

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

APPLICANT: Cameron T. Sutton

Cal. No.: 203-23-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2841 W. 23rd Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from 14.88' to 2.33' for a proposed front open porch to a one-story single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
ABSENT		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 2.33' for a proposed front open porch to a one-story single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Monica J. Allen

Cal. No.: 204-23-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4545 S. Vincennes Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 33.6' to 22', south side setback from 2' to 0.88' (north to be 14.06') for a proposed one car garage with roof deck and access stairs in the rear of an existing two-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 22', south side setback to 0.88' (north to be 14.06') for a proposed one car garage with roof deck and access stairs in the rear of an existing two-story, single-family residence; an additional variation was granted to the subject property in Cal. No. 205-23-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Monica J. Allen **Cal. No.:** 205-23-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4545 S. Vincennes Avenue

NATURE OF REQUEST: Application for a variation to relocate the 116.55 square feet of rear yard open space onto the garage roof deck more than 6' above grade for a proposed one car garage with roof deck and access stair in the rear of the existing two-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate the 116.55 square feet of rear yard open space onto the garage roof deck more than 6' above grade for a proposed one car garage with roof deck and access stair in the rear of the existing two-story, single-family residence; an additional variation was granted to the subject property in Cal. No. 204-23-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21

2023.

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
www.chicago.gov/zba



ZBA

NOV 2 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

**Sandra E. Garcia and Andrea
Toro / La Julieta, LLC**
APPLICANT(S)

206-23-S

CALENDAR NUMBER(S)

1730 W. 18th St.
PREMISES AFFECTED

September 15, 2023
HEARING DATE

ACTION OF BOARD	THE VOTE	AFFIRMATIVE	NEGATIVE	ABSENT
The special use application was APPROVED.	Brian Sanchez, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann MacDonald, Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Vaishali Rao, Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(vacant position)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. SUMMARY

La Julieta, LLC (the "Applicant(s)") submitted an application for special use for 1730 W. 18th St. (the "subject property"), to operate a salon within 1,000 feet of another personal services use. The Zoning Board of Appeals ("ZBA") held a public hearing on the Applicant's application. At the public hearing, the ZBA heard from the applicants as well as from objectors who operated a competing business nearby. At the conclusion of the public hearing, the ZBA approved the application.

II. APPLICATION BACKGROUND

The subject property is in the Pilsen neighborhood. It is zoned B3-2, Community Shopping District and is improved with a four-story, mixed-use commercial/residential building. The Applicant proposed to operate a salon on the subject property. Pursuant to Section 17-9-0112 and 17-3-0207-MM(1) of the Chicago Zoning Ordinance, a salon within 1,000 feet of another personal services is a special use in a B3-2 district. The ZBA is authorized to hear and decide special use applications.¹ Therefore, the Applicant submitted a special use application to the ZBA. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of

¹ Pursuant to Section 17-14-302-B of the Chicago Zoning Ordinance.

Planning and Development (the “Zoning Administrator” and the “Department”) recommended approval of the application.

III. PUBLIC HEARING

In accordance with the ZBA’s Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant’s special use application at its regular meeting held on Friday, September 15, 2023. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune* and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**. At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

Those who appeared in objection to the special use operate/support competing salons on the street. They testified that their businesses have been struggling and did not want another one on the street. The ZBA noted the objection but explained that the ZBA cannot consider competition as a valid reason to deny a Special Use application. Control or restriction of competition is not a proper or lawful zoning objection.²

IV. OVERVIEW OF CRITERIA

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

V. FINDINGS OF FACT

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

A (1). *It complies with all applicable standards of the Chicago Zoning Ordinance*

The subject property is in a B3-2 zoning district. Since a salon within 1,000 feet of another personal services use is a special use in this zoning district, the Applicant

² *Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87, 91 (1st Dist. 1983); see also *Lazarus v. Village of Northbrook*, 31 Ill.2d 146, 152 (1964).

requires a special use. The proposed use complies with all other standards set forth in the Chicago Zoning Ordinance because it is only the requirement to request a special of use from the Zoning Board of Appeals that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance.

A (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.

As evidenced by the testimony given by Andrea Toro and Joseph M. Ryan, the proposed use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community because the property is quite similar to the established uses along W. 18th Street and the salon will be an asset to the community as it will occupy a vacant space and provide beauty services to the community.

A (3). It is compatible with the character of the surrounding area in terms of site planning and building scale and project design.

As evidenced by the testimony given by Andrea Toro and Joseph M. Ryan, the proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the building which the proposed use will occupy is an existing first floor unit in a vacant four-story mixed use commercial/residential building. Surrounding businesses include dental offices, restaurants, and grocery stores.

A (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.

As evidenced by the testimony given by Andrea Toro and Joseph M. Ryan, the proposed use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the salon's intended hours of operation will be Monday through Saturday from 10:00 AM to 7:00 PM; these hours of operation are compatible with the surrounding businesses in the area. The applicant intends to operate with twelve (12) stations and four (4) employees. There will be no additional outdoor lighting or signage, noise or traffic generation that will negatively impact the surrounding area.

A (5). It is designed to promote pedestrian safety and comfort.

As evidenced by the testimony given by Andrea Toro and Joseph M. Ryan, the proposed use is designed to promote pedestrian safety and comfort because the property is located along a pedestrian designated street. There is a CTA bus line that runs east-west on 18th Street and north-south on Ashland Avenue. Additionally, the subject property is located a half block west of the CTA 18th Street Pink Line Station. The existing retail and personal service uses have not had any negative impact on pedestrian safety and comfort.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

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

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 11/2, 2023.


Janine Klich-Jensen

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

APPLICANT: FL Beauty Emoire, LLC

Cal. No.207-23-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4114 W. 63rd Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 21 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Ravvishing Inc., dba Ravvishing Beauty Bar and Supply Cal. No.208-23-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 72 E. 75th Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

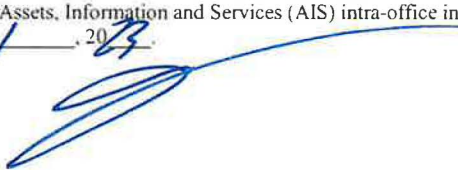
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: G.P.Green House, LLC Cal. No.209-23-S

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
December 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 620 N. Fairbanks Court

NATURE OF REQUEST: Application for a special use to establish an adult use cannabis dispensary on the first floor of an existing, three-story, multi-tenant building.

ACTION OF BOARD – Continued to March 15, 2024 at 2:0pm.

ZBA

THE VOTE

JAN 22 2024
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: RUUM Inc. Cal. No.210-23-S

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1468 N. Ashland Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023

APPROVED AS TO SUBSTANCE
Janine Klich-Jensen
CHAIRMAN

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

APPLICANT: GADYTAT2ART Inc. Cal. No.211-23-S

APPEARANCE FOR: Roberto Martinez **MINUTES OF MEETING:** July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2137 N. Western Avenue

NATURE OF REQUEST: Application for a special use to establish a body art / tattoo salon.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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

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

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APPROVED AS TO SUBSTANCE

Brian Sanchez
CHAIRMAN

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

APPLICANT: Sun Xuen Soy Products, LLC

Cal. No.: 212-23-Z

APPEARANCE FOR: Agnes Plecka

MINUTES OF MEETING:
September 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 613 W. 47th Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 6' for a proposed two-story addition to the east side of an existing one-story tofu processing facility.

ACTION OF BOARD – WITHDRAWN

RECEIVED


OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mariusz and Reneta Dec

APPEARANCE FOR: Agnes Plecka

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6221 W. Catalpa Avenue

Cal. No.: 213-23-Z

MINUTES OF MEETING:
July 21, 2023

NATURE OF REQUEST: Application for a variation to reduce the west side setback from 4' to 3', east side setback from 4' to 3.03', combined side yard setback from 9' to 6.03' for a proposed second floor addition with a rear open covered deck to the existing one-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the west side setback to 3', east side setback to 3.03', combined side yard setback to 6.03' for a proposed second floor addition with a rear open covered deck to the existing one-story, single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21/23.



