

FEBRUARY 21, 2020

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

2300 Clark Development LLC
APPLICANT

**44-20-S, 45-20-Z
& 46-20-Z**
CALENDAR NUMBERS

2317 N. Clark Street
PREMISES AFFECTED

February 21, 2020
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition specified below.
The applications for the variations are approved.

Farzin Parang, Chairman
Zurich Esposito
Sylvia Garcia
Timothy Knudsen
Jolene Saul

AFFIRMATIVE	NEGATIVE	ABSENT
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE AND VARIATIONS
APPLICATIONS FOR 2317 N. CLARK STREET BY 2300 CLARK
DEVELOPMENT LLC.**

I. BACKGROUND

2300 Clark Development LLC (the "Applicant") submitted a special use application and two variation applications for 2317 N. Clark Street (the "subject property"). The subject property is currently zoned B1-3 and is currently vacant. The Applicant proposed to redevelop the subject property with a new four-story, mixed-use building (the "proposed building"). The proposed building will contain a 2,350 sq. ft. first-floor retail unit, which comprises less than 20% of the total lot area of the subject property.¹ To permit the proposed building, the Applicant sought: (1) a special use to establish residential use below the second floor; (2) a variation to reduce the rear setback on floors containing dwelling units from the required 30' to 0.68'; and (3) a variation to reduce: (a) the number of required parking spaces from the thirty-five (35) to twenty-eight (28) and (b) the required off-street loading spaces from 1 to 0. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's

¹ Section 17-3-0305-B requires commercial floor space on the ground floor of a multi-floor building to contain at least 20% of the lot area on lots with 50' of lot frontage or more for properties located in a B1-3 district.

Department of Planning and Development (the "Zoning Administrator") recommended approval of the proposed building provided that the development was consistent with the design and layout of the plans and drawings dated May 24, 2019, prepared by 2RZ Architecture, Inc.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on February 21, 2020, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing member Mr. Ross Babel and its attorney Mr. Nicholas Ftikas were present. The Applicant's architect Mr. Bill Hornof and its real estate appraiser Mr. William Ryan were also present. 2322 Commonwealth, LLC ("2322 Commonwealth") appeared in opposition. 2322 Commonwealth, LLC's property manager Ms. Glenda Kenyon and its attorney Mr. Jim Murphy were present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

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

In response to questions from the ZONING BOARD OF APPEALS, Mr. William Ryan provided testimony of his qualifications in the field of real estate appraisal.

2322 Commonwealth's attorney Mr. Jim Murphy stated the basis of his client's opposition to the applications. He also referenced the letter he had previously sent to the ZONING BOARD OF APPEALS.

In response to questions from the ZONING BOARD OF APPEALS, the Applicant offered the testimony of its architect Mr. Bill Hornof.

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

The Applicant offered the testimony of its managing member Mr. Ross Babel.

In response to questions from the ZONING BOARD OF APPEALS, Ms. Ftikas provided further clarification.

The ZONING BOARD OF APPEALS then read into the record the recommendation of the Zoning Administrator with respect to the Applicant's application for a special use.

Mr. Jim Murphy stated that 2322 Commonwealth owned property adjacent to the rear of the subject property. He then stated that 2322 Commonwealth's conditionally objected to the proposed applications unless the Applicant agreed to certain conditions, which he read into the record. He also introduced Ms. Glenda Kenyon, property manager for 2322 Commonwealth.

Mr. Ftikas stated that he was aware of 2322 Commonwealth's conditions and did not see any issue with the Applicant meeting said conditions.

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 is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT

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

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

The proposed special use will allow the proposed building to have a retail unit that comprises less than 20% of the total area of the subject property. The subject property is zoned B1-3. Residential use (and therefore less retail space than otherwise required) below the second floor is a special use in a B1 zoning district. The proposed building – with the exception of the requested variations – complies with all applicable standards of the Chicago Zoning Ordinance. Since the ZONING BOARD OF APPEALS has decided to grant the special use and variations to the Applicant, the Applicant's proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

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

The proposed special use will allow the proposed building to have residential use – namely, onsite parking – below the second floor. As set forth in the Applicant's proposed Findings of Fact, the immediate area is improved with other mixed-use and multi-unit residential buildings, and thus the proposed special use is consistent with the existing patterns of development. Moreover, the proposed special use allows placement of residential parking at the ground floor of the proposed building, which prevents the proposed building from contributing to any parking congestion in the area. Furthermore, the proposed special use enables the Applicant to develop the subject property and erect the proposed building, activating an otherwise vacant parcel of land. As such, the proposed special use

will not have a significant adverse impact on the general welfare of the neighborhood.

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

The proposed special use will take place entirely within the proposed building and will thus be compatible with the surrounding area in terms of site planning, building scale and project design. Furthermore, the proposed special use allows the Applicant to construct the proposed building, which will be compatible with the character with the buildings in the surrounding area in terms of site planning, building scale and project design. The proposed building is four stories tall, which is compatible with the two adjacent structures (which are six and seven stories each) on Clark Street. The proposed building is in keeping with the other buildings on the block, as the remainder of the buildings on the subject property's block consists of one- to four-story buildings.

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

The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics. The plans for the proposed building show no lighting that would create a nuisance. The proposed special use allows for one retail unit, which will operate during normal business hours. The remainder of the units in the proposed building will be residential, which is the predominant use in the neighborhood. The proposed special use allows for onsite parking, which will ensure minimal impact on traffic generation for the area.

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

The proposed special use will exist entirely within the proposed building and will have no adverse impact as to the safety and comfort of pedestrians. The proposed special use enables onsite parking at the proposed building, which will prevent any increase in traffic and parking congestion and will in turn promote pedestrian safety and comfort. The proposed special use will reuse an existing curb cut, which has not previously impacted pedestrian safety or comfort.

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

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

The subject property is irregularly shaped, lacks access to a public alley and is encumbered by a 10' wide easement that runs along the subject property's north property line. As Mr. Hornof credibly testified, such factors impacted the design of the proposed building and limited the available design possibilities for onsite parking. Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would prevent the Applicant from providing all required onsite parking, which would in turn prevent the Applicant from constructing the proposed building on the subject property, leading to the continued underutilization of the subject property. Indeed, and as Mr. Babel testified, a previous developer had also sought variations on the subject property but had abandoned the development.

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

The requested variations are consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) maintaining orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance in that it will allow the construction of a building that is consistent with existing buildings on the immediate block of the subject property; (2) maintaining a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance in that it will add residential units to the immediate area's housing stock; and (3) accommodating growth and development that complies with the preceding stated purposes pursuant to Section 17-1-0514 of the Chicago Zoning Ordinance in that it will allow for the construction of a new building that will replace a vacant and underutilized lot.

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

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

As Mr. Babel credibly testified, the Applicant anticipates a return of 8% to 10% if the variations are granted. Without the variations, the number of units that the Applicant can construct decreases from thirty-five to twenty-eight. Consequently, the return on the Applicant investment will decrease to the mid-single digits without the variations.

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

The irregular shape of the subject property, the lack of access to a public alley and the encumbrance of the north side property line by a shared driveway easement

are unique circumstances that are not generally applicable to other similarly situated property.

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

The variations, if granted, will allow the construction of the proposed building, which will be consistent with the existing pattern of development of the nearby buildings. The proposed building is four stories tall, which, as mentioned above, is consistent with the six- and seven-story buildings adjacent to the subject property on Clark Street, as well as the one- to four-story buildings comprising the remainder of the subject property's block.

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

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

The particular shape of the subject property, the lack of public alley access and the shared driveway easement running along the north side of the subject property's property line results in particular hardship upon the Applicant. As Mr. Hornof credibly testified, these factors impacted the possible design alternatives available to the subject property. Without the variations, the Applicant would be able to build only twenty-eight residential units as opposed to thirty-five, which would critically compromise the financial viability of construction of the proposed building.

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

The irregular shape of the subject property, the lack of a public alley access and the encumbrance of a shared driveway easement along the north property line are conditions that are not applicable, generally, to other property within the B1-3 zoning classification.

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

The purpose of the variations is not based exclusively upon a desire to make more money out of the subject property but rather based upon the Applicant's inability

to yield a reasonable rate of return on the subject property by building less than thirty-five residential dwelling units.

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

The Applicant did not create the irregular shape of the subject property, its lack of public alley access or the shared driveway easement along the north side of the property line of the subject property. Such attributes which cause the particular hardship precede the Applicant's ownership of the subject property.

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

The variations will permit the construction of the proposed building, which is consistent and compatible with the mixed-use and residential character of the immediate area. The proposed building follows the general pattern of development established in the immediate area and will replace a vacant parcel of land with viable multi-unit, mixed-use housing.

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 allow for construction of the proposed building, which is only four stories and will not impair the light and air of the adjacent six- and seven-story buildings on Clark Street or 2322 Commonwealth's five-story building. As can be seen from the plans and drawings, the rear setback reduction only affects the first floor of the proposed building. The variations allow the proposed building to provide adequate onsite parking, which will prevent any substantial increase of congestion in the public streets. Although the Applicant has requested to waive a loading space, as Mr. Ftikas explained, there is still sufficient space for off-street loading and unloading. The proposed building will be built pursuant to building permits and thus will not increase the danger of fire or endanger the public safety. Because the proposed building will be replacing a vacant and underutilized parcel, property values in the area will not be impaired.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering: (1) the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance; and (2) the specific

criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

1. Development shall be consistent with the design and layout of the plans and drawings dated May 24, 2020, prepared by 2RZ Architecture, Inc.

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

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

APPROVED AS TO SUBSTANCE

By



Farzin Parang, Chairman

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

APPLICANT: Saint Joseph and Realty and Development, Inc. **CAL NO.:** 47-20-Z

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
February 21, 2020

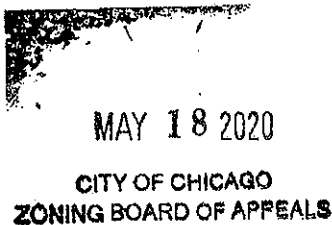
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1622-24 N. Monticello Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 18.71' to 13.45', north side setback from 2' to 0.66', south side setback from 2' to 1.91', combined side setback from 5' to 2.57' to permit the subdivision of one zoning lot into two zoning lots. The existing two story single family residence shall remain and a two story single family residence is proposed for the newly created lot.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

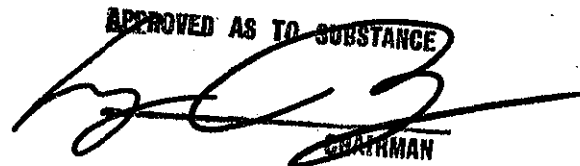
AFFIRMATIVE	NEGATIVE	ABSENT
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X		
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X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 13.45', north side setback to 0.66', south side setback to 1.91', combined side setback to 2.57' to permit the subdivision of one zoning lot into two zoning lots. The existing two story single family residence shall remain and a two story single family residence is proposed for the newly created lot; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Christopher Stankiewicz

CAL NO.: 48-20-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
February 21, 2020

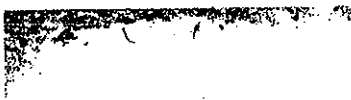
APPEARANCE AGAINST: None

PREMISES AFFECTED: 843 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area per unit from the required 4,000 square feet to 3,878.41 square feet for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area per unit to 3,878.41 square feet for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units; four additional variations were granted to the subject property in Cal. Nos. 49-20-Z, 50-20-Z, 51-20-Z, and 52-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

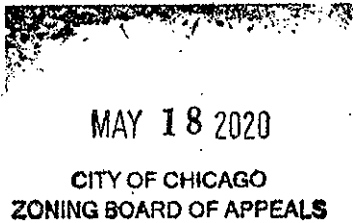
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Christopher Stankiewicz **CAL NO.:** 49-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
February 21, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 843 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation to increase the existing floor area ratio from 6,988 square feet to 8,036.2 square for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

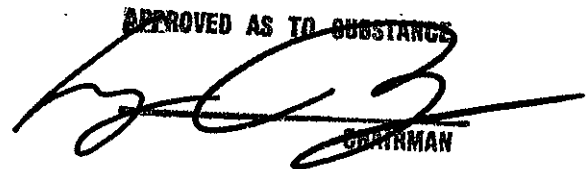
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the existing floor area ratio to 8,036.2 square for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units; four additional variations were granted to the subject property in Cal. Nos. 48-20-Z, 50-20-Z, 51-20-Z, and 52-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Christopher Stankiewicz

CAL NO.: 50-20-Z

APPEARANCE FOR: John Pikarski

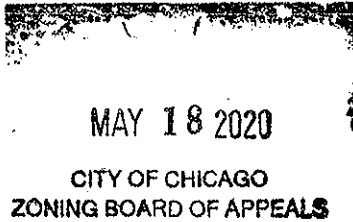
MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 843 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation to reduce the east side setback from 2.48' to zero (west setback to be 4'), combined side setback from 6.2' to 4', rear setback from 37.53' to 2' for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units.

ACTION OF BOARD-
VARIATION GRANTED



THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east side setback to zero (west setback to be 4'), combined side setback to 4', rear setback to 2' for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units; four additional variations were granted to the subject property in Cal. Nos. 48-20-Z, 49-20-Z, 51-20-Z, and 52-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Christopher Stankiewicz

CAL NO.: 51-20-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
February 21, 2020

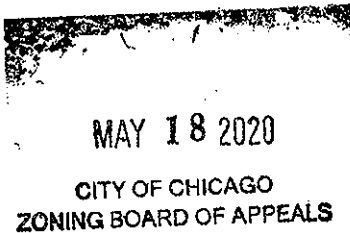
APPEARANCE AGAINST: None

PREMISES AFFECTED: 843 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 38' to 41.75' for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the building height to 41.75' for a proposed fourth floor addition, rear open terrace, rear porch and stairs attached to a proposed three car garage with roof deck to serve the existing three story residence to be converted from three dwelling units to four dwelling units; four additional variations were granted to the subject property in Cal. Nos. 48-20-Z, 49-20-Z, 50-20-Z, and 52-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

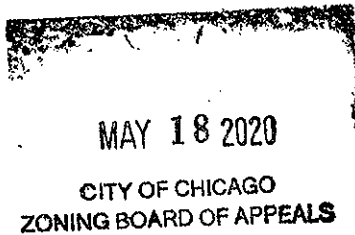
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Christopher Stankiewicz **CAL NO.:** 52-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
February 21, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 843 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation to relocate the required rear yard open space to the roof a proposed three car garage that will serve the existing three dwelling unit building to be converted to a four dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to relocate the required rear yard open space to the roof a proposed three car garage that will serve the existing three dwelling unit building to be converted to a four dwelling unit building; four additional variations were granted to the subject property in Cal. Nos. 48-20-Z, 49-20-Z, 50-20-Z, and 51-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

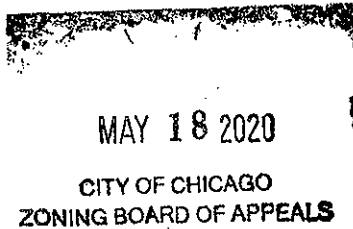
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Rikki Ray and John H. Ray III **CAL NO.:** 53-20-Z
APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:**
February 21, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 10044 S. Leavitt Street

NATURE OF REQUEST: Application for a variation to reduce the south side setback from the required 9' to 5' (north to be 28.82') for a combined side yard setback of 33.82' for a proposed two-story side addition and a rear two-story addition to the existing two-story, single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

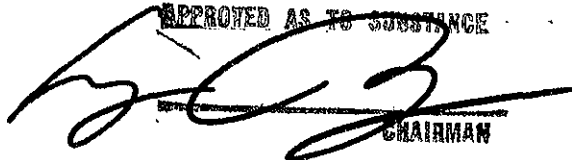
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the south side setback to 5' (north to be 28.82') for a combined side yard setback of 33.82' for a proposed two-story side addition and a rear two-story addition to the existing two-story, single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Josephine Waters dba Josephine Jet Set Beauty Salon Cal. No. 54-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

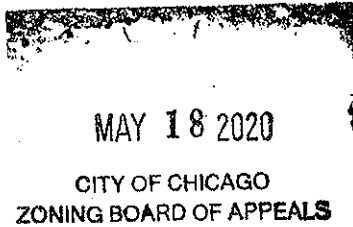
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2544-46 E. 79th Street

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joseph Caldwell, Jr.

