BOARD OF APPEALS finds that allowing a passive ground floor use such as the requested proposed special use at the subject property will harm this commercial vibrancy and not be beneficial to the neighborhood and would instead have a significant adverse impact on the general welfare of the neighborhood.

3. *The proposed special use is not compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

As set forth above, the proposed special use would impair the contiguous retail shopping district and would have a detrimental effect on the overall context and character of this segment of Damen Avenue. This is because ground floor residential use is a much more passive use than a ground floor retail use and will negatively impact the vibrant retail activity in the neighborhood. Again, the ZONING BOARD OF APPEALS find Mr. Sajovic to be a very credible witness. Thus, the proposed special use is not 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 not 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 proposed special use will allow ground floor residential use at the subject property. As Mr. Sajovic very credibly testified, this would impair the contiguous retail shopping district of this segment of Damen Avenue. This is because, as set forth above, it would introduce an additional ground floor passive use in an area that is predominately ground floor retail active use. The retail shopping district on this segment on Damen – like all neighborhood shopping districts – depends on active pedestrian activity. An additional ground floor passive use would negatively impact this active pedestrian activity and, consequently, negatively impact the neighborhood's vibrant commercial character. As a result, the proposed special use is therefore not compatible with the character. The proposed special use is therefore not compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.

5. *The proposed special use is not designed to promote pedestrian safety and comfort.*

The proposed special use introduces a passive element into what is currently a vibrantly trafficked pedestrian area. This reduces public safety and comfort

because it provides a dead space in the continuous use of the sidewalk. Continuous use of the sidewalk is critical to promoting pedestrian safety and comfort as it creates the eyes on the street safety that is so necessary in large cities like Chicago.

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

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

The variation is for the proposed building. As Mr. Hanna testified, the request to reduce the rear setback on floors containing dwelling units from the required 30 feet to 2 feet is solely for the proposed building's one-story attached garage. As can be seen from the plans and drawings and testified to by Mr. Hanna, the portion of the proposed building that does not include the attached garage is set back 41'6" from the subject property's rear property. Therefore, the portion of the proposed building that does not include the attached garage does strictly comply with the Chicago Zoning Ordinance.

Further, and as also testified by Mr. Hanna, the need for the one-story attached garage is solely because the subject property's width – 24' – is 1' too short to allow for three (3) on-site parking spaces. Had the subject property been 25' in width, Mr. Hanna testified that he could provide three (3) on-site parking spaces in full compliance with the Chicago Zoning Ordinance.

As the ZONING BOARD OF APPEALS has declined to grant a special use for ground floor residential use at this location, the Applicant cannot have the ground floor duplex down dwelling unit. As such, the proposed building will only contain two dwelling units.<sup>4</sup> As a result, the Applicant needs to provide only two (2) on-site parking spaces. Since the subject property is only 1 foot short in its ability to provide for three (3) on-site parking spaces in full compliance with the Chicago Zoning Ordinance, it can certainly provide two (2) on-site parking spaces in strict compliance with regulations and standards of the Chicago Zoning Ordinance<sup>5</sup>.

Moreover, since the ZONING BOARD OF APPEALS has declined ground floor residential use for the subject property, the ground floor of the proposed building will no longer contain dwelling units. As such, there is no longer a required 30' rear yard setback.

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<sup>4</sup> The ZONING BOARD OF APPEALS acknowledges that it is entirely possible for the Applicant build a building on the subject property comprised of ground floor commercial use, one dwelling unit on the second floor, one dwelling unit on the third floor and one dwelling unit on the fourth floor. However, that is not the proposed building and, as such, is not before the ZONING BOARD OF APPEALS.

<sup>5</sup> As a reminder, in a B3-2 zoning district, one (1) off-street (i.e., on-site) parking space per dwelling unit is required. Section 17-10-0207-C of the Chicago Zoning Ordinance.

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

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

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

1. *The Applicant failed to prove that 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.*

It is up to the Applicant to prove its case. The burden is not on the ZONING BOARD OF APPEALS. As set forth in the Applicant’s proposed Findings of Fact, the Applicant stated that without the requested variation, the Applicant would yield a 6.18% return on its investment. This was contrasted with the 12.13% return on its investment the Applicant stated it would receive with the requested variation. While a 12.13% return on investment is undoubtedly more than 6.18%, the Applicant never provided any testimony or other evidence as to why 6.18% return on its investment was not a reasonable return.