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Nicholas Hadley **Cal. No.:** 214-23-Z
APPEARANCE FOR: Chris Leach **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1212 W. Draper Street

NATURE OF REQUEST: Application for a variation to expand the existing floor area by 251 square feet for a total of 2,818 square feet for a proposed second floor addition on the existing two-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

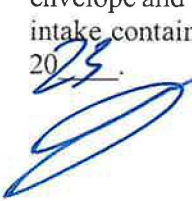
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to expand the existing floor area by 251 square feet for a total of 2,818 square feet for a proposed second floor addition on the existing two-story, single-family residence; an additional variation was granted to the subject property in Cal. No. 215-23-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):

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APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Nicholas Hadley **Cal. No.:** 215-23-Z
APPEARANCE FOR: Chris Leach **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1212 W. Draper Street

NATURE OF REQUEST: Application for a variation to reduce the west side setback from the required 3.92' to zero for a proposed one-car garage addition to the existing two-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023
 CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ
 ZURICH ESPOSITO
 ANN MACDONALD
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

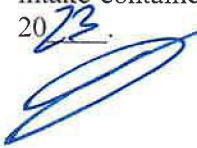
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the west side setback to zero for a proposed one-car garage addition to the existing two-story, single-family residence; an additional variation was granted to the subject property in Cal. No. 214-23-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):

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Wattage Inc.

Cal. No.: 216-23-S

APPEARANCE FOR: Agnes Plecka

MINUTES OF MEETING:
September 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 613 W. 47th Street

NATURE OF REQUEST: Application for a special use to establish a sports and recreation participant (physical fitness center facility) within an existing two-story commercial building.

ACTION OF BOARD – WITHDRAWN

THE VOTE


RECEIVED

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Future Ties, NFP Cal. No.217-23-S

APPEARANCE FOR: Andrew Scott **MINUTES OF MEETING:** July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6330 S. Dr. Martin Luther King Jr. Dr.

NATURE OF REQUEST: Application for a special use to establish a community center in an existing one-story building.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, Future Ties, NFP, and the development is consistent with the design and layout of the Site Plan, Floor Plan, and Elevations dated July 18, 2023, prepared by Hirsch MPG LLC, and the Landscape Plan dated July 18, 2023, prepared by Daniel Weinbach & Partners, LTD.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/14/23, 2023

APPROVED AS TO SUBSTANCE
Janine Klich-Jensen
CHAIRMAN

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

APPLICANT: OMKA, LLC dba Love You Nail Studio Cal. No.218-23-S
APPEARANCE FOR: Andrew Scott **MINUTES OF MEETING:** July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2829 N. Clark Street

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

AUG 21 2023

CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ
 ZURICH ESPOSITO
 ANN MACDONALD
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Milton Grady

Cal. No.: 219-23-Z

APPEARANCE FOR: Fred Agustin

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 10320 S. Wallace Street

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 4' to 1.9' (south to be 3'), combined side yard setback from 8.4' to 4.9' for a proposed new second floor dormer addition and a rear two-story addition to an existing two-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED
ZBA

THE VOTE

AUG 21 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north side setback to 1.9' (south to be 3'), combined side yard setback to 4.9' for a proposed new second floor dormer addition and a rear two-story addition to an 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):

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Axxe Properties, Inc.

Cal. No.: 220-23-Z

APPEARANCE FOR: Agnes Plecka

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5241-43 S. Linder Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to 1.33' (south to be 2.6'), combined side setback from 5' to 3.93', rear setback from 35.2' to 5.5' to allow the division of an improved zoning lot where an existing two-story single-family residence located at 5241 S. Linder Avenue shall remain. A two-story, single-family residence is proposed for 5243 S. Linder.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
X		

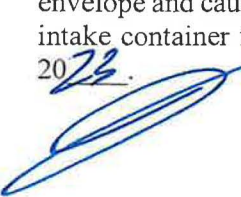
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north side setback to 1.33' (south to be 2.6'), combined side setback to 3.93', rear setback to 5.5' to allow the division of an improved zoning lot where an existing two-story single-family residence located at 5241 S. Linder Avenue shall remain. A two-story, single-family residence is proposed for 5243 S. Linder; an additional variation was granted to the subject property in Cal. No. 221-23-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Axxe Properties, Inc. **Cal. No.:** 221-23-Z

APPEARANCE FOR: Agnes Plecka **MINUTES OF MEETING:** July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5241-43 S. Linder Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 225 square feet to zero to permit the division of an improved zoning lot. The existing two-story single-family residence at 5241 S. Linder shall remain. A two-story, single-family residence is proposed for 5243 S. Linder Avenue is proposed.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
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X		
X		
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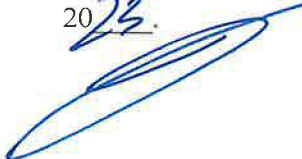
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to zero to permit the division of an improved zoning lot. The existing two-story single-family residence at 5241 S. Linder shall remain. A two-story, single-family residence is proposed for 5243 S. Linder Avenue is proposed; an additional variation was granted to the subject property in Cal. No. 220-23-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Axxe Properties, Inc.

Cal. No.: 222-23-Z

APPEARANCE FOR: Agnes Plecka

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5243 S. Linder Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from 32.88' to 20' for a proposed two-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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APPROVED AS TO SUBSTANCE
Brian Sanchez
CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888
www.chicago.gov/zba



ZBA

SEP 18 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

Platinum Fades Harlem LLC

APPLICANT(S)

223-23-S

CALENDAR NUMBER(S)

3407 North Harlem Ave.

PREMISES AFFECTED

July 21, 2023

HEARING DATE

ACTION OF BOARD	THE VOTE	THE VOTE		
		AFFIRMATIVE	NEGATIVE	ABSTAIN
The special use application was APPROVED.	Brian Sanchez, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann MacDonald, alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(vacant position)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. SUMMARY

Platinum Fades Harlem LLC (the “Applicant”) submitted an application for special use for 3407 N. Harlem Ave. (the “subject property”), to establish a barbershop that is located within 1,000 feet of an existing personal service located in a B3-1 Community Shopping District. The Zoning Board of Appeals (“ZBA”) held a public hearing on the Applicant’s application. At the conclusion of the public hearing, the ZBA approved the special use application.

II. APPLICATION BACKGROUND

The subject property is located in the Dunning neighborhood. It is zoned B3-1 and is improved with an existing one-story, multi-tenant, mixed-use, commercial building. The Applicant proposed to establish a barbershop on the subject property. Pursuant to Sections 17-3-0207-MM(1) and 17-9-0112 of the Chicago Zoning Ordinance, a barbershop that is located within 1,000 feet of an existing personal service located in a B3-1 community shopping district is a special use. The ZBA is authorized to hear and decide special use applications, pursuant to Section 17-14-302-B of the Chicago Zoning Ordinance. Therefore, the Applicant submitted a special use application to the ZBA. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City’s Department of Planning and Development (the “Zoning Administrator” and the “Department”) recommended: approval of the proposed barbershop.

III. PUBLIC HEARING

In accordance with the ZBA's Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant's special use application at its regular meeting held on Friday, July 21, 2023. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

The ZBA notes that four objectors appeared at the hearing. The objectors are all owners/operators of barbershops/other personal service providers located near the subject property. At the hearing, the ZBA commissioners warned the objectors multiple times that the ZBA cannot consider competition as a valid reason to deny a Special Use application. Control or restriction of competition is not a proper or lawful zoning objection.¹ Nevertheless, the objectors continued to make objections that were based on competition. The objectors also misunderstood the zoning law in terms of the sections governing special use and personal services (17-9-0112), notice requirements (17-13-0107-A, B, & C), and special use standards (17-13-0905-A). At no point during the hearing did the objectors seriously attempt to make a valid objection based on the special use standards. As the objectors' competition arguments and requests for continuance continued to be denied by the ZBA, the objectors grew angrier and one of them made racial/ethnic comments, for which the Chairman ruled them out of order. One of the objectors stormed out in the middle of the hearing, shouting all the way out the door and the rest of the objectors followed him out. Two objectors did not provide any testimony before they left, and due to their abrupt exit, the applicant was not afforded the ability to cross examine any of the four objectors.