CAL NO.: 55-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

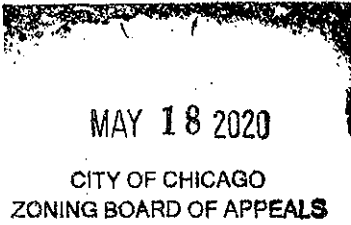
APPEARANCE AGAINST: None

PREMISES AFFECTED: 901 W. 129th Place

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

ACTION OF BOARD-
Continued to March 20, 2020

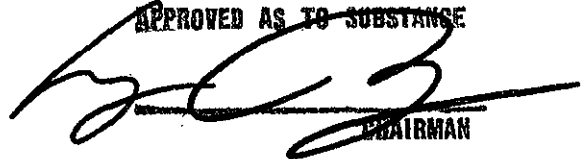
THE VOTE



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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: Nick Mitich

CAL NO.: 56-20-Z

APPEARANCE FOR: Ray Majeski

MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 11307-11 S. Avenue G

NATURE OF REQUEST: Application for a variation to increase the non-conforming floor area from the existing 10,609.74 square feet to 11,157.61 square feet which is not more than 15% to permit the enclosure of the courtyard in an existing three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

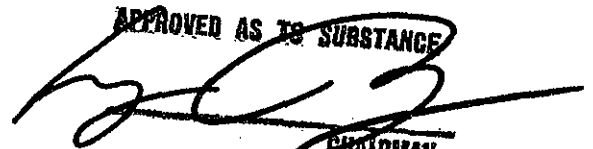
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to increase the non-conforming floor area from the existing to 11,157.61 square feet which is not more than 15% to permit the enclosure of the courtyard in an existing three-story, six dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 57-20-Z and 58-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Nick Mitich **CAL NO.:** 57-20-Z
APPEARANCE FOR: Ray Majeski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None February 21, 2020
PREMISES AFFECTED: 11307-11 S. Avenue G

NATURE OF REQUEST: Application for a variation to reduce the required front setback from the required 22.03' to 15.03' to permit the enclosure of the courtyard of the existing three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

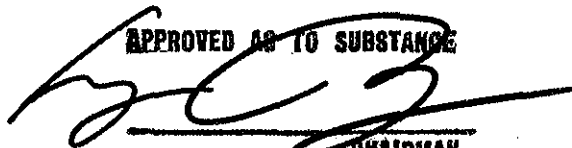
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required front setback to 15.03' to permit the enclosure of the courtyard of the existing three-story, six dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 56-20-Z and 58-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Nick Mitich
APPEARANCE FOR: Ray Majeski
APPEARANCE AGAINST: None
PREMISES AFFECTED: 11307-11 S. Avenue G

CAL NO.: 58-20-Z

MINUTES OF MEETING:
February 21, 2020

NATURE OF REQUEST: Application for a variation to increase the height of the existing building from 34.75' to 38.17' to permit the enclosure of the courtyard of the existing three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

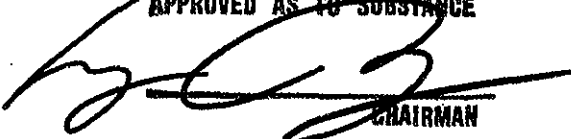
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to increase the height of the existing building to 38.17' to permit the enclosure of the courtyard of the existing three-story, six dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 56-20-Z and 57-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

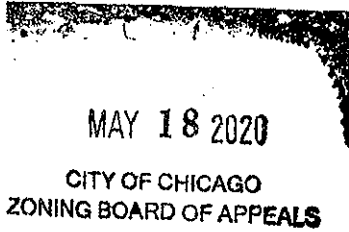
APPLICANT: 1123 Randolph, LLC
APPEARANCE FOR: Katie Dale / Liz Butler
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1123 W. Randolph Street

CAL NO.: 59-20-Z

MINUTES OF MEETING:
February 21, 2020

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30' to zero on floors containing dwelling units for a proposed seven-story building with general retail sales and nine dwelling units.

ACTION OF BOARD-
VARIATION GRANTED



THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to zero on floors containing dwelling units for a proposed seven-story building with general retail sales and nine 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.

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Sustainabuild LLC-1824 Kedzie Series
APPLICANT

60-20-Z
CALENDAR NUMBER

1824 North Kedzie
PREMISES AFFECTED

February 21, 2020
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the variation is denied.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Timothy Knudsen	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR
1824 N. KEDZIE BY SUSTAINABUILD LLC-1824 KEDZIE SERIES.**

I. BACKGROUND

Sustainabuild LLC-1824 Kedzie Series (the "Applicant") submitted a variation application for 1824 N. Kedzie (the "subject property"). The subject property is zoned RT-4 and is currently improved with a four-dwelling unit residential building (the "existing building"). The Applicant proposed to relocate the required 288 sq. ft. of rear yard open space to the roof deck of one of the two (2) proposed garages (the "proposed garages") (construction of the existing building and relocation of rear yard open space to one of the roof deck of the proposed garage, the "Project"). In order to make this improvement, the Applicant sought a variation to allow the relocation of required rear open space to the proposed roof decks.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on February 21, 2020, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Facts. The Applicant's manager Mr. Igor Petrushchak and its

attorney Mr. Mark Kupiec were present. The Applicant's architect Mr. John Hanna was also present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

In response to the ZONING BOARD OF APPEALS' request for clarification as to the discrepancy between the Applicant's listed name on its proposed Findings of Fact and its name as listed on the Illinois Secretary of State's web site, Mr. Kupiec amended the Applicant's name on the application for a variation to conform to the Illinois Secretary of State's web site. In response to further questions from the ZONING BOARD OF APPEALS, Mr. Kupiec stated that though the depth of the subject property was about 175', the particular hardship of the subject property was its 25' width. Mr. Kupiec stated that the width of the subject property allowed the construction of only one garage with two spaces.

The ZONING BOARD OF APPEALS then asked whether the Applicant created its own hardship by constructing the existing building in such a way that required this variation in instead of accounting for such an issue in the original plan.

Mr. Kupiec stated that the Chicago Zoning Ordinance required the rear yard open space to be 12' on every side.¹ He stated that Mr. John Hanna advised him that "in the recent past [the Zoning Administrator] interpreted that to allow it if you had the required square footage and you had 12' on any side, including 12' on one side or two sides." Mr. Kupiec stated that under the old interpretation of the requirement, the subject property's rear yard open space at grade would be sufficient in this case. He stated that there was a change in such interpretation whereas now the requirement is 12' on any side. He then stated that the 25' width of the subject property and the need for two garages prevented the Applicant from providing rear yard open space with 12' on every side.

Mr. Kupiec stated that when Mr. Hanna first designed the site plan for the property, Mr. Hanna was following the Zoning Administrator's old interpretation of the Chicago Zoning Ordinance's rear yard open space requirement and that such site plan would have been permitted without need for variation. He stated that upon application for a building permit, the Applicant then discovered that the amount of rear yard open space was not sufficient when including the garages, which caused the Applicant to change to an open parking pad configuration. Mr. Kupiec stated further that Mr. Petrushchak's real estate agent informed Mr. Petrushchak that real estate buyers want garages and that garages would be necessary in order to sell the units within the existing building. Mr. Kupiec stated that there was presently a similar development a few doors down from the subject property ("1842 North Kedzie") with the same building configuration as the existing building and the same two-garage setup. Mr. Kupiec stated that 1842 North Kedzie was built without zoning relief under the prior interpretation of the rear open space requirement.

¹ See Section 17-2-307 of the Chicago Zoning Ordinance.

The Applicant offered the testimony of its architect Mr. John Hanna. In response to questions from the ZONING BOARD OF APPEALS Mr. John Hanna testified that 1842 North Kedzie was four doors down from the subject property and provided the address. Mr. Hanna identified two photographs of 1842 North Kedzie and testified that the photographs depict the two-garage configuration that the Applicant proposed for the Project. He testified that there was no evidence of any zoning relief for 1842 North Kedzie's two-garage configuration. Mr. Hanna testified that 1842 North Kedzie was built prior to the beginning of the Project, about two years ago.

Mr. Kupiec restated that the site plan for the Project changed due to the timing of the interpretation and that the hardship was that the 25' width of the subject property would not allow a four-car garage. He stated that the configuration of two separate garages necessitated a 22' wide drive aisle (the "drive aisle") between them, cutting into the available rear yard open space at grade. He stated that the Applicant was not asking to excuse the rear yard open space but merely to relocate it to the roof deck of one of the proposed garages.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Kupiec stated that the drive aisle would remain as is and that the drive aisle would not satisfy the 12' the Chicago Zoning Ordinance's rear yard open space requirement.

In response to a question from the Zoning Board of Appeals, Mr. Hanna testified that one car would park on each side of the 25' wide garage and that there is a drive aisle in the middle. He testified that access to the garage was through the drive aisle.

The Applicant presented the testimony of its manager Mr. Igor Petrushchak. Mr. Petrushchak testified that the Applicant owned the subject property. He testified that Mr. Kupiec's statements regarding the history of the evolution of the Project were correct. He testified that if he were to continue his testimony, his answers would be consistent with his statements in the affidavit submitted on his behalf by the Applicant.

Mr. Hanna testified that Mr. Kupiec's description of the evolution of the case was correct. He testified that if he were to continue to testify, his answers would be consistent with his statements in the affidavit submitted on his behalf by the Applicant.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Petrushchak testified that the units in the existing building would be sold as condominium units and that he was currently negotiating an offer on one of the units. He testified that if the variation weren't approved, his return on investment would decrease by 7%, from 8%-9% to 3%-5%. In response to the ZONING BOARD OF APPEALS' question whether the party with which the Applicant was currently negotiating expected the proposed garage configuration, Mr. Petrushchak testified that such issue was not yet raised because the parties were too far away in price. In response to questions from the ZONING BOARD OF APPEALS, Mr. Petrushchak stated that the decrease in return if the variation were not granted would be from 8%-10% to 3%-5%.

B. Criteria for a Variation

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

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

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

III. FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, including the Applicant'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 ZONING BOARD OF APPEALS fails to see how strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property. During the hearing, Mr. Kupiec characterized the particular hardship as being the 25' width of the subject property. The ZONING BOARD OF APPEALS takes judicial notice that a standard-sized lot in Chicago measures 25' wide by 125' deep. The subject property is an oversized lot, measuring 25' wide by 177' deep.

To the extent that the difficulty or hardship to the subject property is that the size of the existing building necessitates a two-garage configuration, the ZONING BOARD OF APPEALS declines to find a practical difficulty or particular hardship. The subject property presently meets the Chicago Zoning Ordinance's parking requirements and offers four unenclosed parking spaces. The ZONING BOARD OF APPEALS does not find persuasive Mr. Kupiec's statement that Mr. Petrushchak's unnamed real estate agent stated to Mr. Petrushchak that he would need garages in order to market the units of the existing building. Likewise, the ZONING BOARD OF APPEALS does not find credible Mr. Petrushchak's or Mr. Hanna's nearly identical and conclusory statements in their affidavits that garages are necessary amenities, without which there may be a detrimental effect on the Applicant's reasonable rate of return. On the contrary, Mr. Petrushchak admitted that the issue of garage parking had not been raised during the negotiations between Mr. Petrushchak and the potential buyer.

2. *The requested variation is inconsistent 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. Other than conclusory and unsubstantiated statements, the Applicant provided little in the way of evidence to establish that the existing building's dwelling units would not be marketable without the proposed garages. It is worth noting that the ZONING BOARD OF APPEALS recognized neither Mr. Petrushchak nor Mr. Hanna as experts in real estate appraisal. The Applicant submitted no evidence regarding their credentials which could allow the ZONING BOARD OF APPEALS to find credible either witness's speculative opinions on the real estate market in general or the potential marketability of the units of the existing building.

Likewise, the ZONING BOARD OF APPEALS does not find credible the Applicant's submitted financial data describing rates of return with and without the proposed garages. The data does not provide substantiating evidence to support the conclusions therein such as comparable sales. Similarly, it does not establish the manner in which the Applicant arrived at the figures.

2. *Any practical difficulty or particular hardship is not due to unique circumstances and is generally applicable to other similarly situated property.*

The ZONING BOARD OF APPEALS has declined to find the existence of a practical difficulty or a particular hardship. Even assuming that the Applicant's inability to build the proposed garages or to relocate the rear yard open space to the roof deck of one of the proposed garages constitute a practical difficulty or a particular hardship, there are no unique circumstances in the instant case that cause such difficulties or circumstances. The subject property is oversized and standard in shape. Though Mr. Hanna testified that the Zoning Administrator change in its interpretation of the rear yard open space requirements led the Applicant to follow a program of design for the existing building that would not permit the construction of the two-garage configuration under the current rear yard open space requirements, the ZONING BOARD OF APPEALS declines to find such testimony credible. As Mr. Hanna admitted during the hearing, the design of the existing building began after the construction of 1842 North Kedzie,

which occurred two years ago. In contrast, Section 17-2-0307 of the Chicago Zoning Ordinance has remained unchanged since its adoption on May 26, 2004. As such, the existing building, which was built subject to the same rear yard open space requirements as all other similarly situated property in 2018, is not a unique circumstance.