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

Since the ZONING BOARD OF APPEALS has declined to grant the special use, the duplex down dwelling unit on the ground floor of the proposed building cannot be built. Consequently, the proposed building will only contain two (2) dwelling units and will not need three (3) on-site parking spaces. Since it is the third on-site parking space that necessitates the variation, there is no practical difficulty or

particular hardship in this matter as the Applicant can provide two (2) on-site parking spaces in full compliance with the Chicago Zoning Ordinance. To the extent that the Applicant argued that the 24' wide lot and the fact the subject property is bordered on two sides by an alley are practical difficulties or particular hardships, these practical difficulties and particular hardships are not due to unique circumstances. There are many 24' wide lots that are bordered on two sides by an alley that can still accommodate two (2) on-site parking spaces. Indeed, as stated at the hearing, the subject property is presently improved with a two-dwelling unit building. As can be seen from the plat of survey, such two-dwelling unit building has an on-site parking pad that can accommodate two cars.

3. *The variation, if granted, will alter the essential character of the neighborhood.*

The variation will allow for the proposed building. As set forth at great length above, ground floor residential use at the subject property would have significant adverse impact on the neighborhood. As such, the variation, if granted, would alter the essential character of the neighborhood in that it is requested solely to provide for ground floor residential use at the subject property.

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 variation pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance:

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

Again, due to the denial of the special use, the Applicant can provide all on-site required parking for the proposed building without the requested variation. Thus, the particular physical shape (i.e., the 24' wide lot) and the particular physical surroundings (i.e., fact the subject property is bordered on two sides by an alley) of the specific property involved would not result in particular hardship upon the Applicant if the strict letter of the Chicago Zoning Ordinance were carried out.

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

The variation will allow for the proposed building. The proposed building – due to its ground floor residential use – creates a 30' rear property setback. Thus, the conditions upon which the petition for the variation is based (i.e., ground floor residential use) is applicable, generally, to other property in the B3-2 zoning district.

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

The purpose of the variation is to allow the Applicant to increase the return on its investment from 6.18% to 12.3%. Thus, it is based exclusively upon a desire to make more money out of the property.

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

The Applicant has chosen to demolish the present improvements on the subject property. As the Applicant chose to design a three-dwelling unit building with ground floor residential use, any alleged practical difficulty or particular hardship is self-created.

5. *The granting of the variation will be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

The variation will allow for the construction of the proposed building. As set forth in great detail above, ground floor residential use at the subject property would have significant adverse impact on the neighborhood. Therefore, granting the variation will be detrimental to the public welfare.

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

The variation will allow for the construction of the proposed building. As can be seen from a comparison of plans and drawings of the proposed building with the photographs of the immediate area, the variation will not impair an adequate supply of light and air to adjacent properties. As the variation would allow for three on-site parking spaces for three dwelling units, the variation will not substantially increase the congestion in the public streets. Construction on the proposed building will not begin unless and until a valid building permit is issued and thus the proposed building will not increase the danger of fire or endanger the public safety. However, the Applicant failed to prove that the variation will not substantially diminish or impair property values in the neighborhood. Again, the variation will allow the Applicant to provide ground floor residential use at the subject property. The ZONING BOARD OF APPEALS does not agree with Mr. Kerwin's report that the ground floor residential use will not diminish or impair property values in the neighborhood. The ZONING BOARD OF APPEALS instead finds Mr. Sajovec to be far more credible with respect to the fact that ground floor residential

use at this location will harm existing retail use in this neighborhood . Such harm will, in turn, diminish or impair neighborhood property values.

#### IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that: (1) the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A of the Chicago Zoning Ordinance; and (2) the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

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

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

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 10/25, 2021.

  
Janine Klich-Jensen

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

APPLICANT: 1600 Pilsen, LLC

CAL. NO.: 335-21-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:  
August 20, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1606-10 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 24,000 square feet to 23,380 square feet for a proposed four-story, twenty-four dwelling unit building with thirty-four parking spaces and retail use.

ACTION OF BOARD - Continued to October 15, 2021

THE VOTE

SEP 20 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO

BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

**APPLICANT:** Easyway Property Cal. No.336-21-S

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

**APPEARANCE AGAINST:** None August 20, 2021

**PREMISES AFFECTED:** 11100 S. State Street

**NATURE OF REQUEST:** Application for a special use to expand the floor area of an existing gas station from 437 square feet to 893 square feet.