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

IV. OVERVIEW OF CRITERIA

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 ZBA finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

¹ *Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87, 91 (1st Dist. 1983); see also *Lazarus v. Village of Northbrook*, 31 Ill.2d 146, 152 (1964).

V. FINDINGS OF FACT

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

A (1). It complies with all applicable standards of the Chicago Zoning Ordinance

The subject property is located in a B3-1 zoning district. Since a barbershop within 1000 feet of another personal service is a special use in this zoning district, the Applicant requires a special use. The proposed use complies with all other standards set forth in the Chicago Zoning Ordinance because it is only the requirement to request a special of use from the Zoning Board of Appeals that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance.

A (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.

As evidenced by the testimony given by Joel Calderon and Joseph M. Ryan, the proposed use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community because the proposed use is quite similar to other established uses along North Harlem Avenue. The neighborhood is a mixed-use area with restaurants, shops, and personal services. Joel Calderon testified that he has been working as a barber for 14 years and has many clients that live in the vicinity of the subject property. Additionally, the proposed barbershop with booth rentals will give personal service professionals in the area the opportunity to provide services in a well-equipped facility without substantial up-front investment in equipment and buildout. All professionals will be licensed and will have their own customer bases drawn from the surrounding neighborhood. Joseph M. Ryan also testified that the proposed use is financially beneficial for the neighborhood because it will eliminate a commercial vacancy and contribute to the neighborhood's tax base.

A (3). It is compatible with the character of the surrounding area in terms of site planning and building scale and project design.

As evidenced by the testimony given by Joel Calderon and Joseph M. Ryan, the proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the building which the proposed use will occupy is an existing vacant unit within a multi-tenant commercial building. The proposed use will be conducted within a leased unit of the existing building and there are no plans to modify the design of the existing building.

A (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.*

As evidenced by the testimony given by Joel Calderon and Joseph M. Ryan, the proposed use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because it will operate similarly to the surrounding businesses. The intended hours of operation will be from 9:00am to 7:00pm seven days a week. There will be no additional outdoor lighting or signage, nor will there be excessive noise or atypical traffic generation. There are multiple other personal service uses and a diverse set of other commercial uses occupying storefronts in the area which are wholly compatible with the proposed special use.

A (5). *It is designed to promote pedestrian safety and comfort.*

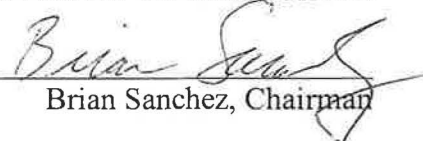
As evidenced by the testimony given by Joel Calderon and Joseph M. Ryan, the proposed use is designed to promote pedestrian safety and comfort because the property is located along a major arterial commercial street, with an entrance alongside the sidewalk. Additionally, by occupying and activating a vacant space, the Applicant will enhance pedestrian safety and comfort by adding more eyes on the street. Additionally, there are CTA bus lines near the subject property that run north and south on Harlem Avenue and east and west on Belmont Avenue that will provide customers another way to access the barbershop without reliance on a private vehicle and parking.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

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

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 9/18, 2023.



Janine Klich-Jensen

HEARING PARTICIPANT EXHIBIT

Applicant is represented by an attorney: No Yes, Mark Kupiec

Name	Title (if applicable)	Address	Support	Oppose	Neutral
Joel Calderon	Manager/Owner of Applicant	9966 W. Grand Ave. Franklin Park, IL 60131	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joseph M. Ryan	MAI Real Estate Appraiser	2 N LaSalle St. Chicago, IL 60602	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adam Ghalyeh**		3433 N. Harlem Ave. Chicago, IL 60634	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Juma Awad**		3434 N. Harlem Ave. Chicago, IL 60634	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fadi Hazameh*		3413 N. Harlem Ave. Chicago, IL 60634	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rayan Alnsour*		3353 N. Harlem Ave. Chicago, IL 60634	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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* Left the hearing before providing testimony.
**Left the hearing before being cross-examined.

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

APPLICANT: Geng Zhen Xiu, LLC

Cal. No.224-23-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3243 N. Harlem Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: (1) the special use is issued solely to the applicant, Geng Zhen Xiu, LLC and (2) the establishment maintains clear non-reflective windows on the street-facing building facade, which shall not be painted over, darkened or obstructed in any way, so that the reception and waiting area is visible from the street;

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21/23.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Timothy J. McGonegle & Barbra J. Sullivan

Cal. No.: 225-23-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4117 N. Greenview Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 48.3' to 41.29' for a proposed three-story, rear addition to the existing three-story, three dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 41.29' for a proposed three-story, rear addition to the existing three-story, three dwelling unit building; an additional variation was granted to the subject property in Cal. No. 226-23-Z; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Timothy J. McGonegle & Barbra J. Sullivan

Cal. No.: 226-23-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4117 N. Greenview Avenue

NATURE OF REQUEST: Application for a variation to increase the existing building height from 36.33' to 39.67' for a proposed three-story, rear addition to the existing three-story, three dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

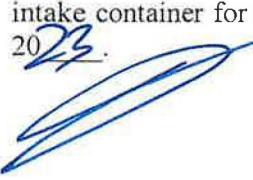
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the existing building height to 39.67' for a proposed three-story, rear addition to the existing three-story, three dwelling unit building; an additional variation was granted to the subject property in Cal. No. 225-23-Z; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



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
www.chicago.gov/zba



ZBA

NOV 2 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

Burke and Sons Construction LTD
APPLICANT(S)

227-23-Z
CALENDAR NUMBER(S)

5532 S. Oak Park Avenue
PREMISES AFFECTED

July 21, 2023
HEARING DATE

ACTION OF BOARD	THE VOTE	AFFIRMATIVE	NEGATIVE	ABSENT
The variation application was APPROVED.	Brian Sanchez, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann MacDonald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(vacant position)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. SUMMARY

Burke and Sons Construction, LTD (the “Applicant”) submitted an application for variation for 5532 S. Oak Park Avenue (the “subject property”), in order to build a home on the existing foundation. The Zoning Board of Appeals (“ZBA”) held a public hearing on the Applicant’s application. At the public hearing, the Applicant and the Applicant’s architect testified in support of the application and a neighbor testified in objection to the application. At the conclusion of the public hearing, the ZBA approved the application for variation.

II. APPLICATION BACKGROUND

The subject property is located in the 13th Ward. It is zoned RS2 and is improved with a poured foundation. The Applicant proposed to build a 2-story single family residence on the existing foundation. The Applicant seeks variations from the Chicago Zoning Ordinance to reduce the front setback from the required 33.66' to 18.82' and the south side setback from 4' to 3.48' (north to be 10.94'), for a combined side yard setback of 14.42'. The ZBA is authorized to hear and decide variations.¹ Therefore, the Applicant submitted a variation application to the ZBA.

III. PUBLIC HEARING

¹ Pursuant to Section 17-13-1101 of the Chicago Zoning Ordinance.

In accordance with the ZBA's Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant's variation application at its regular meeting held on Friday, July 21, 2023. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**. At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

IV. OVERVIEW OF CRITERIA

Pursuant to Section 17-13-1107-A(1) of the Chicago Zoning Ordinance, no variation application may be approved unless the ZBA finds, based upon the evidence presented to it in each specific case, that strict compliance with the standards of the Chicago Zoning Ordinance would create *practical difficulties* or *particular hardships*.

In order to determine that *practical difficulties* or *particular hardships* exist, Section 17-13-1107-B of the Chicago Zoning Ordinance requires that the ZBA 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.

Additionally, in making its determination of whether *practical difficulties* or *particular hardships* exist, Section 17-13-1107-C of the Chicago Zoning Ordinance requires the ZBA to 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.