3. *The Applicant failed to prove that the variation, if granted, will not alter the essential character of the neighborhood.*

It is up to the Applicant to prove its case. The hearing was devoid of any evidence to this criterion. The affidavits filed on behalf of Mr. Petrushchak and Mr. Hanna do not address the relocation of the rear yard open space to the roof deck of one of the proposed garages in any meaningful way. Though the affidavits indicate that "most of the residential buildings on this block are improved with accessory garages also located at the rear of the lot," there is no mention as to the presence or location of the rear yard open space. The Applicant does not assert that the rear yard open space is located on the roof decks of the garages of these residential buildings. The Applicant does not indicate whether the parcels of land upon which these residential buildings sit are similar in size to the subject property. The mere presence of garages on nearby lots is not relevant to whether relocating the rear yard open space to the roof deck of one of the proposed garages will alter the essential character of the neighborhood. In any event, the ZONING BOARD OF APPEALS does not find the virtually identical affidavits from Mr. Petrushchak and Mr. Hanna credible. As the Applicant presented no credible evidence as to this criterion, the ZONING BOARD OF APPEALS finds that the Applicant has failed to prove that the proposed variation will not alter the essential character of the neighborhood.

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-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.*

The subject property is a standard rectangular shape and is oversized, matching the width of a standard-sized Chicago lot and exceeding the depth of a standard-sized Chicago lot by 52'. As such, the ZONING BOARD OF APPEALS does not find that the particular physical surroundings, shape or topographical condition of

the subject property results in particular hardship on the Applicant. To the extent that the presence of the existing building causes an inability to build the proposed garages, the ZONING BOARD OF APPEALS finds that such inability constitutes a mere inconvenience. As stated previously, the subject property is currently developed with four unenclosed parking spaces. Because the Applicant is able to meet its parking requirements without the proposed garages and because the Applicant has submitted no credible evidence to establish any significant loss in return due to an inability to build the proposed garages, the ZONING BOARD OF APPEALS declines to find that carrying out the strict letter of the regulations of the Chicago Zoning Ordinance would result in more than a mere inconvenience to the Applicant.

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

The ZONING BOARD OF APPEALS finds that the Applicant's sole basis for relocating the rear yard open space to the roof decks of the proposed garages is the desire to build to the maximum extent permitted by the RT-4 zoning district while allowing construction of the proposed garages. The desire to build to the maximum extent permitted and the desire to have enclosed parking is applicable to every other property within the RT-4 designation, and indeed, any property regardless of zoning district.

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

The Applicant's stated desire to relocate the rear open yard space to the roof deck of one of the proposed garages is clearly based upon a desire to make more money out of the property. The ZONING BOARD OF APPEALS is not persuaded by the Applicant's argument that it needs the variations in order to realize a reasonable return. The Type I Zoning Amendment² allowed the Applicant to benefit from an increase in the minimum lot area per unit. When the Applicant initially purchased the subject property, it was in an RS-3 zoning district, which would have allowed the Applicant to construct only one unit. At that time, there was no guarantee of a zoning change to RT-4. By designing the existing building to accommodate four dwelling units without thought as to how it could legally and without variation construct an enclosed parking garage while satisfying the Chicago Zoning Ordinance's requirements for rear yard open space clearly indicates that the purpose of this variation is based exclusively on a desire

² Passed September 20, 2018 as Ordinance SO2018-6008.

to make more money from the property. The Applicant's argument that it will not achieve a reasonable return on its investment if it cannot now relocate the rear open yard space to one of the proposed roof decks is inconsistent with the Applicant's initial decision to purchase a property in an RS-3 district.

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

As noted previously, the ZONING BOARD OF APPEALS finds that no practical difficulty or particular hardship exists in the present case. To the extent that the Applicant's inability to provide the required rear yard open space without relocating such to one of the proposed roof decks constitutes a practical difficulty or particular hardship, such practical difficulty or particular hardship was created solely by the Applicant. The Applicant elected to proceed along a program of design that did not enable the inclusion of enclosed parking garages while providing sufficient rear yard open space without the need for a variation. The Applicant elected to construct the existing building prior to requesting the variation. To the extent that Mr. Hanna testified that the requirements of the rear yard open space have changed or have taken the Applicant by surprise, the ZONING BOARD OF APPEALS reiterates that Section 17-2-0307 of the Chicago Zoning Ordinance has not changed since its adoption on May 26, 2004. The ZONING BOARD OF APPEALS does not find credible Mr. Hanna's testimony that the plans for the existing building, which construction began two years ago, were affected in any way by any change in the Zoning Administrator's interpretation of the Chicago Zoning Ordinance. Any practical difficulty or particular hardship suffered by the Applicant at this juncture was created solely by the Applicant at the design phase of the Project.

5. *There is insufficient evidence to show that granting 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.*

It is up to the Applicant to prove its case. The only evidence as to whether granting the variation and allowing the relocation of the rear yard open space to one of the roof decks of the proposed garages will be detrimental to the public welfare or injurious to other property or improvements in the neighborhood is the predominantly identical affidavits submitted by the Applicant on behalf of Mr. Petrushchak and Mr. Hanna. However, the assertions within the affidavits relating to this criterion state that the streetscape of the subject block will be improved though the granting of the variation. It is unclear to the ZONING BOARD OF APPEALS how the relocation of the rear yard open space to the roof of the proposed garages could lead to an improvement to the streetscape, which is

in the front of the subject property. This is particularly true as the denial of this application for variation will not mean that the Applicant cannot provide the required number of parking spaces but rather that the parking spaces provided will be in unenclosed spaces rather than within garages. Moreover, the nature of the variation appears to be incongruous with the affidavits' claims that the variation "will bring diversity to the neighborhood in terms of available housing stock." It is unclear to the ZONING BOARD OF APPEALS how relocation of the rear yard open space to the roof deck of one of the proposed garages will have any positive effect on the available housing stock. As such, there is insufficient evidence as to this criterion.

6. *There is insufficient evidence as to whether the variation will impair an adequate supply of light and air to adjacent property. The variation is unlikely to substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety. There is insufficient evidence as to whether the variation would substantially diminish or impair property values within the neighborhood.*

It is up to the Applicant to prove its case. The Applicant wholly failed to address whether relocation of the rear yard open space to the roof deck of one of the proposed garages would impair an adequate supply of light and air to adjacent property. Though the nearly identical affidavits submitted by the Applicant on behalf of Mr. Petrushchak and Mr. Hanna assert that the existing building will not impair light and air, the affidavits say nothing of the effect of the relocation of the rear yard open space to light and air for adjacent property, except to say that the proposed garages are to be located toward the rear of the subject property. Even if the ZONING BOARD OF APPEALS interprets this to mean that relocating the rear yard open space onto the roof deck of one of the proposed garages will not impair light and air by virtue of its location at the rear of the subject property, the ZONING BOARD OF APPEALS declines to agree with such an assertion. The mere fact that an improvement is located at the rear of a property does not, in and of itself, mean that there is no impairment of light and air to adjacent property.

The variation is unlikely to substantially increase congestion in the public streets. Whether or not the variation is granted, the Applicant has provided the required number of off-street parking spaces. The variation is unlikely to increase the danger of fire or endanger the public safety as it would need to be built pursuant to Building and Fire Codes.

The Applicant failed to provide any evidence as to whether relocation of the rear yard open space would substantially diminish or impair property values within the neighborhood.

IV. CONCLUSION


For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a 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 variation.

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

APPROVED AS TO SUBSTANCE

By:


Farzin Parang, Chairman

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

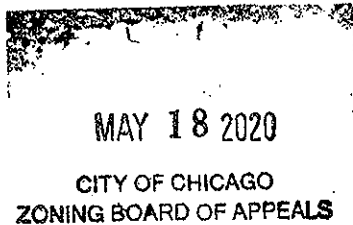
APPLICANT: SRD Development, LLC
APPEARANCE FOR: Tyler Manic
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2129-31 W. Ohio Street

CAL NO.: 61-20-Z

MINUTES OF MEETING:
February 21, 2020

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 7.03' to 1.03', reduce the east and west side setback from 2' each to zero, combined side setback from 5' to zero to permit the subdivision one zoning lot into two zoning lots. The existing three-story, four dwelling unit shall remain. A two-story, single family residence is proposed for the newly created lot.

**ACTION OF BOARD-
VARIATION GRANTED**



THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 1.03', reduce the east and west side setback to zero, combined side setback to zero to permit the subdivision one zoning lot into two zoning lots. The existing three-story, four dwelling unit shall remain. A two-story, single family residence is proposed for the newly created lot; two additional variations were granted in Cal. Nos. 62-20-Z and 63-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: SRD Development, LLC

CAL NO.: 62-20-Z

APPEARANCE FOR: Tyler Manic

MINUTES OF MEETING:
February 21, 2020

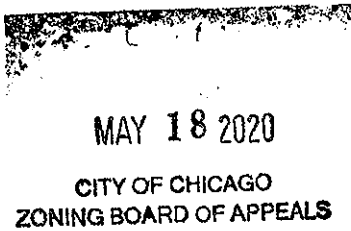
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2129-31 W. Ohio Street

NATURE OF REQUEST: Application for a variation to reduce the off-street parking requirement from four spaces to three spaces to permit the subdivision of one zoning lot into two zoning lots. The existing three-story, four dwelling unit building shall remain. A two-story, single family residence is proposed for the newly created lot.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

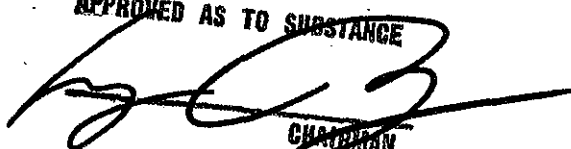
AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the off-street parking requirement from four spaces to three spaces to permit the subdivision of one zoning lot into two zoning lots. The existing three-story, four dwelling unit building shall remain. A two-story, single family residence is proposed for the newly created lot; two additional variations were granted in Cal. Nos. 61-20-Z and 63-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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


APPROVED AS TO SUBSTANCE
CHAIRMAN

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

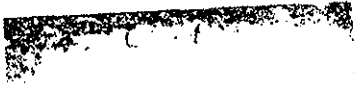
APPLICANT: SRD Development, LLC
APPEARANCE FOR: Tyler Manic
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2129-31 W. Ohio Street

CAL NO.: 63-20-Z

MINUTES OF MEETING:
 February 21, 2020

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 144 square feet to zero to permit the subdivision of one zoning lot into two zoning lots. The existing three-story, four dwelling unit building shall remain. A two-story, single family residence is proposed for the newly created lot.*

**ACTION OF BOARD-
 VARIATION GRANTED**


MAY 18 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

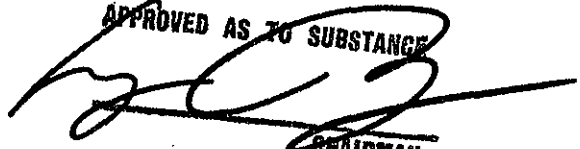
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space from the required 144 square feet to zero to permit the subdivision of one zoning lot into two zoning lots. The existing three-story, four dwelling unit building shall remain. A two-story, single family residence is proposed for the newly created lot; two additional variations were granted in Cal. Nos. 61-20-Z and 62-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

*Amended at Hearing


APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: El Expreso Group, LLC

Cal. No. 64-20-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
February 21, 2020

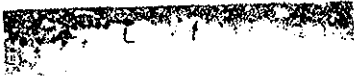
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3501 S. California Avenue

NATURE OF REQUEST: Application for a special use to establish a bus turn around (Major Utility).

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant El Expreso Group, LLC, and the development is consistent with the design and layout of the plans and drawings dated May 1, 2009, prepared by Studio ARQ, LLC.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: FJ Homestead, LLC
APPEARANCE FOR: Thomas Moore
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1044 W. Polk Street

CAL NO.: 65-20-Z

MINUTES OF MEETING:
February 21, 2020

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

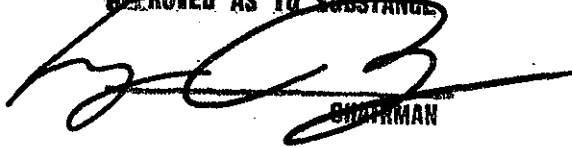
ACTION OF BOARD-
Continued to March 20, 2020

THE VOTE

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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: Atalie Sosa / Crowned in Color, LLC

Cal. No. 66-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:

February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6778 N. Northwest Highway

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

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

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

APPROVED, AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Scott Banjavcic
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4106 N. Leavitt Street

CAL NO.: 67-20-Z

MINUTES OF MEETING:
February 21, 2020

NATURE OF REQUEST: Application for a variation to increase the existing floor area of 2,607 square which is 387.85 square feet added to the allowable 2,793.15 square feet which totals 3,181 square feet for a proposed rear second and third floor addition and new front porch and stairs on the three-story residence to be deconverted to a single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the existing floor area of 2,607 square which is 387.85 square feet added to the allowable 2,793.15 square feet which totals 3,181 square feet for a proposed rear second and third floor addition and new front porch and stairs on the three-story residence to be deconverted to a single family residence; an additional variation was granted in Cal. Nos. 68-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

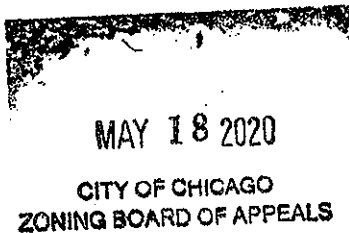
APPLICANT: Scott Banjavcic
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4106 N. Leavitt Street

CAL NO.: 68-20-Z

MINUTES OF MEETING:
 February 21, 2020

NATURE OF REQUEST Application for a variation to reduce the north side setback from 2' to 1.01' (south side setback shall be 3.25'), combined side setback from 5' to 4.26', front setback from 8.66' to 2' for a proposed rear second and third floor addition and a new front porch and stairs on a three-story residence to be deconverted to a single family residence.

**ACTION OF BOARD-
 VARIATION GRANTED**



THE VOTE

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north side setback to 1.01' (south side setback shall be 3.25'), combined side setback to 4.26', front setback from 8.66' to 2' for a proposed rear second and third floor addition and a new front porch and stairs on a three-story residence to be deconverted to a single family residence; an additional variation was granted in Cal. Nos. 67-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Yalman & Ergun Inc. dba Macho Hookah Lounge Cal. No. 69-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

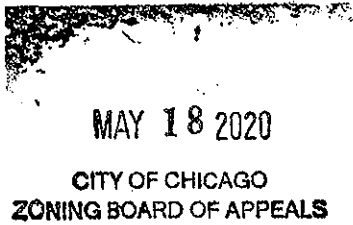
APPEARANCE AGAINST: None

PREMISES AFFECTED: 7021 N. Clark Street

NATURE OF REQUEST: Application for a special use to establish a hookah lounge.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the operating characteristics are consistent with those of other businesses in the surrounding area in terms of hours of operation, that all activities are conducted completely within the building, and that the special use is issued solely to the applicant Yalman & Ergun Inc. dba Macho Hookah Lounge.