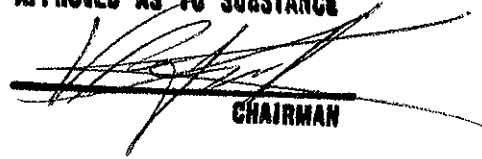
**ACTION OF BOARD – Continued to October 15, 2021**

**THE VOTE**

**SEP 20 2021**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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



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

**APPLICANT:** Natural Roots Kids Hair, LLC Cal. No.337-21-S  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
August 20, 2021  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1851-55 E. 87<sup>th</sup> Street

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**

SEP 20 2021  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

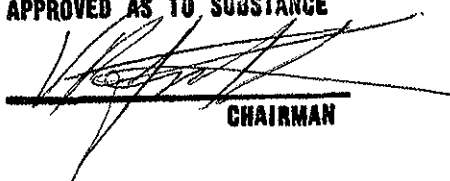
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 2021; and

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 and nail salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all 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 9/20, 2021.

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

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

APPLICANT: Salomon Properties, LLC-Designated Series D CAL. NO.: 338-21-Z

APPEARANCE FOR: Talar Berbarian MINUTES OF MEETING: August 20, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2231 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 14.9' to 10.67', north side setback from 2' to 0.67' (south side setback will be 3'), combined side yard setback from 4.8' to 3.7' for a proposed third story dormer addition, new one-story open deck, and new basement addition under the existing front three-story residential two dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE



SEP 2 0 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show 'X' marks in the AFFIRMATIVE column for all five names.

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 10.67', north side setback to 0.67' (south side setback will be 3'), combined side yard setback to 3.7' for a proposed third story dormer addition, new one-story open deck, and new basement addition under the existing front three-story residential 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 9/20, 2021.

APPROVED AS TO SUBSTANCE

Handwritten signature and the word CHAIRMAN printed below it.

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

**APPLICANT:** Samo Food Inc.

Cal. No.339-21-S

**APPEARANCE FOR:** Paul Kolpak

**MINUTES OF MEETING:**  
August 20, 2021

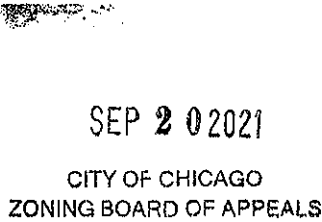
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 10535 S. Torrence Avenue

**NATURE OF REQUEST:** Application for a special use to establish a drive through facility for a proposed restaurant in an existing one-story building.

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**



TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 15, 2021; and

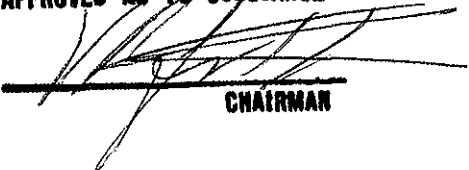
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a drive through facility for a proposed restaurant in an existing one-story building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all 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, Samo Food Inc. and the development is consistent with the design and layout of the plans and drawings dated August 12, 2021, prepared Kasia Hochberg, Architect; and the trash closure is constructed of masonry, as required per Sec. 17-11-0303-B of the Chicago Zoning Ordinance.

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 9/20, 2021.

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

APPLICANT: Starbucks Corporation Cal. No.340-21-S

APPEARANCE FOR: Paul Kolpak MINUTES OF MEETING: August 20, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2001 N. Harlem Avenue / 7176-78 W. Armitage Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

SEP 20 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show 'X' marks for affirmative votes for each member.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 15, 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 drive through facility to serve a proposed one-story 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 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 Corporation, and the development is consistent with the design and layout of the site plan dated August 10, 2021 and landscape plan date August 12, 2021, prepared by Watermark Engineering Services, and floor plan and elevations dated August 10, 2021, prepared by Agama Designs 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 9/20, 2021.

APPROVED AS TO SUBSTANCE

Handwritten signature and the word CHAIRMAN below it.

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

**APPLICANT:** Tim Pomaville Cal. No.341-21-S

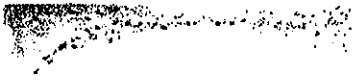
**APPEARANCE FOR:** Paul Kolpak **MINUTES OF MEETING:**

**APPEARANCE AGAINST:** None August 20, 2021

**PREMISES AFFECTED:** 4013-15 N. Pulaski Road

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for a proposed four-story, four dwelling unit building with four required on-site parking spaces.

**ACTION OF BOARD – Continued to October 15, 2021**




**THE VOTE**

**SEP 20 2021**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

APPLICANT: Starbucks Coffee Company

Cal. No.342-21-S

APPEARANCE FOR: Bridget O'Keefe

MINUTES OF MEETING:  
August 20, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5801-07 S. Western Avenue

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**

SEP 2 0 2021  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 15, 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 drive through facility to serve a proposed one-story 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 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 Corporation, and the development is consistent with the design and layout of the plans and drawings dated August 19, 2021, prepared by Arcon Associates.