Finally, pursuant to Section 17-13-1107-A(2) of the Chicago Zoning Ordinance, no variation application may be approved unless the ZBA finds, based upon the evidence presented to it in each specific case, that the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

V. FINDINGS OF FACT

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

A (1). Strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships.

Applicant built a properly permitted foundation pursuant to the Chicago Zoning Ordinance at the subject property. Because of later changes to the Chicago Zoning Ordinance, the side and front setback no longer conform with the Chicago Zoning Ordinance. To strictly comply with the new version of the Ordinance, the applicant would have to demolish and relocate the foundation. To do this would require the Applicant to expend at least \$40,000.00. Additionally, complying with the newer front setback requirement would mean that any home built on the subject property would not line up with 8 of the 9 homes depicted on the submitted site plan dated April 2, 2021. Furthermore, the ZBA finds that strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships because the following criteria under B(1)-(3) are met:

B (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 evidenced by the Applicant and the Applicant's architect testimony, the cost to demolish the foundation and relocate it in compliance with the latest version of the Chicago Zoning Ordinance would cost in excess of \$40,000.00 to \$50,000.00. The Applicant stated that to do this would make the project not worth it.

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

As evidenced by the Applicant testimony, the foundation was properly permitted and complied with the Chicago Zoning Ordinance at the time. The Applicant was not able to complete the construction because the buyer did not complete the sale. By the time litigation with the buyer was complete, market conditions did not allow for the completion of the project. Once the conditions improved, the Applicant applied for a permit and was informed that the Chicago Zoning Ordinance changed, and the existing foundation was non-conforming.

B (3). The variation, if granted, will not alter the essential character of the neighborhood.

As evidenced by testimony from the Applicant and the Applicant's Architect, and the site plan dated April 2, 2021, granting the variance will not alter the essential character of the neighborhood. The neighborhood is single family residential, and the Applicant's project is a single-family residence. Currently, the subject property is improved with a basement foundation and nothing else.

The ZBA also finds that strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships after taking into consideration the extent to which evidence has been submitted under C(1)-(6):

C (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.

There was no evidence submitted to the ZBA that the particular hardship was due to a particular physical surrounding, shape or topographical condition of the specific property. The ZBA does find that the need for variation from the front setback is the result of (1) a change in the Chicago Zoning Ordinance and (2) the fact that 5526 S. Oak Park Avenue is built on the rear of the lot.

C (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.

The ZBA finds that the Applicant's situation is unique. Again, the foundation was properly permitted and complied with the Chicago Zoning Ordinance at the time it was built. The Applicant was not able to complete the construction because the buyer and Applicant ended up in litigation. By the time the litigation was complete, market conditions did not allow for the completion of the project. Once the conditions improved, the Applicant applied for a permit and was informed that the Chicago Zoning Ordinance changed, and the existing foundation was non-conforming. These are not typical conditions among lots zoned RS3.

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

As evidenced by the Applicant's testimony and the submitted "Reasonable Return Economic Analysis" form, this variation is not about making more money—it's about making any money. With the variation, the Applicant stands to make an estimated \$25,000.00. Without the variation, the Applicant not only won't make

anything, but would continue to expend money for taxes, and presumably, maintenance and insurance.

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

As evidenced by the Applicant's testimony and submitted documents, the Applicant built a properly permitted foundation pursuant to the Chicago Zoning Ordinance at the time on the subject property. Because of later changes to the Chicago Zoning Ordinance, the side and front setback no longer conform with the Chicago Zoning Ordinance. No evidence was presented that the Applicant had something to do with the change of the Chicago Zoning Ordinance. While an argument could be made that the Applicant's delay in building on the foundation created the hardship, the ZBA rejects that argument.

C (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.

As evidenced by the testimony of the Applicant, the Applicant's Architect, and their submitted materials, building a single-family residence on this foundation will not be detrimental to the public welfare as it removes an open foundation from the street and replaces it with a home. The granted variations are not injurious to other properties or improvements as it comports with how those properties are situated.

C (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.

As evidenced by the testimony of the Applicant, the Applicant's Architect, and their submitted materials, the variation will not impair adequate supply of light and air to the adjacent properties. The ZBA notes that the immediate adjacent property owners on each side of the subject property did not object at the hearing. The ZBA finds that an additional single-family home on this block will not increase congestion in the streets. The home is to be built in accordance with properly issued permits and following the Chicago Building Code, so there is not an increase danger of fire or public safety. Building a new home on an existing foundation will not affect property values negatively.

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

The requested variation(s) will allow for a 2-story, single family home to be built on the existing foundation on the subject property. The ZBA finds that variation is

consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by:

- Promoting the public health, safety and general welfare, pursuant to Section 17-1-0501, by covering an open foundation;
- Preserving the overall quality of life for residents and visitors, pursuant to Section 17-1-0502, by building a home where currently only a foundation exists.
- Protecting the character of established residential neighborhoods, pursuant to Section 17-1-0503, by building a single family residence in a single family residential area;
- Maintaining orderly and compatible land use and development patterns, pursuant to Section 17-1-0508, by not deviating from what can be built on a lot zoned RS2;
- Encouraging environmentally responsible development practices, pursuant to Section 17-1-0510, by reusing an existing foundation instead of demolishing it and by building a home pursuant to all building code requirements.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

1. For all the above reasons, the ZBA finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Section 17-13-1107-A, B and C of the Chicago Zoning Ordinance.
2. The ZBA 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: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 11/2, 2023.


Janine Klich-Jensen

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

APPLICANT: Rockstar Fades Barbershop, LLC Cal. No.228-23-S
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:** July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4307 S. Archer Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ
 ZURICH ESPOSITO
 ANN MACDONALD
 SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: U.S. Bank National Association Cal. No.229-23-S
APPEARANCE FOR: Graham Grady / Sylvia Michas **MINUTES OF MEETING:** July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 9228-44 S. South Chicago Avenue

NATURE OF REQUEST: Application for a special use to establish a six-lane drive through, including a bypass lane for an existing bank and an additional drive through lane at the existing remote ATM located in within the existing parking lot.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ
 ZURICH ESPOSITO
 ANN MACDONALD
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
RECUSED		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a six-lane drive through, including a bypass lane for an existing bank and an additional drive through lane at the existing remote ATM located in within the existing parking lot; a variation was also granted to the subject property in Cal. No. 230-23-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 has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, U.S. Bank National Association, and the development is consistent with the design and layout of the Site Plan, dated July 10, 2023, the (First) Floor and Basement Plans, dated October 13, 2021 (signed October 22, 2021), and Elevations dated December 21, 2021, prepared by RSP Architects, and Landscape Plan, dated July 10, 2023, prepared by Juli Orodower, Landscape Architecture.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21/23.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: U.S. Bank National Association **Cal. No.:** 230-23-Z
APPEARANCE FOR: Graham Grady / Sylvia Michas **MINUTES OF MEETING:** July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 9228-44 S. South Chicago Avenue

NATURE OF REQUEST: Application for a variation to reduce the number of the required interior trees from twenty-five to twelve for a proposed six-lane drive through, including a bypass lane for an existing bank and an additional drive through lane at the existing remote ATM located in within the existing parking lot.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023
 CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ
 ZURICH ESPOSITO
 ANN MACDONALD
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
RECUSED		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the number of the required interior trees to twelve for a proposed six-lane drive through, including a bypass lane for an existing bank and an additional drive through lane at the existing remote ATM located in within the existing parking lot; a special use was also approved for the subject property in Cal. No. 229-23-S; the Board finds 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): the special use is issued solely to the applicant, U.S. Bank National Association, and the development is consistent with the design and layout of the Site Plan, dated July 10, 2023, the (First) Floor and Basement Plans, dated October 13, 2021 (signed October 22, 2021), and Elevations dated December 21, 2021, prepared by RSP Architects, and Landscape Plan, dated July 10, 2023, prepared by Juli Orodower, Landscape Architecture.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: U.S. Bank National Association Cal. No.231-23-S
APPEARANCE FOR: Graham Grady / Sylvia Michas **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5650 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use to establish a four-lane drive through with a bypass lane for an existing bank.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
RECUSED		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a four-lane drive through with a bypass lane for an existing bank; a variation was also granted to the subject property in Cal. No. 232-23-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 has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, U.S. Bank National Association, and the development is consistent with the design and layout of the Site Plan, dated July 10, 2023, Floor Plan, dated June 1, 2022, and Exterior Elevations, dated September 12, 2022, prepared by RSP Architects, LTD, and Tree Preservation & Removal/Demo Plan, Landscape Plan, and (Landscape) Details and Specifications, dated July 10, 2023, prepared by Dickson Design Studio/RSP Architect, LTD.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21/23.