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

APPROVED AS TO SUBSTANCE

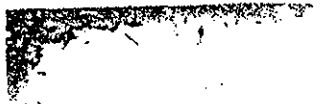
CHAIRMAN

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

APPLICANT: Maria Vera **CAL NO.:** 70-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
February 21, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4907 W. Waveland Avenue

NATURE OF REQUEST Application for a variation to reduce the front setback from the required 14.33' to 7.75', west side setback from 2' to 1.5' (east to be 6.92'), combined side setback to be 8.42' for a proposed two-story, two dwelling unit building with rear open porch and detached two-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**


MAY 18 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL


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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 7.75', west side setback to 1.5' (east to be 6.92'), combined side setback to be 8.42' for a proposed two-story, two dwelling unit building with rear open porch and detached two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Blackwater Development, LLC
APPLICANT

71-20-S & 72-20-Z
CALENDAR NUMBERS

1214 W. Carmen Avenue
PREMISES AFFECTED

February 21, 2020
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition specified below. The application for the variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Timothy Knudsen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS
FOR 1214 W. CARMEN AVENUE BY BLACKWATER DEVELOPMENT LLC.**

I. BACKGROUND

Blackwater Development, LLC (the "Applicant") submitted a special use application and a variation application for 1214 W. Carmen Avenue (the "subject property"). The subject property is zoned C2-3 and is currently vacant. The Applicant proposed to redevelop the subject property with a new four-story, sixteen-dwelling unit residential (the "proposed building"). To permit the proposed building, the Applicant sought: (1) a special use to establish residential use below the second floor and (2) a variation to reduce the front setback from the required 7' to 0.33'. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City of Chicago's Department of Planning and Development (the "Zoning Administrator") recommended approval of the proposed building provided that the development was consistent with the design and layout of the plans and drawings dated November 13, 2019, prepared by 360 Design Studio.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on February 21, 2020, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing member Mr. Mike Barrett and its attorney Mr. Nicholas Ftikas were present. The Applicant's architect Mr. Christopher Boehm and its MAI-certified real estate appraiser Mr. Terrence O'Brien were also present. Testifying in opposition to the applications was Mr. David Bolen and Mr. David Elkayam (together, the "Objectors"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Mr. Nicholas Ftikas provided a brief overview of the Applicant's applications. He stated that the subject property measured 45' wide by 151' deep and that there had previously been a residential building on the subject property that had since been taken down. He stated that the Applicant proposed to construct the proposed building on the subject property. He explained that the subject property was oversized but lacked access to a public alley and that vehicular access to the subject property was achieved via an existing front driveway. He further explained that though the subject property was zoned C2-3, it abutted an RT-4 zoning district to the west.¹

The Applicant presented the testimony of its managing member Mr. Mike Barrett. Mr. Barrett testified that the Applicant was the owner of the subject property. He testified that the subject property was within a transit-oriented district ("TOD") and that it was supported by eight onsite parking spaces. He testified that he intended to maintain the subject property and rent the proposed building's dwelling units. He testified that the Applicant's anticipated return on investment was 10% and that it was his belief that the renting of the dwelling units would be financially viable at the price points and unit sizes being proposed. He testified that if he were to continue his testimony, such testimony would be consistent with the statements submitted on his behalf by the Applicant.

The Applicant presented the testimony of its architect Mr. Christopher Boehm. Mr. Boehm testified that his firm designed the proposed building. He testified that it was his professional opinion that the subject property's lack of alley access and the abutting RT-4 zoning district created particular hardships for the subject property. He further testified that this was because the rear 40' of the subject property would be dedicated to parking. He testified that this included 22' wide drive aisle and the 18' parking stall. He testified that because of the area dedicated to parking, the 150' deep subject property functioned more like a 110' lot. He testified that because the parking would be located at the rear, the proposed building would be accordingly forced toward the front of the lot. He testified that this normally would not be an issue in a lot zoned C2-3 because there is no front setback requirement. He testified, however, that the abutting RT-4 property to the

¹ And thus was subject to a front setback requirement pursuant to Section 17-3-0404 of the Chicago Zoning Ordinance.

west triggered front and west side² setback requirements. He testified that the adjacent building to the east and the mixed-use development across Carmen Avenue were both built to the front property line. He testified that his design of the proposed building would maintain the location of the existing drive aisle on the west side of subject property and thus the Applicant would not require side setback relief on the west side of the subject property. He testified that there would remain over 23' of open space from the west wall of the proposed building to the east (rear) wall of the townhome units immediately to the west and that because of this he did not anticipate any new impact to the light and airflow to that property. He testified that if he were to continue to testify, his testimony would be consistent with the statements the Applicant submitted on his behalf. He testified that such statements specifically address the standards for variation as outlined in the Chicago Zoning Ordinance.

The Applicant presented the testimony of its MAI-certified real estate appraiser Mr. Terrence O'Brien. The ZONING BOARD OF APPEALS recognized Mr. O'Brien's credentials as an expert in real estate appraisal. He testified that he was retained to determine whether the proposed special use would meet the Chicago Zoning Ordinance's special use requirements. He testified that it was his professional opinion that the proposed special use would be consistent and compatible at the subject site and that an entirely residential building would probably be more compatible with the makeup of Carmen Avenue, west of Broadway Avenue. He further testified that all the uses to the west of the subject property on Carmen Avenue were residential in nature and that the ground floor of such property was utilized for residential purposes. He testified that it was his belief that the special use criteria of the Chicago Zoning Ordinance were met. He testified that he was also asked to provide a professional opinion as to whether the requested variation was appropriate and compatible with the subject site and that he found the requested variation to be appropriate and compatible based on the existing zero front setback of the building next east of the subject property and the property at the corner across the street. He testified that if he were to continue to testify, such testimony would be consistent with his zoning analysis report, which report summarized his conclusions.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Ftikas provided clarification as to the particular hardship of the subject property. Mr. Ftikas stated that since the subject property lacked access to a public alley, the Applicant was seeking to maintain the existing drive aisle along the west of the subject property, which impacted the Applicant's ability to expand the width of the proposed building, which would ultimately force the Applicant to build to five stories. He further stated that such expansion to five floors would increase construction costs by 20% to 30%. He stated that the current projection on rate of return were 10%. He stated that there was an unmet demand in the rental marketplace for three-bedroom units and that the Applicant would offer four three-bedroom units. He stated that if the Applicant were not able to build on the 7' closest to the front property line, the Applicant would be unable to build the three-bedroom configuration and the two-bedroom units on the second, third and fourth floors

² Section 17-3-0406 of the Chicago Zoning Ordinance.

would likewise be affected. He further stated that maintaining the drive aisle and the parking stall in the rear accounts for the 40'. He stated that the C2-3 zoning district imposes a 30' rear setback, which in turn forces a program of design 10' forward in order to accommodate parking. He stated that a building with typical or standard (alley) access would allow the Applicant to go 10' further back on the subject property.

In response to further questions from the ZONING BOARD OF APPEALS, Mr. Ftikas explained that the immediate neighboring building to the east was zoned C2 and that such building had no front setback requirement. He further stated that such building was a one-story building. He stated that the corner properties to the rear of the subject property on Winona Street also had no front setback. He stated that the block where the subject property was located was unique in that it had no access to a public alley, as opposed to the other side of Carmen Avenue where the properties have access to a public alley. He stated that normally the Applicant could build to the front property line but that the neighboring residential district to the west triggered the need for front setback relief.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Ftikas stated that without the variation, the Applicant would expect a return of 5% to 6%.

Mr. David Bolen, of 1218 West Carmen Avenue, testified in opposition to the application. He testified that he has lived at that address since 2011. He testified that he had no issue with the Applicant's request for the proposed special use but that his objection was to the Applicant's request for front setback relief. He testified that there were no other residential buildings entirely on Carmen Avenue that sat directly against the sidewalk. He testified that the building directly east of the subject property was a one-story building and not four stories as the proposed building would be. He testified that the building on the south side on the corner was a large new rehabbed apartment that stood in that location since the 1960s and that it fit within the nature of that corner. He testified that such building had been a commercial real estate insurance company for many years. He testified that all the residential buildings on Carmen Avenue had setbacks with landscaping between the buildings and the sidewalk. He testified that it was his belief that removing the front setback would reduce visibility for cars leaving the alleyway from the proposed building and from 1218 West Carmen Avenue. He testified as to the current behavior of drivers exiting the alleyway. He further testified that based on the graffiti on the newly built apartment building on the south side of the corner of Broadway Street and Carmen Avenue, he was concerned that the lack of a front setback on the subject property would expose the other properties further west on Carmen Avenue to graffiti. In response to questions from the ZONING BOARD OF APPEALS, Mr. Bolen testified that there had been four or five instances of graffiti after the construction of the Draper Building at 5050 North Broadway.

Mr. David Elkayam, of 1236 West Carmen Avenue, testified in opposition to the applications. He testified that he agreed with Mr. Bolen's testimony. He testified that he was concerned about pedestrian accidents due to a nearby park that often has a lot of small children running around. He testified that because the Draper Building had so many units, there is already a lot of traffic at the end of Carmen Avenue. He testified that

he felt that the proposed building would add to that traffic because the sidewalk would feel cramped. He testified that his concern was that once the front setback variation is granted, other developers would try to maximize their profits by arguing that everything would have to look uniform. He testified that it was his opinion that the building would look hideous and that it would block much of the light on the block. He testified that he had previously had a conversation with Mr. Ftikas and that Mr. Ftikas stated the proposed building would be consistent with the Draper Building so that it could blend into the cityscape. He testified that the Draper Building's address was on Broadway Avenue and not Carmen Avenue. He testified that the sidewalk in front of the Draper Building was twice as wide as the sidewalk in front of the subject property.

The ZONING BOARD OF APPEALS asked for clarification as to the location of the Draper Building. Mr. Elkayam testified that the Draper Building was to the south of the subject property. Mr. Ftikas stated that the Draper Building was kitty corner to the south of the subject property.

Mr. Elkayam further testified that the Applicant's concern was its profits. He testified that the Applicant knew the subject property did not have access to a public alley when the Applicant purchased the property. He testified that the building adjacent to Mr. Bolen's building offered parking and featured a driveway while accommodating the Chicago Zoning Ordinance.

In response to the Objectors' testimony, Mr. Ftikas indicated that the C2-3 zoning requirements would allow the Applicant to build a twenty-unit building, in comparison to the proposed building's sixteen units. He stated that C2-3 zoning requirements would allow a 3.0 floor area ratio ("FAR"), totaling 24,462 sq. ft, in comparison with the proposed building's approximately 2.4 FAR and 19,651 sq. ft. He stated that the C2-3 zoning requirements would allow a building height of 60', compared to the proposed building's height of 48' $\frac{3}{4}$ ". He stated that because the subject property was within a TOD, parking was reduced to eight spaces and that only eight cars would be entering and exiting the subject property. He referenced the zoning map and stated that the properties closest to Broadway Avenue do not have front and side setbacks. He admitted that while the buildings he referenced were along Broadway Avenue, they had no setback along Carmen Avenue. He stated that this is in keeping with the established trend on the north side of Carmen Avenue. He stated that the proposed building would provide a 5' side setback along the west property line of the subject property and that the width of the west drive aisle was 11', thereby providing adequate room for vehicles to safely enter and exit the property.

Mr. Elkayam testified that it was his belief that the Applicant sought the best of both worlds in that it asked for a variation for a front setback because it was a mixed-use building while seeking residential use on the first floor.

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 is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT

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

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

The proposed special use will allow the proposed building to have residential use below the second floor. The subject property is zoned C2-3. Residential use below the second floor is a special use in a C2 zoning district.³ The proposed building – with the exception of the requested variation – complies with all applicable standards of the Chicago Zoning Ordinance. Since the ZONING BOARD OF APPEALS has decided to grant the special use and variation to the Applicant, the Applicant's proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

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

The proposed special use will allow the proposed building to have residential use below the second floor. As set forth in Mr. O'Brien's report, the proposed special use is in the interest of the public convenience in that it will fulfill a need for residential dwellings in the immediate area. The proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community. Mr. O'Brien's report further states that all improvements west of the subject property on either side of Carmen Avenue are residential in nature and utilize the ground floor for residential purposes. In contrast, the only improvements in the immediate area that utilize the ground floor for commercial uses are properties that abut and front Broadway Avenue, which is a primary thoroughfare with a substantial amount of pedestrian and vehicular traffic. The ZONING BOARD OF APPEALS finds very credible Mr. O'Brien's conclusion that the proposed special use is therefore harmonious and compatible with the other land uses in the area and that the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community.

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

³ Section 17-3-0207(A)(7) of the Chicago Zoning Ordinance.

As stated previously, all properties west of the subject property on both sides of Carmen Avenue have residential uses at the ground floor level. Because of this, the proposed special use is compatible with the established character of residential development in the surrounding area. Furthermore, the proposed special use will take place entirely within the proposed building and will thus be compatible with the surrounding area in terms of site planning, building scale and project design.

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

As noted above, there is other ground floor residential use on Carmen Avenue, west of the subject property. Therefore, the proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, lighting, noise and traffic generation.

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

The proposed special use will exist entirely within the proposed building and will have no adverse impact as to the safety and comfort of pedestrians. In fact, as the proposed special use will generate less traffic than commercial use, pedestrian safety and comfort will be enhanced.

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 create practical difficulties or particular hardships for the subject property.*

The subject property lacks access to a public alley, which necessitates keeping the existing 11' drive aisle that runs along the west side property line of the subject property. This, in turn, restrains the Applicant's ability to expand the width of the proposed building. Without the variation, market conditions would force the Applicant to build a five-story structure, which would increase construction costs by 20%-30% and decrease the Applicant's rate of return from 10% to 5%-6%. Such reduction would make building on the subject property infeasible for the Applicant. Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would prevent the Applicant from building upon the currently vacant subject property, leading to the continued underutilization of the subject property.

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

The requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) protecting the character of established residential neighborhoods by allowing for an all-residential building to be built on this block of West Carmen Avenue; (2) maintaining orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance in that it will allow the construction of a building that is consistent with the neighboring structure immediately to the east of the subject property; (3) maintaining a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance in that it will add sixteen residential units to the immediate area's housing stock and (4) accommodating growth and development that complies with the preceding stated purposes pursuant to Section 17-1-0514 of the Chicago Zoning Ordinance in that it will allow for the construction of a new building that will replace a vacant and underutilized lot.