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 9/20, 2021.

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Tri City Foods of Illinois, LLC Cal. No.343-21-S  
**APPEARANCE FOR:** Donna Pugh / Michael Noonan **MINUTES OF MEETING:**  
August 20, 2021  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3728 S. Archer Avenue

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

**ACTION OF BOARD – APPLICATION APPROVED**

**THE VOTE**

SEP 20 2021  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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**THE RESOLUTION:**

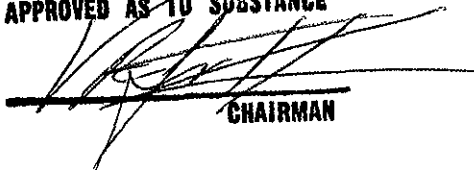
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 15, 2021; and

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 an existing single lane drive-through to a dual lane drive through to serve an existing 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 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, Tri City Foods of Illinois, LLC; the development is consistent with the design and layout of the plans and drawings dated August 19, 2021, prepared by Anchor CM/Kolbrook Design; and the applicant works with Chicago Department of Transportation and Department of Planning and Development on the final configuration of the entry driveway prior to the issuance of building permits.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 9/20, 2021.

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

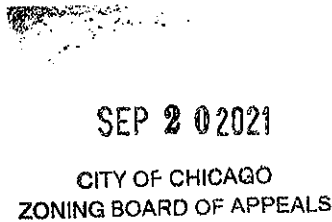
**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905**

**APPLICANT:** Michael Nemlich **CAL. NO.:** 344-21-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
August 20, 2021  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2012 N. Cleveland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 37.17' to zero, south side setback from 2' to 0.25' (north to be 2.75'), combined side yard setback from 5' to 3' to allow an upper storage level addition to an existing detached garage with a proposed 17.40' overall height to serve an existing three-dwelling unit building.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

  
**SEP 2 0 2021**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN  
 ZURICH ESPOSITO  
 BRIAN H. SANCHEZ  
 JOLENE SAUL  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

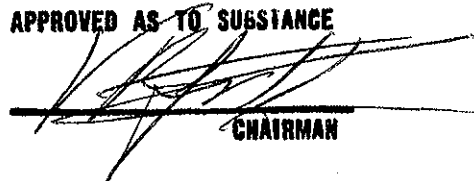
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 2021; and

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, south side setback to 0.25' (north to be 2.75'), combined side yard setback to 3' to allow an upper storage level addition to an existing detached garage with a proposed 17.40' overall height to serve an existing three-dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 9/20, 2021.

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



**APPLICANT:** 1942 N. Whipple, LLC

**CAL. NO.:** 345-21-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1942 N. Whipple Street

**NATURE OF REQUEST:** Application for a variation to reduce the north side setback from the required 2' to zero (south to be zero), combined side yard setback from 5' to zero, rear setback from 46.65' to zero for a proposed detached three-car garage with roof deck and one-story open roof deck access stair and new three-car carport to serve the four-story residential building.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 zero (south to be zero), combined side yard setback to zero, rear setback to zero for a proposed detached three-car garage with roof deck and one-story open roof deck access stair and new three-car carport to serve the four-story residential building; an additional variation was granted to the subject property in Cal. No. 346-21-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 9/20, 2021.

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

**APPLICANT:** 1942 N. Whipple, LLC

**CAL. NO.:** 346-21-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1942 N. Whipple Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 1,575 square feet to zero for a proposed detached three car garage with roof deck, and one-story open roof deck access stair and a new three car carport to serve the four-story residential building.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 yard open space to zero for a proposed detached three car garage with roof deck, and one-story open roof deck access stair and a new three car carport to serve the four-story residential building; an additional variation was granted to the subject property in Cal. No. 345-21-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 9/20, 2021.

APPROVED AS TO ACCURACY

  
CHAIRMAN

**APPLICANT:** Variable Properties, LLC

**CAL. NO.:** 347-21-Z

**APPEARANCE FOR:** Frederick Agustin

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1358 W. Ohio Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 21.60' to 2.25', west side setback from 2.0' to zero (east to be zero), combined side yard setback from 2.25' to zero for a proposed four-story, two dwelling unit with roof top deck and two-car garage with roof top deck.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 2.25', west side setback to zero (east to be zero), combined side yard setback to zero for a proposed four-story, two dwelling unit with roof top deck and two-car garage with roof top deck; an additional variation was granted to the subject property in Cal. No. 348-21-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 9/20, 2021.