APPROVED AS TO SUBSTANCE
Brian Sanchez
CHAIRMAN

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

APPLICANT: U.S. Bank National Association

Cal. No.: 232-23-Z

APPEARANCE FOR: Graham Grady / Sylvia Michas

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5650 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the perimeter trees from the required four to one, interior trees from eight to six. The applicant shall also provide 1,831 square feet of interior landscape area which is in excess of the required 921 square feet for a proposed four-lane drive through with a bypass lane for an existing bank.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
RECUSED		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the perimeter trees to one, interior trees to six. The applicant shall also provide 1,831 square feet of interior landscape area which is in excess of the required 921 square feet for a proposed four-lane drive through with a bypass lane for an existing bank.; a special use was also approved for the subject property in Cal. No. 231-23-S; the Board finds 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): the special use is issued solely to the applicant, U.S. Bank National Association, and the development is consistent with the design and layout of the Site Plan, dated July 10, 2023, Floor Plan, dated June 1, 2022, and Exterior Elevations, dated September 12, 2022, prepared by RSP Architects, LTD, and Tree Preservation & Removal/Demo Plan, Landscape Plan, and (Landscape) Details and Specifications, dated July 10, 2023, prepared by Dickson Design Studio/RSP Architect, LTD.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023

APPROVED AS TO SUBSTANCE
Janine Klich-Jensen
CHAIRMAN

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

APPLICANT: Chicago Aerial Arts, LLC Cal. No.233-23-S
APPEARANCE FOR: Ximena Castro **MINUTES OF MEETING:** July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4321 N. Knox Avenue

NATURE OF REQUEST: Application for a special use to establish a sports and recreation, participant (Physical Fitness Center).

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
ABSENT		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, Chicago Aerial Arts, LLC, and the development is consistent with the design and layout of the Site Plan and Floor Plan dated July 6, 2023, prepared by EAA, and the rooftop parking plan, dated June 12, 2023, prepared by MG Knox LLC.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: WeDriveU America, LLC, Inc.* Cal. No.234-23-S

APPEARANCE FOR: Richard Toth **MINUTES OF MEETING:**

September 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2545 W. Fulton Street

NATURE OF REQUEST: Application for a special use to establish utilities and services, major in a proposed one-story building to establish a transit maintenance facility with outdoor transit storage.

ACTION OF BOARD – APPLICATION APPROVED

RECEIVED

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 15, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish utilities and services, major in a proposed one-story building to establish a transit maintenance facility with outdoor transit storage; two additional variations were granted to the subject property in Cal. Nos. 347-23-Z and 235-23-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 has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, WeDriveU America, LLC, and the development is consistent with the design and layout of the Landscape Plan, dated September 15, 2023, prepared by Kathryn Talty; the Site Plan, dated September 8, 2023, Floor Plan, dated June 16, Roof Plan, Enlarged Restroom Plans And Elevations, dated June 29, 2023, and the Occupancy and Egress Plans, Exterior Elevations, Building And Wall Sections, Office - Reflected Ceiling, Floor, Schematic Furniture And Finish Plans, Millwork And Glazing Elevations & Details, dated February 22, 2023, all prepared by Ware Malcomb; and the Existing Conditions, Demolition Plan, Geometric Plan, Grading Plan, Utility Plan, Operations and Maintenance Plan, Maintenance of Traffic Plan, Soil Erosion & Sediment Control Plan, dated June 29, 2022, prepared by Spaceco Inc.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 10/23, 2023.
*Amended at Hearing

APPROVED AS TO SUBSTANCE

Brian Sanchez
CHAIRMAN

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

APPLICANT: We DriveU America, LLC* **Cal. No.:** 235-23-Z
APPEARANCE FOR: Richard Toth **MINUTES OF MEETING:**
September 15, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2545 W. Fulton Street

NATURE OF REQUEST: Application for a variation to eliminate interior landscape islands with trees every fifteen parking stalls (required landscape to be installed at the permitter of the proposed bus parking lot only) and to eliminate the hose bibs requirement every 100' throughout permitter landscape area for a proposed one-story building to establish a transit maintenance facility with outdoor transit storage and on-site parking lot.

ACTION OF BOARD - VARIATION GRANTED

RECEIVED

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 15, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to eliminate interior landscape islands with trees every fifteen parking stalls (required landscape to be installed at the permitter of the proposed bus parking lot only) and to eliminate the hose bibs requirement every 100' throughout permitter landscape area for a proposed one-story building to establish a transit maintenance facility with outdoor transit storage and on-site parking lot; a special use was approved and an additional variation was granted to the subject property in Cal. Nos. 347-23-Z and 234-23-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s): the special use is issued solely to the applicant, WeDriveU America, LLC, and the development is consistent with the design and layout of the Landscape Plan, dated September 15, 2023, prepared by Kathryn Talty; the Site Plan, dated September 8, 2023, Floor Plan, dated June 16, Roof Plan, Enlarged Restroom Plans And Elevations, dated June 29, 2023, and the Occupancy and Egress Plans, Exterior Elevations, Building And Wall Sections, Office - Reflected Ceiling, Floor, Schematic Furniture And Finish Plans, Millwork And Glazing Elevations & Details, dated February 22, 2023, all prepared by Ware Malcomb; and the Existing Conditions, Demolition Plan, Geometric Plan, Grading Plan, Utility Plan, Operations and Maintenance Plan, Maintenance of Traffic Plan, Soil Erosion & Sediment Control Plan, dated June 29, 2022, prepared by Spaceco Inc.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 10/23/23, 2023.

*Amended at Hearing



APPROVED AS TO SUBSTANCE

Brian Toth
CHAIRMAN

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

APPLICANT: Raising Cane’s Restaurants, LLC Cal. No.236-23-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 921 S. Jefferson Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: (1) the special use is issued solely to the applicant, Raising Cane's Restaurants, LLC; (2) the development is consistent with the design and layout of Site Sketch Alternative #8, dated February 21, 2023; Exterior Keynote Elevations dated July 13, 2023 prepared by ADA Architects; and Tree Preservation Plan, Landscape Plan, Landscape Specifications and Details, Exterior Keynote Elevations dated July 14, 2023 prepared by ADA Architects; and (3) the site plan is modified to reconfigure the 588 square feet three season seating area, the sidewalk, the front landscaping, and bike rack locations as per the marked up plan dated July 21, 2023.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE
Brian Sanchez
CHAIRMAN

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

APPLICANT: Roundlake Auto Credit, LLC

Cal. No.: 237-23-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
September 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1301 W. 112th Street

NATURE OF REQUEST: Application for a variation to reduce the west side setback from the required 4' to 1.49' (east to be 5.69'), combined side yard setback from 9.72' to 7.18', rear setback from 39.84' to 2.22' for a proposed detached two car garage and removal and replacement of an existing nonconforming rear wall of the existing building at an existing two-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

RECEIVED

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 15, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 31, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted variation to reduce the west side setback to 1.49' (east to be 5.69'), combined side yard setback to 7.18', rear setback to 2.22' for a proposed detached two car garage and removal and replacement of an existing nonconforming rear wall of the existing building at an existing two-story, single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 10/23, 2023.

APPROVED AS TO SUBSTANCE

Brian Sanchez
CHAIRMAN

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

APPLICANT: 2434 S. Albany, LLC

Cal. No.: 238-23-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
September 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2434 S. Albany Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.5' to 0.92', south side setback from 2' to zero (north to be 0.83') for the proposed re-construction of the existing north, west and south exterior walls of an existing religious assembly to be converted to a four dwelling unit building.