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

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

The variation allows the Applicant to overcome the subject property's lack of access to a public alley by keeping the existing 11' drive aisle that runs along the west side property line of the subject property. Without the variation, the Applicant's ability to expand the width of the proposed building would be restrained and market conditions would force the Applicant to build a five-story structure, thereby increasing construction costs by 20%-30% and decrease the Applicant's rate of return from 10% to 5%-6%. The ZONING BOARD OF APPEALS finds that, in this case, a 5%-6% rate of return would not be reasonable.

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

The subject property's lack of access to a public alley is a unique circumstance that is not generally applicable to other similarly situated property. Most lots in the City of Chicago have access to a public alley; indeed, the lots on the other side of West Carmen Avenue have alley access.

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

As set forth in Mr. O'Brien's report, the adjacent property immediately east of the subject property and the property directly across Carmen Avenue feature no front setback. The variation, if granted, will be consistent with the existing pattern of development of such property as well as along nearby Broadway Avenue.

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

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

The subject property's lack of access to a public alley results in particular hardship upon the Applicant. Such lack of public alley access requires the Applicant to keep the 11' drive aisle that runs along the west of the subject property, which in turn impacts the width of the structure that can be built upon the subject property and necessitates building to five stories. If the Applicant were forced to build to five stories, construction costs would increase by 20% to 30% and decrease the Applicant's return on investment from 10% to 5%-6%. As such, the Applicant would be unable to realize a reasonable rate of return on its investment. The ZONING BOARD OF APPEALS finds that this constitutes a particular hardship and not a mere inconvenience.

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

The subject property's lack of access to a public alley is a condition not applicable, generally, to other property within the C2-3 zoning classification. Furthermore, the subject property is a C2-3-zoned property abutting a residential district. Ordinarily, there is no front setback requirement for properties in C2-3 zoning districts. By abutting a residential district, the subject property is subject to front setback requirements to which it would not normally be subject. Properties within C2-3 zoning districts do not generally abut residential districts.

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

The purpose of the variation is not based upon a desire to make more money out of the subject property but rather is based upon the Applicant's inability to yield a reasonable rate of return on the subject property by building without the front setback variation.

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

The Applicant did not create the lack of public alley access of the subject property. Such lack of access precedes the Applicant's ownership of 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.*

The proposed building will have a 5' setback from the west side property line. In conjunction with the 11' wide drive aisle, the ZONING BOARD OF APPEALS finds that there is ample room and allows for sufficient maneuverability that a vehicle utilizing the drive aisle will be able to enter or exit the subject property without creating additional risk to the safety and comfort of pedestrian. Likewise, and as set forth in Mr. O'Brien's report, the proposed building is residential in nature and is relatively passive when compared to the potential for other retail/commercial uses allowed under the C2-3 zoning requirements.

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

As Mr. Boehm credibly testified, the proposed building will maintain the existing 11' wide drive aisle on the west side of the subject property and thus the Applicant is not seeking any side setback relief on the west side. The proposed building will maintain the existing 23' of open space between the west wall of the proposed building and the east wall of the neighboring townhomes to the west. Moreover, the proposed building will be built within the height limitations of the C2-3 zoning district and will have a 22' wide drive aisle and an 18' wide parking stall in the rear. As such, light and air will not be impaired for adjacent property. The proposed building will be supported with onsite parking so that it will not increase congestion in the public streets. The proposed building will be built pursuant to building permits and thus will not increase the danger of fire or endanger the public safety. Because the proposed building will be replacing vacant land, property values in the area will not be impaired.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering: (1) the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance; and (2) the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

1. Development shall be consistent with the design and layout of the plans and drawings dated November 13, 2019, prepared by 360 Design Studio.

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

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

APPROVED AS TO SUBSTANCE

By: 

Farzin Parang, Chairman

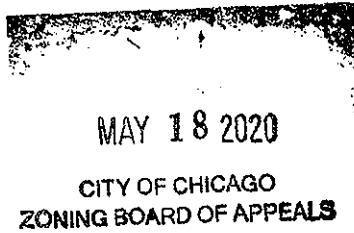
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Maynard-3501 Pine Grove, LLC **CAL NO.:** 73-20-Z
APPEARANCE FOR: Bridget O'Keefe **MINUTES OF MEETING:**
 February 21, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3501 N. Pine Grove Avenue

NATURE OF REQUEST Application for a variation to reduce the required on-site open space from the required 756 square feet to zero to convert the existing sixteen dwelling unit building to twenty-one dwelling units in the existing three-story residential building.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE



FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required on-site open space to zero to convert the existing sixteen dwelling unit building to twenty-one dwelling units in the existing three-story residential building; an additional variation was granted to subject property in Cal. No. 74-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Maynard-3501 Pine Grove, LLC **CAL NO.:** 74-20-Z

APPEARANCE FOR: Bridget O'Keefe **MINUTES OF MEETING:**
February 21, 2020

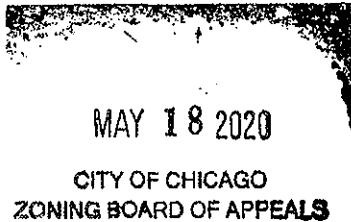
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3501 N. Pine Grove Avenue

NATURE OF REQUEST: Application for a variation to reduce the required parking spaces from five to zero to convert the existing sixteen dwelling unit building to a twenty-one dwelling in an existing three-story residential building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	AUSENT
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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required parking spaces to zero to convert the existing sixteen dwelling unit building to a twenty-one dwelling in an existing three-story residential building; an additional variation was granted to subject property in Cal. No. 73-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: East Douglas Park, LLC

CAL NO.: 75-20-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 21, 2020

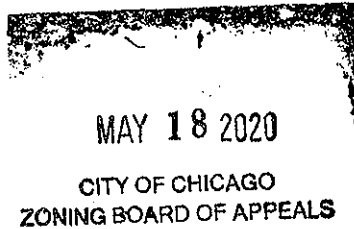
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1244 S. Washtenaw Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 3,000 square feet to 2,996.88 square feet for a proposed two-story, three dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area to 2,996.88 square feet for a proposed two-story, three dwelling unit building; an additional variation was granted to subject property in Cal. No. 76-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: East Douglas Park, LLC

CAL NO.: 76-20-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 21, 2020

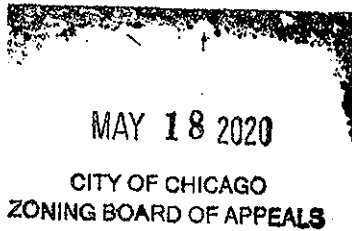
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1244 S. Washtenaw Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 11.03' to 10', combined side setback from 4.8' to 4' each side to be 2') for a proposed two-story, three dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 10', combined side setback to 4' each side to be 2') for a proposed two-story, three dwelling unit building; an additional variation was granted to subject property in Cal. No. 75-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

**Malden Development, LLC 4502-04 N.
Beacon**
APPLICANT

77-20-Z
CALENDAR NUMBER

February 21, 2020
HEARING DATE

1346 W. Sunnyside Avenue
PREMISES AFFECTED

ACTION OF BOARD

THE VOTE

The application for the
variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Timothy Knudsen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 1346 W.
SUNNYSIDE AVENUE BY MALDEN DEVELOPMENT, LLC 4502-04 N.
BEACON**

I. BACKGROUND

Malden Development, LLC 4502-04 N. Beacon (the "Applicant") submitted an application for a variation for 1346 W. Sunnyside Avenue (the "subject property"). The subject property is zoned B2-3 and is vacant. The Applicant proposed to develop the subject property with a four-story nine dwelling unit building with an attached ten-car garage (the "proposed building"). In order to permit the construction of the proposed building, the Applicant sought a variation to reduce: (1) the rear side setback on floors containing dwelling units from 30' to 0.08'; and (2) the north side setback from 3.16' to 0.17'.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on February 21 2020, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its

proposed Findings of Fact. The Applicant's managing member Mr. Steve Sgouras and its attorney Mr. Nicholas Ftikas were present. The Applicant's architect Mr. Bill Kokalias was also present. Testifying in opposition to the application was Ms. Rae Mindock, Mr. Martin Tangora, Ms. Jennifer Eidson, Mr. Edward Gallagher, Mr. John Cusick, Mr. Dave Panozzo, and Mr. James Sanders (collectively, the "Objectors"). Also present was 46th ward alderman James Cappleman (the "Alderman"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

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

The Applicant offered testimony in support of its application from its managing member Mr. Steve Sgouras.

The Applicant offered testimony in support of its application from its architect Mr. Bill Kokalias.

Mr. Ftikas then entered into the record letters from the Beacon Block Club.

Ms. Rae Mindock of 4512 N. Beacon, offered testimony in opposition of the application.

In response to her testimony, Mr Sgouras and Mr. Kokalias offered further testimony.

Mr. Martin Tangora, neighborhood resident, offered testimony in opposition to the application.

Ms. Jennifer Eidson, of 4423 N. Beacon, offered testimony in opposition to the application.

Mr. Edward Gallagher, of 4506 N. Beacon, offered testimony in opposition to the application. He also entered into the record a statement of opposition from Paul Osgood and Bill Goddu, also of 4506 N. Beacon.

Mr. John Cusick, of 4421 N. Beacon, offered testimony in opposition to the application.

In response to Mr. Cusick's testimony, Mr. Kokalias offered further testimony in support of the application.

Mr. Dave Panozzo, of 4510 N. Beacon, offered testimony in opposition of the application.

Mr. James Sanders, of 4506 N Beacon, offered testimony in opposition to the application.

In response to his testimony, the ZONING BOARD OF APPEALS explained that W. Sunnyside was not a pedestrian street¹ at this location.

In response to the Objectors' testimony, Mr. Kokalias offered further testimony.

In response to the Objectors' testimony, Mr. Ftikas requested that the ZONING BOARD OF APPEALS take judicial notice of Section 17-7-0601-B of the Chicago Zoning Ordinance. He then made a brief closing statement.

The Alderman made a statement in support of the application.

Ms. Mindock offered further testimony in opposition to the application.

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

¹ As such term is defined in Section 17-17-02117 the Chicago Zoning Ordinance.

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

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

The narrowing of the subject property at its rear combined with the Sheridan Park historic overlay district create practical difficulties or particular hardships for the subject property if the Applicant were required to develop the subject property in strict compliance with the regulations and standards of the Chicago Zoning Ordinance.

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

The requested variation and proposed development is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) protecting the character of established residential neighborhoods pursuant to §17-1-0503 by allowing a residential building that is consistent and compatible with the pattern of development in the area; (2) maintaining orderly and compatible land use development patterns pursuant §17-1-0508 by allowing a building that consistent with the orientation of the neighboring corner buildings; (3) ensuring adequate light, air, privacy and access to property pursuant to §17-1-0509 as shown by Mr. Kokalias' careful design of the proposed building (4) maintaining a range of housing choices and options pursuant to §17-1-0512 by providing nine additional dwelling units in the area; and (5) accommodating growth and development that complies with the preceding stated purposes of the Chicago Zoning Ordinance pursuant to §17-1-0514 by activating a vacant parcel of land.

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

Without the requested variation, the Applicant would only be able to construct a six to eight dwelling unit building. If the Applicant built a six dwelling unit building, the cost of construction would overprice the six dwelling units and make them unsellable, especially as the neighborhood is comprised of older dwelling units which may be sold at price-points that do not need to cover new construction costs. If the Applicant built an eight-dwelling unit building, the Applicant's financial projections indicate a 6-7% return on its investment. The ZONING BOARD OF APPEALS agrees with the Applicant that such a rate of return is not reasonable. In contrast, the proposed building will allow the Applicant to make a 14-15% return on its investment, which the ZONING BOARD OF APPEALS finds is 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 practical difficulties or particular hardships facing the subject property, namely the narrowing of the subject property at its rear combined with the Sheridan Park historic overlay district, are unique circumstances that are not generally applicable to other vacant property within a B3-2 zoning classification.

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

The variation enables the Applicant to build the proposed building on the subject property. As testified by Mr. Kokalias and as shown by the Applicant's exhibits, the proposed building will allow a vacant corner lot to be developed consistently with the other corner lots in the neighborhood. This is despite the fact that the proposed building must comply with modern parking standards and the other corner lots in the neighborhood are improved with non-conforming 120 year old buildings. The ZONING BOARD OF APPEALS finds that the current use of the subject property as a nonconforming parking lot is not consistent with the essential character of the neighborhood. In contrast, and for the reasons mentioned above, the proposed building will be consistent with the essential residential character of the neighborhood.

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-C of the Chicago Zoning Ordinance:

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

The particular physical surroundings – that is, the Sheridan Park historic overlay district – as well as the particular shape of the subject property results in particular hardship upon the Applicant as distinguished from mere inconvenience. The ZONING BOARD OF APPEALS agrees with Mr. Ftikas that due to these conditions, anything built on the subject property (with the exception of a single-family home, which is not consistent with the pattern of development in the neighborhood) would require some zoning relief from the ZONING BOARD OF APPEALS.

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

The ZONING BOARD OF APPEALS finds that the narrowing of the subject property at its rear combined with the Sheridan Park historic overlay district are conditions that would not be applicable, generally, to other property within the B2-3 zoning classification.

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

The ZONING BOARD OF APPEALS finds that the purpose of the variation is not exclusively to make more money out of the property but rather to construct a building that can justify the Applicant's expenditures while paying heed to the established character of the neighborhood.

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

The Applicant created neither the narrowing of the subject property at the rear nor the Sheridan Park historic overlay district.

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

The variation will allow for the proposed building to be built. As shown by Mr. Kokalias' testimony, the Applicant took great care to design the proposed

building so that it would not be injurious to other property or improvements in the neighborhood. Further, as the Alderman noted, the granting of the variation will be beneficial to the public welfare because it will allow for further dwelling units to be added to the neighborhood, which is currently facing a dwelling unit shortage.

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

The variation allows for a four-story building on a long vacant corner lot. As Mr. Kokalias testified, he designed the proposed building to ensure that it would not impair an adequate supply of light and air to adjacent property. Further, the proposed building will have an extra parking space, so it will not substantially increase the congestion of the public streets. The proposed building will not be built unless and until the Applicant has obtained a valid building permit from the City and so the variation will not increase the danger or fire or endanger the public safety. From Mr. Kokalias' testimony, the exhibits showing the surrounding improvements in the neighborhood, and the proposed building's site plans and elevations, it is clear that the proposed building will not substantially diminish or impair property values within the neighborhood.