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

**APPLICANT:** Variable Properties, LLC

**CAL. NO.:** 348-21-Z

**APPEARANCE FOR:** Frederick Agustin

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1358 W. Ohio Street

**NATURE OF REQUEST:** Application for a variation to relocate the required 95 square feet of required rear yard open space to the garage roof deck that is over 4' above grade for a proposed four-story, two-dwelling unit building with roof top deck, and two car garage with roof top deck.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

TIMOTHY R. KNUDSEN.  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 95 square feet of required rear yard open space to the garage roof deck that is over 4' above grade for a proposed four-story, two-dwelling unit building with roof top deck, and two car garage with roof top deck; an additional variation was granted to the subject property in Cal. No. 347-21-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 9/20, 2021.

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

**APPLICANT:** Richard and Laura Krakum

**CAL. NO.:** 349-21-Z

**APPEARANCE FOR:** Thomas Raines

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1555 N. Astor Street

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area from 34,200 to 31,350 square to allow the conversion of a 113 dwelling to a 114 dwelling by splitting a single unit into two dwelling units.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 minimum lot area to 31,350 square to allow the conversion of a 113 dwelling to a 114 dwelling by splitting a single unit into two 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 9/20, 2021.

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

**APPLICANT:** 3817 N. Ashland, LLC **CAL. NO.:** 350-21-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
 August 20, 2021  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3821 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area per unit from 300 square feet to 293.45 square feet for a proposed five-story, forty-eight dwelling unit building with an attached twenty-two car garage.

**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		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 minimum lot area per unit to 293.45 square feet for a proposed five-story, forty-eight dwelling unit building with an attached twenty-two car garage; two additional variations were granted to the subject property in Cal. Nos. 351-21-Z and 352-21-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 9/20, 2021.

APPROVED AS TO SUBSTANCE

  
 CHAIRMAN

**APPLICANT:** 3817 N. Ashland, LLC

**CAL. NO.:** 351-21-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3821 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 0.69' for a proposed five-story, forty-eight dwelling unit building with an attached twenty-two car garage.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

	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 August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 0.69' for a proposed five-story, forty-eight dwelling unit building with an attached twenty-two car garage; two additional variations were granted to the subject property in Cal. Nos. 350-21-Z and 352-21-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 9/20, 2021.

APPROVED AS TO SUBSTANCE



CHAIRMAN

**APPLICANT:** 3817 N. Ashland, LLC

**CAL. NO.:** 352-21-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3821 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to allow a 24% reduction to the amount of street facing transparent window area required from 306 square feet to 233.44 square feet for a proposed five-story, forty-eight dwelling unit building with attached twenty-two car private garage.

**ACTION OF BOARD - VARIATION GRANTED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 5, 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 allow a 24% reduction to the amount of street facing transparent window area required to 233.44 square feet for a proposed five-story, forty-eight dwelling unit building with attached twenty-two car private garage; two additional variations were granted to the subject property in Cal. Nos. 350-21-Z and 351-21-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 9/20, 2021.

**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:** Langdon Neal **MINUTES OF MEETING:**  
August 20, 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.

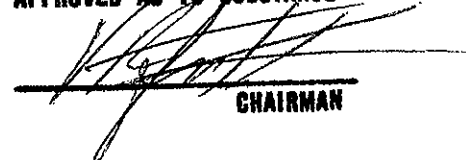
**ACTION OF BOARD – Continued to October 15, 2021**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Canna B Growth, LLC

Cal. No.38-21-S

**APPEARANCE FOR:** Langdon Neal

**MINUTES OF MEETING:**  
August 20, 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 October 15, 2021**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Marine Drive Business, Inc.

Cal. No.149-21-S

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
August 20, 2021

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 755 W. Lawrence Avenue

**NATURE OF REQUEST:** Application for a special use to establish a gas station with accessory retail and office space in a new two-story building.

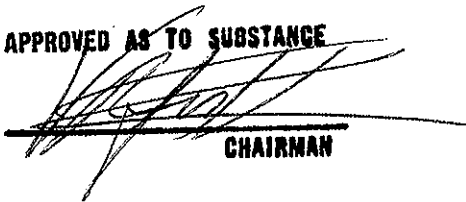
**ACTION OF BOARD – APPLICATION DISMISSED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

APPLICANT: Marine Drive Business, Inc.

CAL. NO.: 150-21-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:  
August 20, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 755 W. Lawrence Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 20,000 square feet to 16,961 square feet for a proposed gas station with accessory retail and office space within a new two-story building.

**ACTION OF BOARD - VARIATION DISMISSED**

**THE VOTE**

TIMOTHY R. KNUDSEN  
ZURICH ESPOSITO  
BRIAN H. SANCHEZ  
JOLENE SAUL  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**