ACTION OF BOARD - WITHDRAWN

RECEIVED

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

Brian Sanchez
CHAIRMAN

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

APPLICANT: Blounts & Moore, LLC Cal. No.239-23-S

APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**

July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 527 S. Wells Street

NATURE OF REQUEST: Application for a special use to establish an adult use cannabis dispensary.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: (1) the special use is issued solely to the applicant, Blounts & Moore, LLC; (2) all on-site customer queuing occurs within the building; (3) the development is consistent with the design and layout of the Site Plan, West Elevations, East Elevations, and Floor Plan dated June 29, 2023, prepared by Filoramo Talsma Architecture; and (4) prior to any portion of the first floor identified as “NIC (Not in Contract)” on the floor plan and/or any portion of any basement space, if applicable, being utilized, the applicant must file an application and receive approval from the Zoning Board of Appeal to amend this special use.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023

APPROVED AS TO SUBSTANCE
Brian Sanchez
CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888
www.chicago.gov/zba



ZBA

SEP 18 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

**Green & Randle, LLC / Nature's
Grace & Wellness, LLC**

APPLICANT(S)

240-23-S

CALENDAR NUMBER(S)

3419-25 W. Belmont Avenue

PREMISES AFFECTED

July 21, 2023

HEARING DATE

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

FINDINGS OF THE ZONING BOARD OF APPEALS

I. SUMMARY

Green & Randle, LLC and Grace & Wellness, LLC (the "Applicants") submitted an application for special use for 3419-25 W. Belmont Avenue (the "subject property"), to operate a cannabis dispensary. The Zoning Board of Appeals ("ZBA") held a public hearing on the Applicants' application. At the conclusion of the public hearing, the ZBA approved the application.

II. APPLICATION BACKGROUND

The subject property is located in the Avondale neighborhood. It is zoned C1-1 and is improved with a one-story single-use building and a surface parking lot that accommodates eleven vehicles. The Applicant proposed to operate a cannabis dispensary on the subject property. Pursuant to Section 17-3-0207-AAA.1 of the Chicago Zoning Ordinance, a cannabis dispensary is a special use in a C-1 district. The ZBA is authorized to hear and decide special use applications pursuant to Section 17-14-302-B of the Chicago Zoning Ordinance. Therefore, the Applicant submitted a special use application to the ZBA.

In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning

Administrator” and the “Department”) recommended approval of the proposed adult use cannabis dispensary provided: (1) the special use is issued solely to the applicant, Green & Randle, LLC / Nature's Grace & Wellness, LLC; (2) all on-site customer queuing occurs within the building; and (3) the development is consistent with the design and layout of the Site Plan, Floor Plan, and Elevations dated July 19, 2023, prepared by Geniant and Eastlake Studio and Landscape Plan dated July 20, 2023, prepared by Scott Byron & Co. Inc.

III. PUBLIC HEARING

In accordance with the ZBA’s Rules of Procedure (eff. August 20, 2021), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant’s special use application at its regular meeting held on Friday, July 21, 2023. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

Two objectors appeared at the hearing. They are not property owners within 250 feet of the subject property and did not have any specific objections pursuant to the special use criteria. The objectors had selected this case because they object to Illinois Cannabis Licensing Procedures and had questions surrounding transparency as it relates to social equity applicants and licensee ownership structures. The ZBA reminded the objectors that cannabis licensing falls under State jurisdiction and is outside of the ZBA’s authority. When questioned by the ZBA whether they objected based on any of the 5 special use criteria, they did not.

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

IV. OVERVIEW OF CRITERIA

- 1. 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 ZBA finds that the proposed use in its proposed location meets **all** of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.
- 2. Additional Special Use Criteria for Cannabis Business Establishment.** Pursuant to Section 17-13-0905-G of the Chicago Zoning Ordinance, no special use for a cannabis business establishment may be approved unless the ZBA finds that the applicant for such special use has held at least one community meeting in the ward in

which the cannabis business establishment is proposed to be located for the purpose of explaining the proposal and soliciting comments on it. Such community meeting must be held no later than two weeks prior to the date of the anticipated special use hearing before the ZBA. The applicant must notify the Chairman of the ZBA and the Alderman of the ward in which the cannabis business establishment is proposed to be located in writing of the time, place and purpose of the community meeting. The applicant must publish such notice in a newspaper of general circulation within the ward and the applicant must send written notice by USPS first class mail to the property owner of the subject property and to all property owners within 250 feet of the property lines of the subject property. Such applicant shall furnish a complete list of the names and last known addresses of the persons provided with such written notice as well as a written affidavit certifying compliance with such written notice to the Chairman of the ZBA on or before the public hearing is held by the ZBA, in a form prescribed by the Commissioner of the Department of Planning and Development

V. FINDINGS OF FACT

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

A (1). It complies with all applicable standards of the Chicago Zoning Ordinance

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

A (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.

As evidenced by the testimony given by George Kisiel and Terrance O'Brien, the proposed use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community because the applicants will be offering the Avondale neighborhood a unique and exceedingly demanded product for public sale, which is not currently available in the neighborhood – with the nearest dispensary located over a mile away. The Applicants, who began their venture into this business due to the many profound medicinal benefits inherent in the cannabis plant, will be focusing on providing distinctive products and professional-based service intended to improve the health and wellbeing of their customers under extremely controlled and regulated conditions. The proposed use will not have a significant impact of the general welfare of the neighborhood because the Co-Applicants' have adopted enhanced staffing and

security procedures so to ensure that there is no consumption of any of the products being sold at the dispensary anywhere at, within or around the subject property.

A (3). It is compatible with the character of the surrounding area in terms of site planning and building scale and project design.

As evidenced by the testimony given by George Kisiel and Terrance O'Brien, the proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the Applicants plan to convert an existing one-story commercial building for the proposed dispensary operations. Applicants will not be making any modifications to the building footprint. Most of the immediate adjacent properties are of a similar or larger scale, design, and occupancy. The immediate commercial corridor is a combination of larger "big box" retail establishments, strip centers, and stand-alone buildings. The Applicants gave consideration to ensure compatibility with existing operations when planning the design of the building on the subject property.

A (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.

As evidenced by the testimony given by George Kisiel and Terrance O'Brien, the proposed use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the use will be less intense than that of surrounding businesses. While Applicants plan to be open from 9:00am – 9:00pm, other businesses open as early as 6:00 AM and close as late as 3:00 AM. The Shell gas station (just down the street) operates 24/7 and the Walgreens (directly across the street) operates from 7:00 AM until 12:00 AM daily. All deliveries and transports to and from the proposed dispensary will occur wholly within the accessory parking lot, so that there will be no vehicles-trucks encumbering any of the abutting public ways. The Applicants anticipate that the majority of customers will be arriving on foot, by bike, or via public transportation, so there will be minimal impact on traffic conditions in the area. As it relates to outdoor lighting and noise, most of the existing neighboring operations create more noise and light pollution than the proposed dispensary. All noise will be contained within the building and any and all outdoor lighting will be designed so there is no excessive spillage onto adjoining properties.

A (5). It is designed to promote pedestrian safety and comfort.

As evidenced by the testimony given by George Kisiel and Terrance O'Brien, the proposed use is designed to promote pedestrian safety and comfort because the primary pedestrian entrance to the proposed new dispensary is directly off of Belmont Avenue (sidewalk), making for unhindered pedestrian navigation to and from the other local businesses in the immediate area. Furthermore, design for the building provides over 3,000 square feet of publicly occupiable area, allowing for the internal

containment and servicing of at least 60 customers at a single time which greatly reduces the risk of having patrons lining up along or otherwise occupying or impeding the public way. Finally, the subject property is located near the Belmont CTA station as well as three CTA bus lines, which provides safe car-free access to the proposed dispensary for pedestrian customers.

Additional Special Use Requirements for Cannabis Business Establishment.