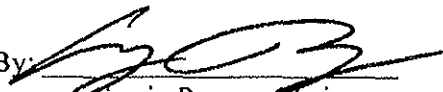
IV. CONCLUSION

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

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

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

APPROVED AS TO SUBSTANCE

By: 
Farzin Parang, Chairman

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

APPLICANT: 3027-29 w. Logan, LLC

CAL NO.: 78-20-Z

APPEARANCE FOR: Nicholas Ftikas

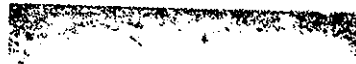
MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3027-29 W. Logan Boulevard

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

ACTION OF BOARD-
Continued to March 20, 2020



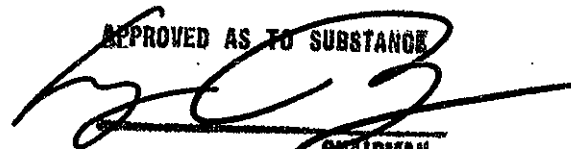
MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: 3027-29 W. Logan, LLC

CAL NO.: 79-20-Z

APPEARANCE FOR: Nicholas Ftikas

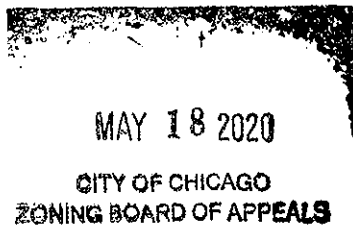
MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3027-29 W. Logan Boulevard

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

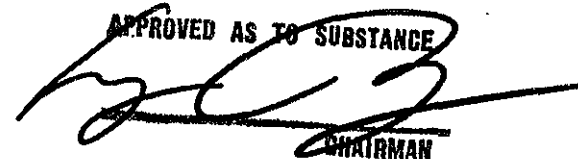
ACTION OF BOARD-
Continued to March 20, 2020



THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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: 2626 North Clark, LLC

Cal. No. 80-20-S

APPEARANCE FOR: Liz Butler

MINUTES OF MEETING:
February 21, 2020

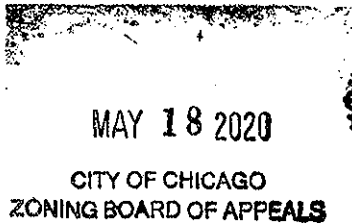
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2616-18 N. Clark Street

NATURE OF REQUEST: Application for a special use to covert an existing five-story, fourteen dwelling unit building to a fourteen room hotel with ground floor commercial use.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant 2616 North Clark, LLC, and the development is consistent with the design and layout of the plans and drawings dated January 9, 2020, prepared by Chadha and Associates.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Paul and Maureen Gutierrez

CAL NO.: 81-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

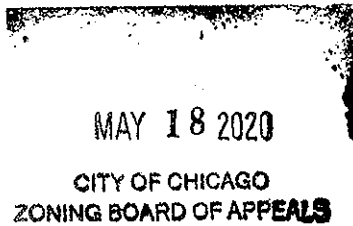
APPEARANCE AGAINST: None

PREMISES AFFECTED: 6950 N. Oleander Avenue

NATURE OF REQUEST: Application for a variation to reduce the combined side setback from the required 16.5' to 12.96' for a proposed second floor addition a front two-story addition and a rear one-story addition to the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the combined side setback to 12.96' for a proposed second floor addition a front two-story addition and a rear one-story addition to the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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



MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

Zivkovic Family Holdings, LLC

APPLICANT

82-20-S & 83-20-Z
CALENDAR NUMBERS

3817 N. Ashland Avenue

PREMISES AFFECTED

February 21, 2020

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition set forth below. The application for the variation is approved.

Farzin Parang, Chairman
Zurich Esposito
Sylvia Garcia
Timothy Knudsen
Jolene Saul

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS
FOR 3817 N. ASHLAND AVENUE BY ZIVKOVIC FAMILY HOLDINGS, LLC**

I. BACKGROUND

Zivkovic Family Holdings, LLC (the "Applicant") submitted a special use application and a variation application for 3817 N. Ashland Avenue (the "subject property"). The subject property is currently located in a B3-2 zoning district and is improved with a one-story commercial building and parking lot ("existing improvements"). The Applicant proposed to raze the existing improvements and redevelop the subject property with three four-story townhome buildings (the "proposed development"). The proposed development would contain fourteen townhouse units and each townhouse unit would have its own attached two-car garage. To permit the proposed development, the Applicant sought: (1) a special use to establish residential use below the second floor; and (2) a variation to reduce the north end wall facing side property line from the required 3' to 0' and to reduce the separation between the rear wall of one row of townhouse units facing the rear of another row of townhouse units from 30' to 20'. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator") recommended approval of the special use provided that: (1) the proposed development was consistent with the design and layout of the plans and drawings dated July 29, 2019, prepared by Kutlesa/Hernandez Architects.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on February 21 2020, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's representative Mr. Joe Zivkovic and its attorney Mr. Tyler Manic were present. The Applicant's architect Mr. Ivan Kutlesa and its appraiser Mr. Liam Ryan were present. Also present was Ms. Danielle Gould. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Mr. Tyler Manic stated that the Applicant had reached an agreement with the subject property's neighbors with respect to the proposed development. He then submitted into the record an email outlining said agreement. He also stated that there was an additional condition that was not reflected in the email, namely that the Applicant had agreed not to put roofdecks on the townhomes numbered 5 and 10 (the email and the additional condition, collectively, the "Agreement").

The Applicant offered the testimony of its architect Mr. Ivan Kutlesa.

The Applicant offered the testimony of its representative Mr. Joe Zivkovic.

The Applicant offered the testimony of its appraiser Mr. Liam Ryan.

Ms. Danielle Gould, of 3823 N. Ashland Avenue, offered testimony on the Agreement.

In response to Ms. Gould's testimony, Mr. Zivkovic offered further testimony.

The ZONING BOARD OF APPEALS then accepted the Agreement into the record.

B. Criteria for a Special Use

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

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 is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT

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

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

The subject property is located in a B3-2 zoning district. Residential use below the second floor is a special use in a B3 zoning district.¹ Other than the variation request, the Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use and the variation that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant both the special use and the variation to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

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

The proposed special use is in the interest of the public convenience because there is no demand for retail in this area, as evidenced by the vacant storefronts lining the commercial arterial and secondary corridors. Further, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community because it will allow for a brand new townhome development to be erected and there are several other residential developments with residential below the second floor on this stretch of North Ashland Avenue.

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

As noted above, there are several other residential developments with residential use below the second floor on this stretch of North Ashland Avenue. Moreover, the proposed special use will allow for the proposed development to be built. As can be seen from the renderings of the proposed development as well as the aerial map of the surrounding area, the proposed development is compatible with the character of the surrounding area in terms of site planning and building scale and project design.

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

As noted above, there are several other residential developments with residential use below the second floor on this stretch of North Ashland Avenue. Therefore, the proposed special use is compatible with 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 designed to promote pedestrian safety and comfort.*

¹ Pursuant to Section 17-3-0207-A(7) of the Chicago Zoning Ordinance.

The proposed special use will allow for the proposed development to be built. Only 5 of the townhouse units in the proposed development will face the street, and from the renderings it is clear that the front yards of these 5 townhouse units will be attractively landscaped. All vehicles will ingress and egress from the alley, ensuring the proposed development will not create an additional curb cut off of Ashland Avenue. Based on all this, it is clear that the proposed special use will promote pedestrian safety and comfort.

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 create practical difficulties or particular hardships for the subject property.*

If the Applicant were to strictly comply with the regulations and standards of the Chicago Zoning Ordinance, the Applicant would only be able to construct 12 townhome units on the subject property. This creates a practical difficulty or particular hardship for the subject property because the subject property is currently underutilized with a commercial building, as the neighborhood has dwindling demand for commercial use and increased demand for residential use. As stated by Mr. Manic, a 12-townhome unit development on the subject property is not financially feasible as it would achieve a return on investment of only 1.3%, which would prevent the Applicant from constructing the proposed development and cause continued underutilization of the subject property.

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

The requested variation and proposed development is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) protecting the character of established residential neighborhoods pursuant to §17-1-0503 by allowing for a townhome development that is consistent and compatible with in the area, especially as commercial use in the area dwindles and residential use increases; (2) maintaining orderly and compatible land use development patterns pursuant §17-1-0508 by allowing a townhome development in a neighborhood that has an increased demand for residential use; (3) ensuring adequate light, air, privacy and access to property pursuant to §17-1-0509 as shown by Mr. Kutlesa's careful design of the proposed development; (4) maintaining a range of housing choices and options pursuant to §17-1-0512 by providing 14 new townhomes units in the area; and (5) accommodating growth and development that complies with the preceding stated purposes of the Chicago

Zoning Ordinance pursuant to §17-1-0514 by activating an underutilized parcel of land.

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

As pointed out in Mr. Ryan's report, the trend in development in the neighborhood is for more residential use. In contrast, the demand for commercial use in the neighborhood is dwindling, as evidenced by vacant retail storefronts. After researching the market in the area, the Applicant chose to commence with a townhome development, as townhomes do not have a ground floor commercial component and can easily provide for two parking spaces per townhome unit. However, in order for a townhome development to be financially feasible on the subject property, the Applicant needs to have 14 townhome units. Without the requested variation, the Applicant can only provide 12 townhome units on the subject property; therefore, the subject property cannot yield a reasonable return if only permitted to be used in accordance with the Chicago Zoning Ordinance.

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

The trend in development in the neighborhood is a unique circumstance and is not generally applicable to other similarly situated property.

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

The variation will allow for the proposed development. The subject property is surrounded by residential use. As shown by the plans and elevations, the proposed development will be compatible with the other buildings. Further, there is another nearby townhome development that also does not strictly comply with the Chicago Zoning Ordinance.

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-C of the Chicago Zoning Ordinance:

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property*

owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

The particular physical surroundings of the subject property – that is, the fact that surrounding area is increasingly residential and that there is dwindling demand for commercial space in the neighborhood – results in particular hardship upon the Applicant.

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

The trend of development in this particular neighborhood (i.e., the increase in demand for residential use, and decrease in demand for commercial use) is not a condition applicable, generally to other property within the B3-2 zoning district.

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

The requested variation will allow the Applicant to redevelop the subject property in a manner that is much more fitting for the trend of development for the neighborhood. It is not, therefore, based exclusively on 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.*

The Applicant did not create the trend of development in this particular neighborhood.

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

The variation will allow for a townhome development that will complement the other residential uses in the neighborhood. Therefore, granting the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

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

As can be seen from the proposed development's plans, elevations and renderings, the variation will not impair an adequate supply of light and air to adjacent properties. Because the proposed development will have an attached

two-car garage per townhome unit, the variation will not increase congestion in the public streets. The proposed development will not be built unless and until the Applicant has obtained a valid building permit from the City of Chicago and so the variation will not increase the danger or fire or endanger the public safety. Finally, and as can also be seen from the plans, elevations and renderings, the variation will not substantially diminish or impair property values in the area.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering: (1) the specific criteria for a special use in a planned manufacturing district pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance; and (2) the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

1. The proposed development shall be consistent with the design and layout of the plans and drawings dated July 29, 2019, prepared by Kutlesa/Hernandez Architects.

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

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

APPROVED AS TO SUBSTANCE

By: 
Farzin Parang, Chairman

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

APPLICANT: Arthur Zerber

Cal. No. 84-20-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:

February 21, 2020

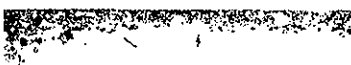
APPEARANCE AGAINST: None

PREMISES AFFECTED: 4506 W. Irving Park Road

NATURE OF REQUEST: Application for a special use to expand the existing residential use below the second floor with a proposed two-story rear addition to the existing two-story, two dwelling unit building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



MAY 18 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

THE RESOLUTION:

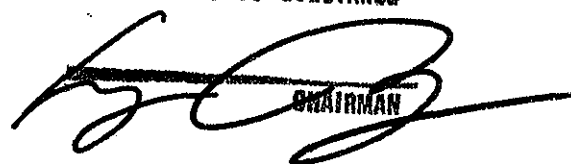
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated August 24, 2019, prepared by Jack Oblaza and Associates.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Yeshivas Meor Hatorah of Chicago Cal. No. 85-20-S

APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6345 N. Monticello Avenue

NATURE OF REQUEST: Application for a special use to convert an existing eight dwelling unit building to a group living facility (eighteen dormitory and two dwelling units above the first floor which contains an existing personal service and two offices) in the existing three-story, mixed use building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to convert an existing eight dwelling unit building to a group living facility (eighteen dormitory and two dwelling units above the first floor which contains an existing personal service and two offices) in the existing three-story, mixed use building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Yeshivas Meor Hatorah of Chicago, and the development is consistent with the design and layout of the plans and drawings dated May 7, 2019, prepared by Gleason Architects, PC.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: TP.Packers, LLC
APPEARANCE FOR: Rolando Acosta
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4301 S. Packers Avenue

Cal. No. 86-20-S

MINUTES OF MEETING:
February 21, 2020

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

ACTION OF BOARD-
Continued to March 20, 2020

THE VOTE

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ADSENT
X		
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APPROVED AS TO SUBSTANCE

[Handwritten Signature]
CHAIRMAN

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

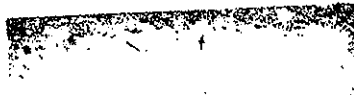
APPLICANT: TP Packers, LLC
APPEARANCE FOR: Rolando Acosta
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4301 S. Packers Avenue

Cal. No. 87-20-S

MINUTES OF MEETING:
February 21, 2020

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

ACTION OF BOARD-
Continued to March 20, 2020



MAY 18 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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: Ron's Temporary help Services, Inc.

Cal. No. 88-20-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 21, 2020

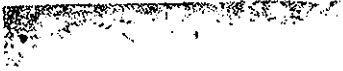
APPEARANCE AGAINST: None

PREMISES AFFECTED: 8301 S. Pulaski Road

NATURE OF REQUEST: Application for a special use to establish a day labor employment agency.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Ron's Temporary Help Services, Inc., and the development is consistent with the design and layout of the floor plan dated February 21, 2020, prepared by the applicant.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Ayse & Mercedes, LLC

Cal. No. 89-20-S

APPEARANCE FOR: Tyler Manic

MINUTES OF MEETING:
February 21, 2020

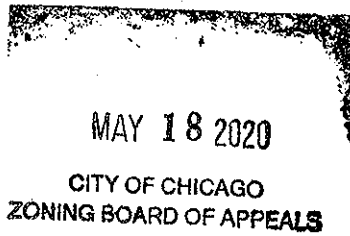
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3524-24 1/2 W. Irving Park Road

NATURE OF REQUEST: Application for a special use to establish a hookah bar.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the operating characteristics are consistent with those of other businesses in the surrounding area in terms of hours of operation, that all activities are conducted completely within the building, and that the special use is issued solely to the applicant Ayse & Mercedes, LLC.

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

APPROVED AS TO SUBSTANCE

A large, stylized handwritten signature in black ink, appearing to be "B. J. Saul".

CHAIRMAN

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

APPLICANT: Jimmy's Food and Deli Inc.

Cal. No. 90-20-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
February 21, 2020

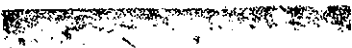
APPEARANCE AGAINST: None

PREMISES AFFECTED: 5601 W. Madison Street

NATURE OF REQUEST: Application for a special use to establish a one-lane drive through facility to serve a one-story grocery/deli building.

ACTION OF BOARD-
Continued to March 20, 2020

THE VOTE



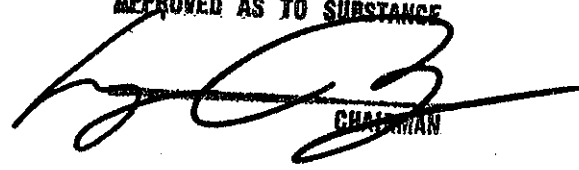
MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
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X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: VDR Real Estate, LLC

CAL NO.: 91-20-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
February 21, 2020

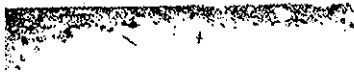
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3432 W. Belden Avenue

NATURE OF REQUEST: Application for a variation to reduce the west side yard setback from the required 2' to 1.7' (east to be 4.7'), combined side setback to be 6.4' for a proposed rear deck and to covert the existing two dwelling unit building to a three dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west side yard setback to 1.7' (east to be 4.7'), combined side setback to be 6.4' for a proposed rear deck and to covert the existing two dwelling unit building to a three dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 92-20-Z and 93-20-Z; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: VDR Real Estate, LLC **CAL NO.:** 92-20-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
APPEARANCE AGAINST: None February 21, 2020
PREMISES AFFECTED: 3432 W. Belden Avenue

NATURE OF REQUEST: Application for a variation to establish a dwelling unit in an existing two dwelling unit building to be converted to a three dwelling unit building with a proposed rear deck that will serve the existing two-story building.

**ACTION OF BOARD-
VARIATION GRANTED**


MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

THE VOTE

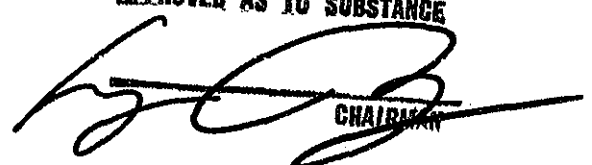
AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a dwelling unit in an existing two dwelling unit building to be converted to a three dwelling unit building with a proposed rear deck that will serve the existing two-story building; two additional variations were granted to the subject property in Cal. Nos. 91-20-Z and 93-20-Z; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: VDR Real Estate, LLC

CAL NO.: 93-20-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
February 21, 2020

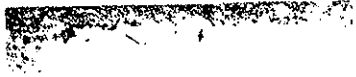
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3432 W. Belden Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 675 square feet to 550 square feet for a proposed rear deck and to convert the existing two dwelling unit building to three dwelling units.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to 550 square feet for a proposed rear deck and to convert the existing two dwelling unit building to three dwelling units; two additional variations were granted to the subject property in Cal. Nos. 91-20-Z and 92-20-Z; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joudah Investments, LLC

CAL NO.: 94-20-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2341 W. Adams Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 46.71' to 40.9', west and east side yard setback each from 3.52' to zero, combined side setback from 8.8' to zero for a proposed three-story, eight dwelling unit building with an attached rear seven car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 40.9', west and east side yard setback each to zero, combined side setback to zero for a proposed three-story, eight dwelling unit building with an attached rear seven car garage; two additional variations were granted to the subject property in Cal. Nos. 95-20-Z and 96-20-Z; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joudeh Investments, LLC

CAL NO.: 95-20-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2341 W. Adams Street

NATURE OF REQUEST: Application for a variation to relocate the 359.66 square feet of rear yard open space to the roof deck of a proposed seven car garage which will serve the proposed three-story, eight dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

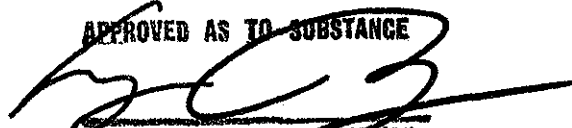
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to relocate the 359.66 square feet of rear yard open space to the roof deck of a proposed seven car garage which will serve the proposed three-story, eight dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 94-20-Z and 96-20-Z; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joudeh Investments, LLC

CAL NO.: 96-20-Z

APPEARANCE FOR: Sara Barnes

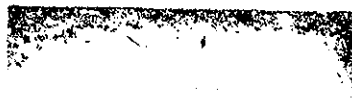
MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2341 W. Adams Street

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking from the required eight spaces to seven spaces to serve a proposed three-story, eight dwelling unit building with an attached seven car garage with roof deck.

**ACTION OF BOARD-
VARIATION GRANTED**



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
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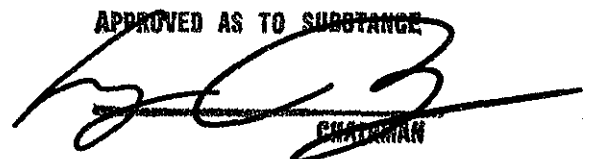
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the required off-street parking to seven spaces to serve a proposed three-story, eight dwelling unit building with an attached seven car garage with roof deck; two additional variations were granted to the subject property in Cal. Nos. 94-20-Z and 95-20-Z; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: SSCHI, LLC

Cal. No. 97-20-S

APPEARANCE FOR: Donna Pugh/Michael Noonan

MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 845 N. Michigan Avenue, 7th Floor #8005

NATURE OF REQUEST: Application for a special use to establish a food and liquor store in an existing shopping center.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

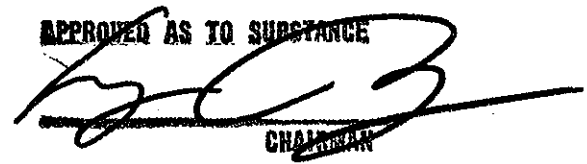
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant SSCHI, LLC, and the development is consistent with the design and layout of the plans and drawings dated October 29, 2019, prepared by Shapiro Associates.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Hermelinda Castaneda

CAL NO.: 98-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

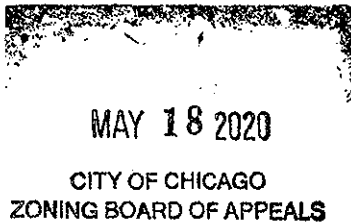
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2427 S. Whipple Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to zero, north side yard setback from 2' to zero (south to be zero), combined side setback from 5' to zero for a proposed front fence with rolling gate at 8.58' in height for the existing three-story building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to zero, north side yard setback to zero (south to be zero), combined side setback to zero for a proposed front fence with rolling gate at 8.58' in height for the existing three-story building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

Advent Properties, LLC -- 2000
APPLICANT

99-20-Z & 100-20-Z
CALENDAR NUMBERS

**2406 W. Armitage Ave. / 2000-04 N.
Western Ave.**
PREMISES AFFECTED

February 21, 2020
HEARING DATE
PREMISES AFFECTED

ACTION OF BOARD

THE VOTE

The application for the variations are denied.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Timothy Knudsen	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 2406 W.
ARMITAGE AVE. / 2000-04 N. WESTERN AVE. BY ADVENT PROPERTIES,
LLC – 2000.**

I. BACKGROUND

Advent Properties, LLC – 2000 (the “Applicant”) submitted variation applications for 2406 W. Armitage Ave. / 2000-04 N. Western Ave. (the “subject property”). The subject property is currently zoned C1-3 and is currently improved with a commercial building. The Applicant proposed to raze the commercial building and redevelop the subject property with a proposed four-story, mixed use building with ground floor retail use and twenty-one dwelling units above with an attached eleven car garage (the “proposed building”). To permit the proposed building, the Applicant sought variations to reduce: (1) the rear setback from the required 30’ to 3’; and (2) the minimum lot area per dwelling unit from the required 400 square feet to 390.86 square feet.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant’s variation applications at its regular meeting on February 21, 2020, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the

ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted his proposed Findings of Facts. The Applicant's member and manager Mr. Paul Dukach and its attorney Mr. Mark Kupiec were present. The Applicant's architect Mr. John Hanna was also present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney, Mr. Mark Kupiec provided an overview of the Applicant's applications.

The Applicant's architect Mr. John Hanna offered testimony in support of the applications.

The Applicant member and manager Mr. Paul Dukach offered testimony in support of the applications.

In response to questions by the ZONING BOARD OF APPEALS, the Applicant offered further testimony of Mr. John Hanna and Mr. Dukach in support of the applications.

Mr. Kupiec then submitted and the ZONING BOARD OF APPEALS accepted into the record revised site plans for the proposed building.

B. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere

inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT.

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

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

The ZONING BOARD OF APPEALS fails to see how strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property. The subject property is zoned C1-3 and is improved with a commercial building. Though the Applicant argues that the subject property is substandard in depth, the subject property's width more than makes up for the depth. The width of the subject property is 76.46', while the width of a standard lot is 25'. Similarly, a standard lot is 3,125 square feet in area. The area of the subject property (as shown the Applicant's plat of survey) measures 8256.63 square feet.¹ Mr. Kupiec's argument as to why the oversized width did not overcome the substandard depth was incoherent and unpersuasive. While the Applicant argued that the subject property was substandard in depth and therefore the variations were necessary in order for the Applicant to realize a reasonable return on its investment, the ZONING BOARD OF APPEALS notes that the Applicant paid over \$2 million for the subject property. Thus, the subject property clearly can realize a reasonable rate of return despite its substandard depth. Further, it is clear from

¹ The Applicant's proposed Findings of Fact purports the area of the subject property to be 7992 square feet. By either calculation, the subject property's area is over two and a half times the size of a standard lot in Chicago.

the plans and renderings that the Applicant is attempting to maximize profit out of subject property by designing a building that is far too large for the subject property. A practical difficulty or particular hardship cannot mean that "a piece of property is better adapted for a forbidden use than the one for which it is permitted, or that a variation would be to the owner's profit or advantage or convenience." *River Forest State & Trust Co. v. Zoning Board of Appeals of Maywood*, 34 Ill.App.2d 412, 419 (1st Dist. 1961).

2. *The requested variations are inconsistent 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 variation is 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 applications for variations 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.*

The subject property is zoned C1-2 and is currently improved with a commercial building. The Applicant acquired the subject property for a little over \$2 million and the subject property is over 2 ½ times the size of a standard lot. The large size of the subject property and its relative inexpensiveness provide the Applicant with a plethora of options in redevelopment that do not require a variation. Therefore, it is clear at the subject property can yield a reasonable return without the requested variations. Further, the ZONING BOARD OF APPEALS does not find Mr. Dukach to be a credible witness. In particular, the ZONING BOARD

OF APPEALS does not find credible Mr. Dukach's testimony that building a twenty dwelling unit mixed-use building on the subject property will result in a rate of return of less than 1% while remaining uncertain as to what the rate of return would be if the Applicant built less than twenty dwelling units on the subject property.

2. *Any practical difficulty or particular hardship is not due to unique circumstances and is generally applicable to other similarly situated property.*

The ZONING BOARD OF APPEALS has declined to find the existence of a practical difficulty or a particular hardship. Even assuming that that not being able to maximize one's profit out of a particular property qualifies as a practical difficulty or particular hardship², it is a practical difficulty or particular hardship that is not due to unique circumstances. The Applicant is a developer and purchased the subject property in order to redevelop it. Generally, when developers purchase property for redevelopment, they are seeking to maximize their profit out of the property in question.

3. *The Applicant failed to prove that the variations, if granted, will not alter the essential character of the neighborhood.*

It is up to the Applicant to prove its case. The ZONING BOARD OF APPEALS finds that the Applicant failed to sustain this burden. While Mr. Dukach averred that there were other similar four-story, mixed-use buildings in the immediate area, he failed to aver what size lots those buildings were erected upon. He also failed to provide the ZONING BOARD OF APPEALS with any pictures of these buildings so that the ZONING BOARD OF APPEALS could determine if it agreed with his determination that the buildings were "similar" to what had been the Applicant proposed. As noted above, the ZONING BOARD OF APPEALS did not find Mr. Dukach to be a credible witness. Further, although Mr. Hanna testified that there were larger buildings in the vicinity, he failed to testify what size lots these buildings were erected upon.

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

² Which it does not.

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.*

The subject property is regular in shape and oversized. There is nothing with respect to the particular physical surroundings of the subject property or the topographical condition of the subject property that results in particular hardship to the Applicant. While the Applicant argues that the subject property is substandard in depth, the size of the subject property is only relevant because the Applicant wishes to redevelop the subject property with a building that is too big for the subject property. As set forth above, this cannot count as a particular hardship. Furthermore, the Applicant articulated no coherent argument as to why the massive width of the property did not overcome any deficiency in depth. Moreover, the subject property clearly can yield a reasonable return as currently improved; thus, strictly complying with the Chicago Zoning Ordinance in this instance cannot be a particular hardship upon the Applicant and must instead be considered a mere inconvenience.

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

The Applicant requested the variations so that it can overbuild the subject property to maximize its profit. These are conditions that are generally applicable to all properties, including other property within the C1-3 zoning classification.

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

It is clear from the plans and renderings that the Applicant is attempting to overbuild the subject property in an attempt to maximize profit. Therefore, the ZONING BOARD OF APPEALS finds that the purpose of the variations is based exclusively upon a desire to make more money out of the subject property.