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

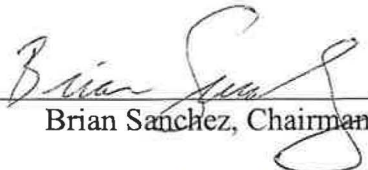
Based on the Applicant's submissions to the ZONING BOARD OF APPEALS, the ZONING BOARD OF APPEALS finds that the Applicant has held its required community meeting in accordance with Section 17-13-0905-G of the Chicago Zoning Ordinance.

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

1. For all the above reasons, the ZBA finds that the Applicants have proven their case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A and 17-13-0905-G of the Chicago Zoning Ordinance.
2. The ZBA hereby APPROVES the Applicant's application for a special use, and pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use SUBJECT TO THE FOLLOWING CONDITIONS:
 - (1) the special use is issued solely to the applicant, Green & Randle, LLC / Nature's Grace & Wellness, LLC;
 - (2) all on-site customer queuing occurs within the building; and
 - (3) the development is consistent with the design and layout of the Site Plan, Floor Plan, and Elevations dated July 19, 2023, prepared by Geniant and Eastlake Studio and Landscape Plan dated July 20, 2023, prepared by Scott Byron & Co. Inc.

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

APPROVED AS TO SUBSTANCE

By: 
Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that
I caused this to be placed in the USPS mail, postage prepaid, on 9/18, 2023.


Janine Klich-Jensen

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

APPLICANT: Chicago Baseball Club, LLC Cal. No.241-23-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5401 N. Wolcott Avenue

NATURE OF REQUEST: Application for a special use to establish a sports and recreation, participant (children’s indoor baseball training facility).

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023
 CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ
 ZURICH ESPOSITO
 ANN MACDONALD
 SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: (1) the special use is issued solely to the applicant, Chicago Baseball Club, LLC; (2) the development is consistent with the design and layout of the Proposed Site Plan dated July 6, 2023, Partial (dimensioned) Site Plan, dated July 13, 2023, and the Floor Plan, dated January 26, 2023, all prepared by Jonathan Splitt Architects, LTD; and (3) the applicant removes or disables the controls for the overhead garage door and the permanent bollard are maintained throughout applicant’s occupancy/use of this space.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Wayne 531, LLC Cal. No.242-23-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3951 N. Wayne Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, thirty-one dwelling unit building. This is a transit served location.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

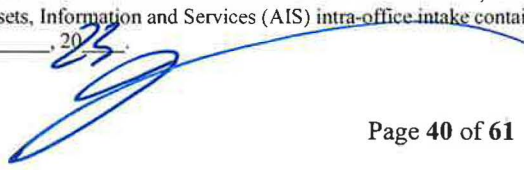
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

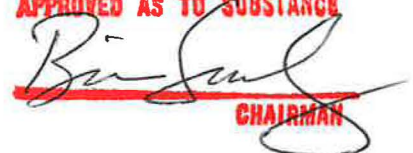
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed four-story, thirty-one dwelling unit building. This is a transit served location; five variations were also granted to the subject property in Cal. Nos. 243-23-Z, 244-23-Z, 245-23-Z, 246-23-Z, and 247-23-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 has offered that the use complies with all the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the development is consistent with the design and layout of the plans and drawings dated July 11, 2023, prepared by Axios Architects and Consultants.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Wayne 531, LLC **Cal. No.:** 243-23-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3951 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 4.25' for a proposed four-story, thirty-one dwelling unit building. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023
 CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ
 ZURICH ESPOSITO
 ANN MACDONALD
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 4.25' for a proposed four-story, thirty-one dwelling unit building. This is a transit served location; a special use and four additional variations were granted to the subject property in Cal. Nos. 242-23-S, 244-23-Z, 245-23-Z, 246-23-Z, and 247-23-Z; the Board finds 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): the development is consistent with the design and layout of the plans and drawings dated July 11, 2023, prepared by Axios Architects and Consultants.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Wayne 531, LLC

Cal. No.: 244-23-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3951 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to allow the proposed four-story, thirty-one dwelling unit building which does not comply with the building location standards of section 17-3-0504-B with the north elevation setback to 9.67' and the east elevation setback to 66.79'. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to allow the proposed four-story, thirty-one dwelling unit building which does not comply with the building location standards of section 17-3-0504-B with the north elevation setback to 9.67' and the east elevation setback to 66.79'. This is a transit served location; a special use and four additional variations were granted to the subject property in Cal. Nos. 242-23-S, 243-23-Z, 245-23-Z, 246-23-Z, and 247-23-Z; the Board finds 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): the development is consistent with the design and layout of the plans and drawings dated July 11, 2023, prepared by Axios Architects and Consultants.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Wayne 531, LLC **Cal. No.:** 245-23-Z

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3951 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to allow the proposed vehicle access location for a proposed four-story, thirty-one dwelling unit building with a thirty-one-car parking garage. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to allow the proposed vehicle access location for a proposed four-story, thirty-one dwelling unit building with a thirty-one-car parking garage. This is a transit served location; a special use and four additional variations were granted to the subject property in Cal. Nos. 242-23-S, 243-23-Z, 244-23-Z, 246-23-Z, and 247-23-Z; the Board finds 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): the development is consistent with the design and layout of the plans and drawings dated July 11, 2023, prepared by Axios Architects and Consultants.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Wayne 531, LLC

Cal. No.: 246-23-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3951 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to allow the number of parking spaces in excess of 50% of the required sixteen spaces to thirty-one spaces for a proposed four-story, thirty-one dwelling unit building with a thirty-one-car garage. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted variation to allow the number of parking spaces in excess of 50% of the required sixteen spaces to thirty-one spaces for a proposed four-story, thirty-one dwelling unit building with a thirty-one-car garage. This is a transit served location; a special use and four additional variations were granted to the subject property in Cal. Nos. 242-23-S, 243-23-Z, 244-23-Z, 245-23-Z, and 247-23-Z; the Board finds 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): the development is consistent with the design and layout of the plans and drawings dated July 11, 2023, prepared by Axios Architects and Consultants.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

Brian Sanchez
CHAIRMAN

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

APPLICANT: Wayne 531, LLC **Cal. No.:** 247-23-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3951 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 45' to 49.5' for a proposed four-story, thirty-one-dwelling unit building. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

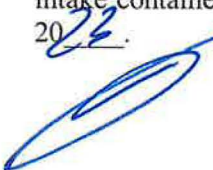
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the building height to 49.5' for a proposed four-story, thirty-one-dwelling unit building. This is a transit served location; a special use and four additional variations were granted to the subject property in Cal. Nos. 242-23-S, 243-23-Z, 244-23-Z, 245-23-Z, and 246-23-Z; the Board finds 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): the development is consistent with the design and layout of the plans and drawings dated July 11, 2023, prepared by Axios Architects and Consultants.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 6004 WEST N LLC Cal. No.248-23-S

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**

APPEARANCE AGAINST: None September 15, 2023

PREMISES AFFECTED: 6004 W. North Avenue

NATURE OF REQUEST: Application for a special use to establish an outdoor roof top patio to serve an existing one story, limited restaurant.

ACTION OF BOARD – APPLICATION APPROVED

RECEIVED

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 15, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 31, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, 6004 WEST N LLC, and the development is consistent with the design and layout of Site Plan, Floor Plan, Roof Plan with Lighting, Exterior Elevations, and Trash Enclosure Plan and Details, dated September 12, 2023, and the Exterior Patio and West Building Elevation, dated February 2, 2022, all prepared by Future Firm.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 10/23/23.