4. *No alleged practical difficulty or particular hardship exists, regardless of whether such alleged practical difficulty or particular hardship has been created by a person presently having an interest in the property.*

As set forth in above, the ZONING BOARD OF APPEALS finds that no practical difficulty or particular hardship exists in the present case. Further, even assuming that there is a practical difficulty or particular hardship in overbuilding the subject property in attempt to maximize profit, the Applicant created this alleged

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

APPLICANT: Tona Costello and Jason Talanian

CAL NO.: 101-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

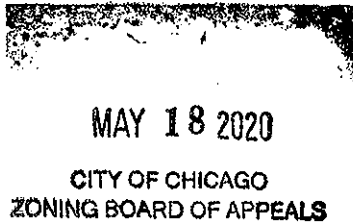
APPEARANCE AGAINST: None

PREMISES AFFECTED: 6925 W. Hobart Avenue

NATURE OF REQUEST: Application for a variation to reduce the unobstructed open space width required along the west property line from 24' to 5.82', along the east property line from 24' to 6.83' for a proposed one-story rear addition, a two-story rear addition, a two-story side addition a second floor addition and a rear open deck on the existing two-story, single family residence with detached garage on a through lot.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the unobstructed open space width required along the west property line to 5.82', along the east property line to 6.83' for a proposed one-story rear addition, a two-story rear addition, a two-story side addition a second floor addition and a rear open deck on the existing two-story, single family residence with detached garage on a through lot; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

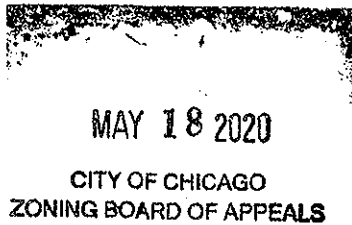
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Ricky Haynes **CAL NO.:** 102-20-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
February 21, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 8148 S. East End Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 4' to 2.66' (south to be 6.78'), combined side setback from 9.65' to 9.44', front yard setback from 14.22' to 11.98' for a proposed two-story addition to the existing one-story single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north side setback to 2.66' (south to be 6.78'), combined side setback to 9.44', front yard setback to 11.98' for a proposed two-story addition to the existing one-story single family residence; George Blakemore of Chicago, Illinois testified in opposition; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Kerrye Dove

CAL NO.: 103-20-Z

APPEARANCE FOR: Bernard Citron

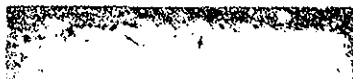
MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3640 N. Magnolia Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2.4' to .59', south setback from 2.4' to 1.86', combined side setback from 6' to 2.45' for a proposed third floor addition, rear two story addition, rear second floor addition, new rear deck with open stair and a detached three car garage on the existing two-story, two dwelling unit building to be deconverted to a single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**


MAY 18 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

THE VOTE

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

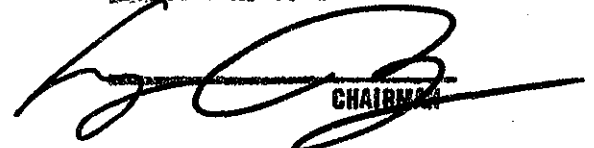
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north side setback to .59', south setback to 1.86', combined side setback to 2.45' for a proposed third floor addition, rear two story addition, rear second floor addition, new rear deck with open stair and a detached three car garage on the existing two-story, two dwelling unit building to be deconverted to a single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

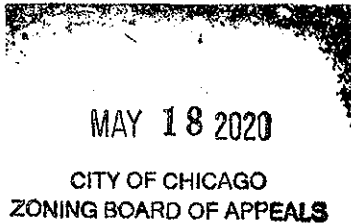
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Broadmoor II, LLC, a Delaware LLC **CAL NO.:** 104-20-Z
APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:**
APPEARANCE AGAINST: None February 21, 2020
PREMISES AFFECTED: 3236-38 N. Whipple Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 14.32', north side setback from 2' to 0.77' (south to be 2.5'), combined side setback from 4.8' to 3.27', rear setback for garages accessed from alleys from 2' to 0.31' for the subdivision of one zoning lot into two zoning lots. The existing three-story, three dwelling unit building shall remain. The newly created lot shall be vacant.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 14.32', north side setback to 0.77' (south to be 2.5'), combined side setback to 3.27', rear setback for garages accessed from alleys to 0.31' for the subdivision of one zoning lot into two zoning lots. The existing three-story, three dwelling unit building shall remain. The newly created lot shall be vacant; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

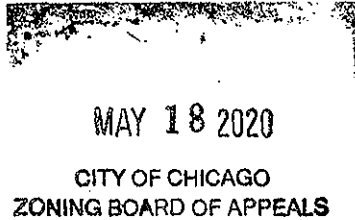
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Alkstudios, Inc. Cal. No. 105-20-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
February 21, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3005 N. Broadway

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


MAY 18 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
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X		
X		
X		
X		

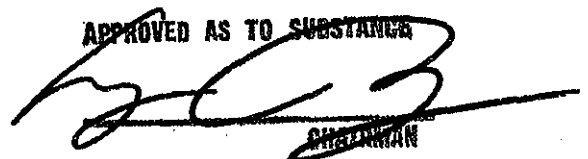
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Surge Billiards, Inc.

CAL NO.: 106-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:

February 21, 2020

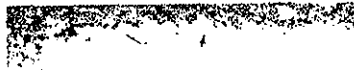
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3716 W. Fullerton Avenue

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license for a billiard hall.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a public place of amusement license for a billiard hall; a special use and two additional variations were granted to the subject property in Cal. Nos. 107-20-S, 108-20-Z, and 109-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Surge Billiards, Inc.

Cal. No. 107-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3600-22 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use to establish five, off-site accessory parking spaces to serve a proposed sports and recreation, indoor use (billiard hall) located at 3716 W. Fullerton Avenue.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

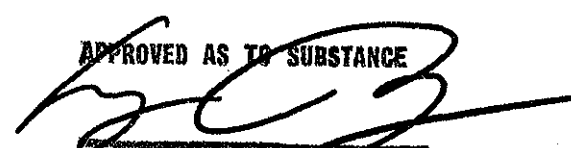
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish five, off-site accessory parking spaces to serve a proposed sports and recreation, indoor use (billiard hall) located at 3716 W. Fullerton Avenue; three variations were also granted to the subject property in Cal. Nos. 106-20-Z, 108-20-Z, and 109-0-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Surge Billiards, Inc.

CAL NO.: 108-20-Z

APPEARANCE FOR: Same as Applicant

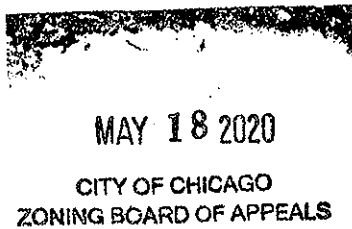
MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3600-22 W. Fullerton Avenue

NATURE OF REQUEST: Application for a variation to increase the maximum distance that the required parking spaces are permitted to be located from the use served from 600 feet to 656 feet to allow five required off-site accessory parking spaces to serve a proposed sports and recreation, participant, indoor facility (billiard hall) located at 3716 W. Fullerton Avenue.

**ACTION OF BOARD-
VARIATION GRANTED**



THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the maximum distance that the required parking spaces are permitted to be located from the use served to 656 feet to allow five required off-site accessory parking spaces to serve a proposed sports and recreation, participant, indoor facility (billiard hall) located at 3716 W. Fullerton Avenue; a special use and two additional variations were granted to the subject property in Cal. Nos. 107-20-S, 106-20-Z, and 109-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Surge Billiards, Inc.
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3600-22 W. Fullerton Avenue

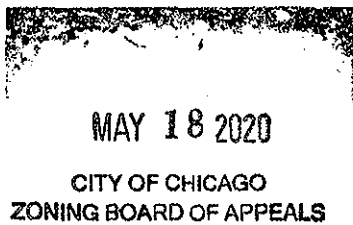
CAL NO.: 109-20-Z

MINUTES OF MEETING:
February 21, 2020

NATURE OF REQUEST: Application for a variation to establish shared parking with a health center to allow five required off-site accessory parking spaces to serve a proposed sports and recreation, participant, indoor facility (billiard hall) located at 3716 W. Fullerton Avenue.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 CHRISTOPHER KNUDSEN
 JOLENE SAUL

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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 6, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to establish shared parking with a health center to allow five required off-site accessory parking spaces to serve a proposed sports and recreation, participant, indoor facility (billiard hall) located at 3716 W. Fullerton Avenue; a special use and two additional variations were granted to the subject property in Cal. Nos. 107-20-S, 106-20-Z, and 108-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Moonlight Studios, Inc.

Cal. No. 457-19-S

APPEARANCE FOR: John Escobar

MINUTES OF MEETING:
February 21, 2020

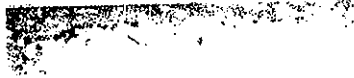
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1455 W. Hubbard Street

NATURE OF REQUEST: Application for a special use to establish an accessory off-site parking lot with seventeen required parking spaces to serve a proposed industrial private event space located at 1446 W. Kinzie Street.

ACTION OF BOARD-
Continued to April 17, 2020

THE VOTE



MAY 18 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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: Moonlight Studios, Inc.

CAL NO.: 458-19-Z

APPEARANCE FOR: John Escobar

MINUTES OF MEETING:
February 21, 2020

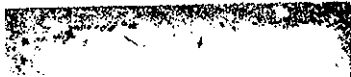
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1455 W. Hubbard Street

NATURE OF REQUEST: Application for a variation to establish shared parking for seventeen parking spaces for non-residential use with different peak hours to accommodate the required parking for a proposed industrial private event space located at 1446 W. Kinzie Street.

ACTION OF BOARD-
Continued to April 17, 2020

THE VOTE

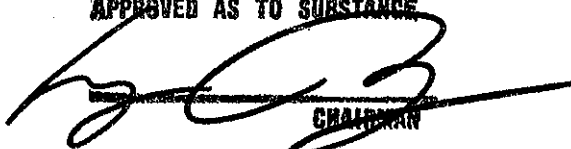


MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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: Ruben Salgado dba 4630 W. Augusta Inc.

Cal. No. 8-20-S

APPEARANCE FOR: Dean Maragos

MINUTES OF MEETING:

February 21, 2020

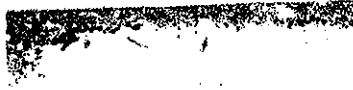
APPEARANCE AGAINST: None

PREMISES AFFECTED: 4630 W. Augusta Boulevard

NATURE OF REQUEST: Application for a special use to establish a small venue (banquet hall) on the second floor of an existing two-story building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



MAY 18 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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 February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 2, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Ruben Salgado dba 4630 W Augusta Inc., and the development is consistent with the design and layout of the plans and drawings dated January 17, 2020, prepared by Beron Design Group.

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

APPROVED AS TO SUBSTANCE

ZONING ADMINISTRATOR

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

APPLICANT: Jose R. Gomez dba No limit Barber Studio

Cal. No. 9-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
February 21, 2020

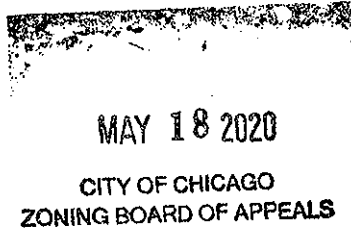
APPEARANCE AGAINST: None

PREMISES AFFECTED: 13419 S. Baltimore Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



MAY 18 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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THE RESOLUTION:

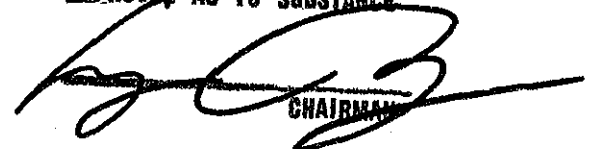
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 2, 2020; and

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

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Willie Brickhouse

CAL NO.: 16-20-Z

APPEARANCE FOR: Thomas Moore

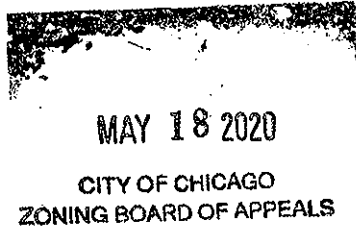
MINUTES OF MEETING:
February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4124 S. Berkeley Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 21.64' to 0.35', north side setback from 2' to zero (south to be 2') combined side setback from 4' to 2', the rear property line located at 10' from the centerline of the alley from the required 2' to 0.35 for a rear attached one car garage and a rear three story addition to the existing single family home.

ACTION OF BOARD-
Continued to March 20, 2020



THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

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: Willie Brickhouse

CAL NO.: 17-20-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 21, 2020

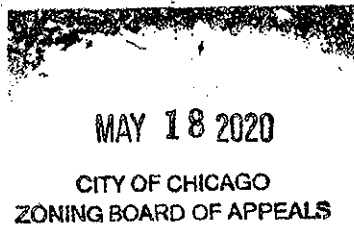
APPEARANCE AGAINST: None

PREMISES AFFECTED: 4124 S. Berkeley Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required seventy-six square feet to zero for a proposed rear three-story addition with a rear attached one-car garage.

ACTION OF BOARD-
Continued to March 20, 2020

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

APPROVED AS TO SUBSTANCE

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

APPLICANT: Webster 914, LLC

CAL NO.: 26-20-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 21, 2020

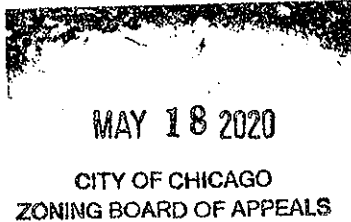
APPEARANCE AGAINST: None

PREMISES AFFECTED: 916 W. Webster Avenue

NATURE OF REQUEST: Application for a variation to reduce the combined side setback from the required 4.8' to 4.', rear setback from 34.50' to 21.67' for a proposed three-story, two dwelling unit building with roof top deck, detached three car garage with roof deck and wood fence.

ACTION OF BOARD-
Continued to March 20, 2020

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

APPLICANT: Board of Education

CAL NO.: 40-20-Z

APPEARANCE FOR: Scott Borstein

MINUTES OF MEETING:
January 17, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2554 W. 113th Street

NATURE OF REQUEST: Application for a variation to reduce the east side setback from the required 12' to 2.33' for a proposed one-story annex building used as a school with a new trash enclosure and twenty-eight parking stalls on a lot containing an existing school.

ACTION OF BOARD-
Continued to February 21, 2020

THE VOTE

[Faint stamp]
FEB 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

- FARZIN PARANG
- ZURICH ESPOSITO
- SYLVIA GARCIA
- JOLENE SAUL
- SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Board of Education

CAL NO.: 41-20-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:

February 21, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2554 W. 113th Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 4,682.96 square feet to zero for a proposed one-story annex building used as a school with a new trash enclosure and twenty eight parking stalls on a lot containing an existing school.

ACTION OF BOARD-
Continued to September 18, 2020



THE VOTE

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

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CHAIRMAN

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

APPLICANT: Board of Education

CAL NO.: 43-20-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 21, 2020

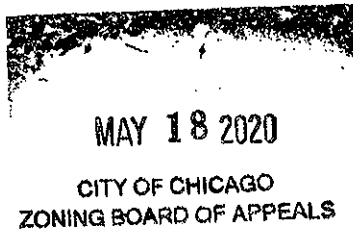
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2554 W. 113th Street

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking from thirty-seven stalls to thirty-one stalls for a proposed one-story annex building used as a school and new thirty-one car parking lot on a lot containing an existing school.

ACTION OF BOARD-
Continued to September 18, 2020

THE VOTE



FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
CHRISTOPHER KNUDSEN
JOLENE SAUL

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

APPROVED AS TO SUBSTANCE

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CHAIRMAN