APPROVED AS TO SUBSTANCE
Brian Sanchez
CHAIRMAN

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

APPLICANT: Raina2501 MLK., LLC Cal. No.249-23-S

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

September 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2501 S. Sr. Martin Luther King Jr. Drive

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

ACTION OF BOARD – APPLICATION APPROVED

RECEIVED

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 15, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 31, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, Raina 2501 MLK, LLC, and the development is consistent with the design and layout of the building plans and elevations, dated September 15, 2023, prepared by Nick Scarlatis and Associates, LTD.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 10/23/23, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Cuevas Creative, LLC

Cal. No.250-23-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 943 W. Randolph Street

NATURE OF REQUEST: Application for a special use to establish a body art / tattoo studio in an existing retail unit.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 61st and Ellis, LLC

Cal. No.: 251-23-Z

APPEARANCE FOR: Agnes Plecka

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 507 E. 60th Street

NATURE OF REQUEST: Application for a variation to reduce the east side setback from the required 2' to 0.21' (west to be 0.5), combined side yard setback from 4.1' to 0.71' for a proposed two-story, three dwelling unit building with rear decks, a detached one car garage and three bicycle spaces This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the east side setback to 0.21' (west to be 0.5), combined side yard setback to 0.71' for a proposed two-story, three dwelling unit building with rear decks, a detached one car garage and three bicycle spaces This is a transit served location; an additional variation was granted to the subject property in Cal. No. 252-23-Z; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: 61st and Ellis, LLC

Cal. No.: 252-23-Z

APPEARANCE FOR: Agnes Plecka

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 507 E. 60th Street

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking requirement from three spaces to one space for a proposed two-story, three dwelling unit building with rear decks and a detached one car garage and three bicycle spaces. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

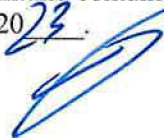
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the required off-street parking requirement to one space for a proposed two-story, three dwelling unit building with rear decks and a detached one car garage and three bicycle spaces. This is a transit served location; an additional variation was granted to the subject property in Cal. No. 251-23-Z; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Giedre Vencius

Cal. No.: 253-23-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3226 S. Carpenter Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from 1.62' to 0.20', south setback from 2' to 1.54' (north to be zero) combined side yard setback from 4.80' to 1.54' for a proposed second floor addition to the existing one-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED



AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 0.20', south setback to 1.54' (north to be zero) combined side yard setback to 1.54' for a proposed second floor addition to the existing one-story, single-family residence; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Salvador Jacobo

Cal. No.: 254-23-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
September 15, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6137 W. 63rd Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 400 square feet to zero for a proposed two-car garage at the rear of the property with alley access.

ACTION OF BOARD - VARIATION GRANTED

RECEIVED

THE VOTE

OCT 23 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANN MACDONALD
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 15, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on August 31, 2023; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 10/23, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mohammed Aburishan **Cal. No.:** 255-23-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:** July 21, 2023
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3807 N. Whipple Street

NATURE OF REQUEST: Application for a variation to certify the total density (not to exceed one unit above its original construction) to convert a two dwelling unit building to a three dwelling unit building in an existing three-story building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
ABSENT		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to certify the total density (not to exceed one unit above its original construction) to convert a two dwelling unit building to a three dwelling unit building in an existing three-story building; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Donald Pasek

Cal. No.: 256-23-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2443-49 W. Summerdale Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 12.98' to zero, north and south side setbacks from 4.48' to zero, combined side yard setback from 11.20' to zero, rear setback from 24.34' to 12.50' and to allow four parking spaces less than 20' from the front property line for a proposed three story, four dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to zero, north and south side setbacks to zero, combined side yard setback to zero, rear setback to 12.50' and to allow four parking spaces less than 20' from the front property line for a proposed three story, four dwelling unit building; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

Janine Klich-Jensen
CHAIRMAN

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

APPLICANT: Chicago Transit Authority Cal. No.257-23-S

APPEARANCE FOR: Janet Stengle / Bridget O’Keefe **MINUTES OF MEETING:**
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 418-30 S. Racine Avenue / 417 S. Loomis Street (CTA Racine Station)

NATURE OF REQUEST: Application for a special use to establish a utilities and service, major use to allow two proposed transit station head houses and renovations of the existing transit station platform and canopy.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

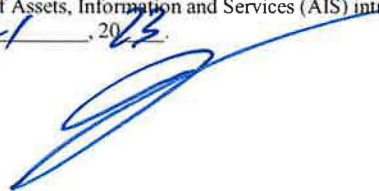
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 6, 2023; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s) provided: the special use is issued solely to the applicant, Chicago Transit Authority, and the development is consistent with the design and layout of the plans and drawings dated July 15, 2022, prepared by HNTB Corporation and Ross Barney Architects.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21/23, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago Trust Company, N.A. (Trust #BEV-4182) **Cal. No.:** 40-23-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 65-77 E. 50th Street

NATURE OF REQUEST: Application for a variation to reduce the front wall setback facing a public street from the required 10' to 3' for a proposed four and five story townhouse development with seven dwelling units, attached thirteen car garage and roof top decks with operable pergolas.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 2, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front wall setback facing a public street to 3' for a proposed four and five story ownhouse development with seven dwelling units, attached thirteen car garage and roof top decks with operable pergolas; two additional variations were granted to the subject property in Cal. Nos. 41-23-Z and 42-23-Z; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Chicago Trust Company, N.A. (Trust #BEV-4182) **Cal. No.:** 41-23-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 65-77 E. 50th Street

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 47' to 49' for a proposed four and five story townhouse development with seven dwelling units, attached thirteen car garage and roof top decks with operable pergolas.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 2, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the building height to 49' for a proposed four and five story townhouse development with seven dwelling units, attached thirteen car garage and roof top decks with operable pergolas; two additional variations were granted to the subject property in Cal. Nos. 40-23-Z and 42-23-Z; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago Trust Company, N.A. (Trust #BEV-4182) **Cal. No.:** 42-23-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 65-77 E. 50th Street

NATURE OF REQUEST: Application for a variation to eliminate the 7' landscape seatback (with one tree and a few shrubs) along south Michigan Avenue and to eliminate interior landscape (around 176 square feet with one tree) for the proposed seven dwelling unit townhouse development.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on February 2, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to eliminate the 7' landscape seatback (with one tree and a few shrubs) along south Michigan Avenue and to eliminate interior landscape (around 176 square feet with one tree) for the proposed seven dwelling unit townhouse development; two additional variations were granted to the subject property in Cal. Nos. 40-23-Z and 41-23-Z; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/21, 2023.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1909 W. Schiller Condominium Association

Cal. No.: 98-23-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:

July 21, 2023

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1909-11 W. Schiller Street*

NATURE OF REQUEST: Application for a variation to reduce the front setback on Evergreen Avenue from the required 11.4' to zero, the rear parking setback on from the front property line on W. Evergreen Avenue to prevent obstruction of the sidewalk by parked cars from 20' to zero and to reduce the west side setback from 3.68' to 1.9' (east to be 2.99') combined side yard setback from 9.2' to 4.89' for the as-built three-story, four dwelling unit building with roof top deck and roof top stairway enclosure and as built four car private garage on a through lot.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

AUG 25 2023

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2023 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on March 2, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback on Evergreen Avenue to zero, the rear parking setback on from the front property line on W. Evergreen Avenue to prevent obstruction of the sidewalk by parked cars to zero and to reduce the west side setback to 1.9' (east to be 2.99') combined side yard setback to 4.89' for the as-built three-story, four dwelling unit building with roof top deck and roof top stairway enclosure and as built four car private garage on a through lot; the Board finds strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 8/25, 2023.

*Scrivener's error

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2310 E. 79th Inc. Cal. No.114-23-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 21, 2023
PREMISES AFFECTED: 2310 E. 79th Street

NATURE OF REQUEST: Application for a special use to establish a gas station with the replacement of the accessory convenience store with a proposed one-story, 2,095.54 square foot building to serve a four-pump gas station.

ACTION OF BOARD – WITHDRAWN

ZBA

AUG 21 2023

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE
Brian Sanchez
CHAIRMAN

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

APPLICANT: 2310 E. 79th Inc. Cal. No.115-23-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 21, 2023
PREMISES AFFECTED: 2310 E. 79th Street

NATURE OF REQUEST: Application for a variation to reduce the lot area from the required 20,000 square feet to 17,855 square feet for a proposed four-pump gas station with new one-story accessory convenience store.

ACTION OF BOARD – WITHDRAWN

ZBA

AUG 21 2023
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
ANN MACDONALD
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN