

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

APPLICANT: Vaishna Dhaba Inc.

Cal. No.: 348-23-Z

APPEARANCE FOR: David Rosenfeld

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2519 W. Devon Avenue

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license to be located with 125' of a residential zoning district.

ACTION OF BOARD – WITHDRAWN

THE VOTE

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: Vaishna Dhaba Inc.

Cal. No.: 349-23-Z

APPEARANCE FOR: David Rosenfeld

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2519 W. Devon Avenue

NATURE OF REQUEST: Application for a variation to allow the expansion of the existing occupancy of an existing non-conforming medium venue (banquet hall) in an existing two-story.

ACTION OF BOARD – WITHDRAWN

THE VOTE

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: Vaishna Dhaba Inc.

Cal. No.: 350-23-Z

APPEARANCE FOR: David Rosenfeld

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2519 W. Devon Avenue

NATURE OF REQUEST: Application for a variation to reduce the required of off-street parking space for a transit served location from fifteen parking spaces to zero for the expansion of the existing occupancy of an existing non-conforming banquet hall that is within 1,320' of a CTA bus line corridor along Devon Avenue.

ACTION OF BOARD – WITHDRAWN

THE VOTE

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: Gregory Lemond

Cal. No.: 402-23-A

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1848-50 W. Cuyler Avenue

NATURE OF REQUEST: Application for an objector's appeal for the granting of an administrative adjustment to the property located at 1848-50 W. Cuyler Avenue.

ACTION OF BOARD – Continued to March 15, 2024 at 9:00am.

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: KWB 1, LLC Cal. No.1-24-S

APPEARANCE FOR: John Fritchey **MINUTES OF MEETING:**

APPEARANCE AGAINST: None January 19, 2024

PREMISES AFFECTED: 2810 W. Fullerton Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish 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, KWB, 1 LLC; (2) all on-site customer queuing occurs within the building; and (3) the development is consistent with the design and layout of the plans and drawings dated January 16, 2024, all prepared by ID 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 2/21, 2024.



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Kevin Bernard
APPEARANCE FOR: Korina Sanchez
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2431 W. Erie Street

Cal. No.: 2-24-Z

MINUTES OF MEETING:
 January 19, 2024

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 35.08' to 22.33' for a proposed second story deck / rear stairs connecting to the proposed roof deck on the existing garage.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

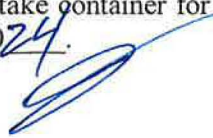
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 22.33' for a proposed second story deck / rear stairs connecting to the proposed roof deck on the existing garage; an additional variation was granted to the subject property in Cal. No. 3-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Kevin Bernard **Cal. No.:** 3-24-Z
APPEARANCE FOR: Korina Sanchez **MINUTES OF MEETING:**
APPEARANCE AGAINST: None January 19, 2024
PREMISES AFFECTED: 2431 W. Erie Street

NATURE OF REQUEST: Application for a variation to relocate the required 225 square feet of rear yard open space to the proposed garage roof deck for a proposed second story deck / rear stairs connecting to the proposed roof deck on an existing garage.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate the required 225 square feet of rear yard open space to the proposed garage roof deck for a proposed second story deck / rear stairs connecting to the proposed roof deck on an existing garage; an additional variation was granted to the subject property in Cal. No. 2-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: L V Nails & Lash, LLC Cal. No.4-24-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2006-08 W. 79th Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE RESOLUTION:

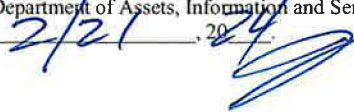
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 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 2/21/24, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 4 Luv Hair Studio, LLC Cal. No.5-24-S

APPEARANCE FOR: Lakeyan Scales **MINUTES OF MEETING:**

APPEARANCE AGAINST: None January 19, 2024

PREMISES AFFECTED: 7050 S. Dr. Martin Luther King Jr. Drive

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a beauty salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony 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 2/21/24.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: MC Property Holdings, LLC

Cal. No.: 6-24-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1342 W. Newport Avenue

NATURE OF REQUEST: Application for a variation to reduce the required opposite alley east side setback from the minimum 2.42' to zero, the rear setback from 37.61' to 0.83' for a proposed rear bridge connection from the landing of an existing rear three-story open deck and stair to a proposed roof top deck on an existing detached two car garage with roof top pergola with screen walls that are greater than 50% opaque accessory to an existing three-story, two dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the required opposite alley east side setback to zero, the rear setback to 0.83' for a proposed rear bridge connection from the landing of an existing rear three-story open deck and stair to a proposed roof top deck on an existing detached two car garage with roof top pergola with screen walls that are greater than 50% opaque accessory to an existing three-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. No. 7-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: MC Property Holdings, LLC

Cal. No.: 7-24-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1342 W. Newport Avenue

NATURE OF REQUEST: Application for a variation to relocate the required 200 square feet of rear yard open space to be located on a deck or patio for a rear bridge connection from landing of an existing rear three-story open deck and stair to a proposed rooftop deck on an existing detached two car garage with roof top pergola with screen walls that are greater than 50% opaque accessory to an existing three-story, two dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate the required 200 square feet of rear yard open space to be located on a deck or patio for a rear bridge connection from landing of an existing rear three-story open deck and stair to a proposed rooftop deck on an existing detached two car garage with roof top pergola with screen walls that are greater than 50% opaque accessory to an existing three-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. No. 6-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN



ZONING BOARD OF APPEALS
CITY OF CHICAGO

Jumpstart Early Learning Academy

APPLICANT(S)

8-24-S

CALENDAR NUMBER(S)

5719 West Diversey Avenue

SUBJECT PROPERTY

January 19, 2024

HEARING DATE

ACTION OF BOARD	THE VOTE	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"/>
	Angela Brooks	<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. APPLICATION BACKGROUND

The subject property is located in the Belmont Cragin neighborhood. It is zoned B3-1 and is improved with a retail building and a surface parking lot containing fifty parking spaces. The Applicant submitted a special use application, proposing to lease part of the subject property’s parking lot for use as an off-site parking lot to serve the proposed daycare center located at 5644 W. Diversey Ave. Pursuant to Sections 17-10-0207-E and 17-10-0603-A(2) of the Chicago Zoning Ordinance, the Applicant is required to provide a minimum amount of off-street parking to serve the daycare that proposes to operate, however parking may be provided off-site when approved as a special use if the distance between the nearest off-site, accessory parking space and the entrance to the use served by such parking does not exceed 600 feet. 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, provided that the special use is issued solely to the applicant, Jump Start Early Learning Academy, and the parking space layout and locations are consistent with the design and layout of the plans and drawings dated January 18, 2024, prepared by Luis A. Martinez, LAM Architect.

II. PUBLIC HEARING

ZBA

APR 1 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

In accordance with the Rules of Procedure of the Zoning Board of Appeals (“ZBA”), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant’s special use application at its regular meeting held on Friday, January 19, 2024. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

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

III. SPECIAL USE CRITERIA

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

IV. FINDINGS OF FACT

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

(1). The subject property is located in a B3-1 zoning district. Since an off-site parking lot is a special use in this zoning district, the Applicant requires a special use. The proposed use complies with all other standards set forth in the Chicago Zoning Ordinance because it is only the requirement to request a special of use from the Zoning Board of Appeals that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance.

(2). The proposed use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community because the community will benefit from the establishment of the daycare facility as well from eliminating the vacancy in the building from which the proposed daycare will operate. The ZBA also finds that properly licensed daycare facilities are in the interest of the public convenience.

(3). The proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the special use will allow five surface parking spaces from an existing parking lot to serve as the required off-street parking for the proposed daycare facility. The special use does not contemplate any new building improvements as it allocates five existing parking spaces to support a specific use.

(4). The proposed use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the off-street off-site parking spaces will operate during normal business hours in the same manner as the mix of other retail and commercial uses established along this stretch of W. Diversey Ave. The Applicant will be leasing existing spaces from a local business currently in operation. There will be no modification to outdoor lighting.

One of the neighbors objected to the proposed use expressing concern that there is not enough street parking in the area. The ZBA does not believe that the proposed use will increase traffic generation more than what is ordinary for the area and the business type. While the area may benefit from metered parking to increase on-street parking turnover for patrons of the local businesses, the fact that the proposed use specifically will remove five potential street-parkers from the area by providing five off-street parking spaces for the proposed daycare reduces the weight of this concern in favor of the Applicant.

The employees and owner of 5659 West Diversey Liquor, a nearby business, objected to the special use because they are having trouble with patrons of nearby businesses using their parking lot. The proposed daycare is not currently operating but these objectors are concerned that future daycare patrons will also park in their lot. While the ZBA empathizes with this issue, local businesses concerned with people parking in their lots have options to deal with unauthorized parking such as signage, towing, booting, and communication with surrounding businesses. Since the Applicant will be providing its own off-street parking, this also weighs in favor of the Applicant.

(5). The proposed use is designed to promote pedestrian safety and comfort because the Applicant will be renting off-street parking spaces that already exist at the subject property. There are no proposed changes to the parking layout or vehicular ingress or egress to the surface parking area. The proposed use is designed to maintain existing conditions on the property and will not cause any new impacts such as new curb cuts.

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

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

1. For all the above reasons, the ZBA finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed

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

2. The ZBA hereby APPROVES the Applicant's application for a special use, and pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use SUBJECT TO THE FOLLOWING CONDITIONS: the special use is issued solely to the applicant, Jump Start Early Learning Academy, and the parking space layout and locations are consistent with the design and layout of the plans and drawings dated January 18, 2024, prepared by Luis A. Martinez, LAM Architect.

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 April 1, 2024.


Janine Klich-Jensen

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

APPLICANT: Jump Start Early Learning Academy **Cal. No.:** 9-24-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5644 W. Diversey Avenue

NATURE OF REQUEST: Application for a variation to reduce the required bicycle parking from four spaces to zero to establish a new day care center in an existing one-story building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

APR 1 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the required bicycle parking to zero to establish a new day care center in an existing one-story building; a related special use was also approved for the subject property 5719 W. Diversey in Cal. No. 8-24-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, Jump Start Early Learning Academy, and the parking space layout and locations are consistent with the design and layout of the plans and drawings dated January 18, 2024, prepared by Luis A. Martinez, LAM Architect.

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 4/1, 2024.

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: AK & Associates, LLC Cal. No.10-24-S
APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4919-27 S. Cicero Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024
 CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS

BRIAN SANCHEZ
 ANGELA BROOKS
 ZURICH ESPOSITO
 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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a one-lane drive-through facility for a proposed 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, AK & Associates, LLC; (2) the development is consistent with the design and layout of the Architectural Floor Plan, dated June 12, 2023; Charley’s Exterior Elevations, dated June 16, 2023; Site Plan, Parking and Drive Through Plan, Landscape Plan (Version Two), and Landscape Details, dated Janaury 19, 2024; all prepared by RJA/Architects, Ltd.; and (3) prior to the issuance of any building permits, a final landscape plan, consistent with the Site Plan and Parking and Drive Through Plans, dated January 19, 2024, is submitted for review and approval by the Department of Planning and Development.

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 2/21, 2024



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: KBM Holdings, LLC – Series C **Cal. No.:** 11-24-Z
APPEARANCE FOR: Agnes Plecka **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3638 S. Dr, Martin Luther King Jr. Drive

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from 196 square feet to zero for the interior alterations of a vacant four-story residential building to convert to a four-story, four dwelling unit building with an attached two-car garage accessed by a public alley.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

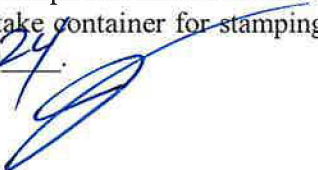
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to zero for the interior alterations of a vacant four-story residential building to convert to a four-story, four dwelling unit building with an attached two-car garage accessed by a public alley; 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 2/21, 2024.

2024



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Connections to the Future, Inc. NFP Cal. No.12-24-S

APPEARANCE FOR: Dean Maragos

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5858 W. Augusta Boulevard

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

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 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; a variation was also granted to the subject property in Cal. No. 13-24-Z; 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, Connections to the Future, Inc. NFP, and the development is consistent with the design and layout of the plans and drawings, dated January 18, 2024, prepared by Beron Design Group.

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 2/21/24.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Connections to the Future, Inc. NFP **Cal. No.:** 13-24-Z
APPEARANCE FOR: Dean Maragos **MINUTES OF MEETING:** January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5858 W. Augusta Boulevard

NATURE OF REQUEST: Application for a variation to reduce the off-street parking space requirement for a transit served location from four to zero for the establishment of a new community center which is located within 1,320' from a CTA bus line corridor.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

BRIAN SANCHEZ
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

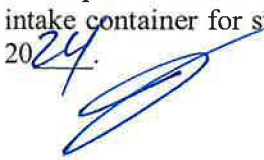
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the off-street parking space requirement for a transit served location to zero for the establishment of a new community center which is located within 1,320' from a CTA bus line corridor; a special use was also approved for the subject property in Cal. No. 12-24-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, Connections to the Future, Inc. NFP, and the development is consistent with the design and layout of the plans and drawings, dated January 18, 2024, prepared by Beron Design Group.

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 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mayfair Terrace Condominium Association, Inc. - NFP **Cal. No.:** 14-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4730-44 N. Kenneth Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 44.56' to 24.25' to allow the construction of raised decks on the second and third floors of an existing multi dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 24.25' to allow the construction of raised decks on the second and third floors of an existing multi dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Peerless Development, LLC – 1870 Milwaukee

Cal. No.: 19-24-Z

APPEARANCE FOR: Tyler Manic

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1880 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation to reduce the ear setback from the required 30' to 20' for a proposed five-story with retail space and required parking on the ground floor and forty-four dwelling units above. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the ear setback to 20' for a proposed five-story with retail space and required parking on the ground floor and forty-four dwelling units above. This is a transit served location; an additional variation was granted for the subject property in Cal. No. 20-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Peerless Development, LLC – 1870 Milwaukee

Cal. No.: 20-24-Z

APPEARANCE FOR: Tyler Manic

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1880 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation to eliminate the 10' x 25' loading berth for a proposed five-story with retail space and required parking on the ground floor and forty-four dwelling units above. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to eliminate the 10' x 25' loading berth for a proposed five-story with retail space and required parking on the ground floor and forty-four dwelling units above. This is a transit served location; an additional variation was granted for the subject property in Cal. No. 19-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: St. James Evangelical Lutheran Church U.A.C.

Cal. No.: 21-24-Z

APPEARANCE FOR: Katie Jahnke Dale

MINUTES OF MEETING:

January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2101 N. Fremont Street

NATURE OF REQUEST: Application for a variation to expand the existing floor area by 6,581 square feet for a proposed two-story rear addition and a new fourth floor upper story front addition with new mezzanine level to an existing four-story school building being renovated.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to expand the existing floor area by 6,581 square feet for a proposed two-story rear addition and a new fourth floor upper story front addition with new mezzanine level to an existing four-story school building being renovated; an additional variation was granted to the subject property in Cal. No. 22-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: St. James Evangelical Lutheran Church U.A.C.

Cal. No.: 22-24-Z

APPEARANCE FOR: Katie Jahnke Dale

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2101 N. Fremont Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 9' to 5.54', rear setback from 37.53' to 27.08' for a proposed two-story rear addition and a new fourth floor upper story front addition with new mezzanine level to an existing four-story school building being renovated.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 5.54', rear setback to 27.08' for a proposed two-story rear addition and a new fourth floor upper story front addition with new mezzanine level to an existing four-story school building being renovated; an additional variation was granted to the subject property in Cal. No. 21-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Henry D. McGhee Jr. **Cal. No.:** 23-24-Z
APPEARANCE FOR: Sabrina Herrell **MINUTES OF MEETING:**
APPEARANCE AGAINST: None January 19, 2024
PREMISES AFFECTED: 6634 S. Drexel Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to zero (south to be 2.5'), combined side yard setback from 5' to 2.5' for a proposed two-story rear addition and a rear two-story open porch as built for the existing two-story, two dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

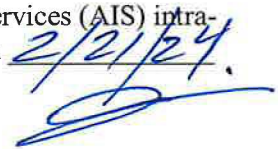
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north side setback to zero (south to be 2.5'), combined side yard setback to 2.5' for a proposed two-story rear addition and a rear two-story open porch as built for the existing two-story, two dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I 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 2/21/24.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: EP 4700 Racine, LLC Cal. No.24-24-S

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:** January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4700 N. Racine Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor by duplexing three existing second story dwelling units to the ground floor in an existing four-story, forty-eight dwelling unit building.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor by duplexing three existing second story dwelling units to the ground floor in an existing four-story, forty-eight dwelling unit building; 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 January 18, 2024, prepared by E.P. Architecture, and, at time of permitting, final plans and elevations specify masonry infill at the lower level should be brick to match existing.

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 2/21, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Carmen M. Nazario

Cal. No.: 25-24-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4111 W. Armitage Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 13.83' for a proposed two-story rear addition with roof top egress deck and a new second and third floor enclosed rear porch onto an existing three-story building with ground floor personal service and two dwelling units above.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 13.83' for a proposed two-story rear addition with roof top egress deck and a new second and third floor enclosed rear porch onto an existing three-story building with ground floor personal service and two dwelling units above; an additional variation was granted to the subject property in Cal. No. 26-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21/24.

APPROVED AS TO SUBSTANCE

[Handwritten Signature]
CHAIRMAN

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

APPLICANT: Carmen M. Nazario **Cal. No.:** 26-24-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4111 W. Armitage Avenue

NATURE OF REQUEST: Application for a variation to reduce the number of required off-street parking spaces for a transit served location from two to zero for a proposed two-story rear addition with roof top egress deck onto an existing three-story building with ground floor personal service and two dwelling units above.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the number of required off-street parking spaces for a transit served location to zero for a proposed two-story rear addition with roof top egress deck onto an existing three-story building with ground floor personal service and two dwelling units above; an additional variation was granted to the subject property in Cal. No. 25-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: P.R.Salon, LLC Cal. No.27-24-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 13527 S. Brainard Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024
CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

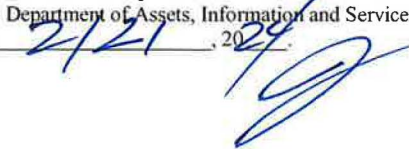
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair salon; 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 2/21, 2024.



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Kate Blomgren and Alastar Bullett **Cal. No.:** 28-24-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4455 N. Greenview Avenue

NATURE OF REQUEST: Application for a variation to increase the maximum floor area ratio from 0.90 to 0.96 which is 15% less of the floor area that has been in existence for more than 50 years for a proposed rear one-story addition and a garage roof deck / stairs on an existing garage to serve the existing three-story single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the maximum floor area ratio to 0.96 which is 15% less of the floor area that has been in existence for more than 50 years for a proposed rear one-story addition and a garage roof deck / stairs on an existing garage to serve the existing three-story single-family residence; two additional variations were granted to the subject property in Cal. Nos. 29-24-Z and 30-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Kate Blomgren and Alastar Bullett **Cal. No.:** 29-24-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:** January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4455 N. Greenview Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 25.79' to 23.72' for a proposed rear one-story addition and garage roof deck / stairs on an existing garage serving an existing three-story single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted variation to reduce the rear setback to 23.72' for a proposed rear one-story addition and garage roof deck / stairs on an existing garage serving an existing three-story single-family residence; two additional variations were granted to the subject property in Cal. Nos. 28-24-Z and 30-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Kate Blomgren and Alastar Bullett **Cal. No.:** 30-24-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
 January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4455 N. Greenview Avenue

NATURE OF REQUEST: Application for a variation to relocate the required 225 square feet of rear yard open space to the garage rooftop deck for a proposed rear one-story addition and garage roof deck / stairs on an existing three-story, single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

BRIAN SANCHEZ
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

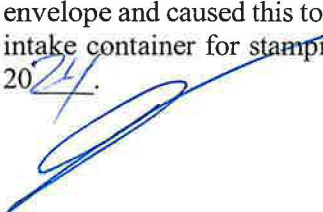
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate the required 225 square feet of rear yard open space to the garage rooftop deck for a proposed rear one-story addition and garage roof deck / stairs on an existing three-story, single-family residence; two additional variations were granted to the subject property in Cal. Nos. 28-24-Z and 29-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services-(AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 2145 Grand, LLC Cal. No.31-24-S

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

APPEARANCE AGAINST: None January 19, 2024

PREMISES AFFECTED: 2200 W. Hubbard Street

NATURE OF REQUEST: Application for a special use to establish a twenty-one* stall, non-accessory parking lot.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a twenty-one* stall, non-accessory parking lot; 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, 2145 Grand, LLC, and the development is consistent with the design and layout of the Landscape Plan, dated January 19, 2024, prepared by SEEK Design + 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 2/21, 2024.

*Amended at Hearing

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Beyond Ventures, LLC Cal. No.32-24-S
APPEARANCE FOR: Meghan Murphy **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2706 N. Halsted Street

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

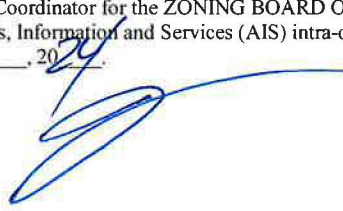
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair and nail salon; 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 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Prance Minsowon

Cal. No.: 33-24-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4676 W. 82nd Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 25.47' to 24.77', west side setback from 4.67' to 2', east side setback from 4.67' to 2.81', combined side yard setback from 14.33' to 4.81' for a proposed second floor addition and new side carport canopy to the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

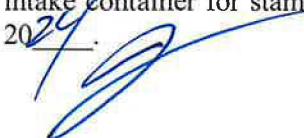
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 24.77', west side setback to 2', east side setback to 2.81', combined side yard setback to 4.81' for a proposed second floor addition and new side carport canopy to the existing single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I 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 2/21, 2024.



APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: C & G Property Investments, LLC **Cal. No.:** 34-24-Z
APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:**
 January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 722 W. 19th Street

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 3,000 to 2,712 square feet for a proposed third floor and a rear three story addition to the existing two dwelling unit building to a four dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
 ZONING BOARD
 OF APPEALS**

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

BRIAN SANCHEZ
 ANGELA BROOKS
 ZURICH ESPOSITO
 SAM TOIA

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the minimum lot area to 2,712 square feet for a proposed third floor and a rear three story addition to the existing two dwelling unit building to a four dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21/24, 20



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Anayeli Castro

Cal. No.35-24-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3822 W. 63rd Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair salon; 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 2/21, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Pivot Lincoln Park, LLC

Cal. No.: 36-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2445 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 18.08' for a proposed rear second and third story addition for an overall four-story, mixed-use building with retail and six dwelling units.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

THE VOTE

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 18.08' for a proposed rear second and third story addition for an overall four-story, mixed-use building with retail and six dwelling units; an additional variation was granted to the subject property in Cal. No. 37-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Pivot Lincoln Park, LLC

Cal. No.: 37-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2445 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the number of street parking from six spaces to three for a proposed rear two- and three-story addition for an overall four-story mixed-use building with retail and six dwelling units. This is a transit served location that is within 1,320' of CTA bus line corridor.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

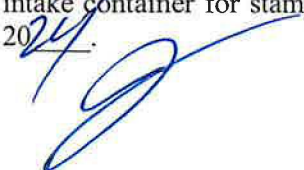
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the number of street parking to three for a proposed rear two- and three-story addition for an overall four-story mixed-use building with retail and six dwelling units. This is a transit served location that is within 1,320' of CTA bus line corridor; an additional variation was granted to the subject property in Cal. No. 36-24-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I addressed a business envelope and caused this to be placed in the City of Chicago Department of Assets, Information and Services (AIS) intra-office intake container for stamping and mailing via USPS at 121 North LaSalle Street, Chicago, IL on 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 2841 N. Southfort, LLC

Cal. No.38-24-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2841 N. Southport Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, three-dwelling unit building with detached three car garage with roof deck.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed four-story, three-dwelling unit building with detached three car garage with roof deck; a variation was also granted to the subject property in Cal. No. 39-24-Z; 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 January 11, 2024, prepared by 360 Design Studio and the two northernmost vehicular parking spaces include deed restrictions or similar conditions on use, to ensure reasonable rights of access through and ingress to and egress from this parking space for the purpose of accessing and moving trash cans from primary on-site trash area to/from the alley on designated trash and recycling pick up days.

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 2/21/24.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 2841 N. Southport, LLC

Cal. No.: 39-24-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2841 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 2', north side setback from which is abutting RM-5 district from 2.08' to zero for a proposed four-story three dwelling unit building with detached three car garage with roof deck.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 2', north side setback from which is abutting RM-5 district to zero for a proposed four-story three dwelling unit building with detached three car garage with roof deck; a special use was also approved for the subject property in Cal. No. 38-24-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 development is consistent with the design and layout of the plans and drawings, dated January 11, 2024, prepared by 360 Design Studio and the two northern-most vehicular parking spaces include deed restrictions or similar conditions on use, to ensure reasonable rights of access through and ingress to and egress from this parking space for the purpose of accessing and moving trash cans from primary on-site trash area to/from the alley on designated trash and recycling pick up days.

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 2/21 2024.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Ellana, LLC Cal. No.40-24-S
APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:**
APPEARANCE AGAINST: None January 19, 2024
PREMISES AFFECTED: 2200 N. Ashland Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

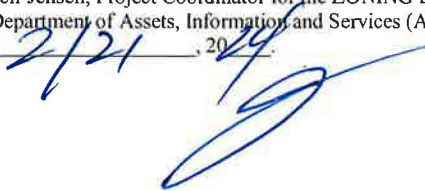
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an adult use cannabis dispensary; 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, Ellana, 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, Floor Plan, and Exterior Elevations (A3.01, A3.02, A3.03, A 304), and drawings dated January 12, 2024, prepared by RDC Collaborative, and the Landscape Plan, dated January 15, 2024, prepared by Blue Stem Design, 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 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

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

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
February 16, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3300 W. Franklin Boulevard

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

MAR 18 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ZURICH ESPOSITO
VAISHALI RAO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

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

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

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

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

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Moonlight Studios, Inc.

Cal. No.42-24-S

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1446 W. Kinzie Street

NATURE OF REQUEST: Application for a special use to establish a medium venue.

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

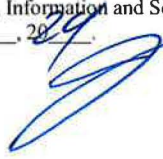
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to establish medium venue; a variation was also granted to the subject property in Cal. No. 43-24-Z; 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, Moonlight Studios, Inc., and the development is consistent with the design and layout of the plans and drawings dated January 19, 2024, prepared by Aria Group.

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 2/21/24.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Moonlight Studios, Inc.

Cal. No.: 43-24-Z

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1446 W. Kinzie Street

NATURE OF REQUEST: Application for a variation to permit shared parking of the twenty-one-parking stall for non-residential uses with different peak hours of operation to accommodate the required parking to serve the proposed medium venue use and existing uses within the building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to permit shared parking of the twenty-one-parking stall for non-residential uses with different peak hours of operation to accommodate the required parking to serve the proposed medium venue use and existing uses within the building; a special use was also approved for the subject property in Cal. No. 42-24-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, Moonlight Studios, Inc., and the development is consistent with the design and layout of the plans and drawings dated January 19, 2024, prepared by Aria Group.

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 2/21, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 6212 Winthrop Corp.

Cal. No.: 44-24-Z

APPEARANCE FOR: Lisa Duarte

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6212 N. Winthrop Avenue

NATURE OF REQUEST: Application for a variation to reduce the north and south side setback from the required 5' to zero, rear setback from 45' to 9' for a proposed rear four-story addition three dwelling unit with an attached six car garage, side stairs and to convert from eight dwelling units to eleven dwelling units to an existing four-story residential building.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on January 4, 2024; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north and south side setback to zero, rear setback to 9' for a proposed rear four-story addition three dwelling unit with an attached six car garage, side stairs and to convert from eight dwelling units to eleven dwelling units to an existing four-story residential building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the foresaid variation request be and it hereby is granted subject to the following condition(s): the special use is issued solely to the applicant, Moonlight Studios, Inc., and the development is consistent with the design and layout of the plans and drawings dated January 19, 2024, prepared by Aria Group.

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 2/21, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 1423-1425-1427 N. Sedgwick Street, LLC

Cal. No.: 293-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1421 N. Sedgwick Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback on floors containing dwelling units from the required 30' to 6.92' for a proposed six-story, twenty-three dwelling unit building with nine parking spaces and rear raised decks.

ACTION OF BOARD – Continued to February 16, 2024 at 2:00pm.

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: 1423-1425-1427 N. Sedgwick Street, LLC

Cal. No.: 294-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1421 N. Sedgwick Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one required 10' x 25' loading berth for a proposed six-story, twenty-three dwelling unit building with nine parking spaces and rear raised decks.

ACTION OF BOARD – Continued to February 16, 2024 at 2:00pm.

ZBA


FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: Racine Product, Inc.

Cal. No.: 338-23-S

APPEARANCE FOR: Jack George

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8137-47 Racine Avenue

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

ACTION OF BOARD – Continued to February 16, 2024 at 2:00pm.

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Shaan 95th and Jeffrey, LLC Cal. No.385-23-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2115-25 E. 95th Street

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

ACTION OF BOARD – APPLICATION APPROVED

ZBA

THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

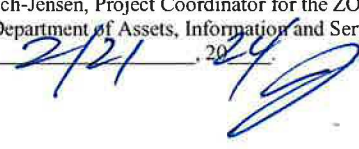
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 single lane drive-through to serve a proposed fast-food restaurant; a variation was also granted to the subject property in Cal. No. 386-23-Z; 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, Shaan 95th and Jeffery, LLC, (2), the applicant maintains the hedge/landscaping north of the subject property, within the 95th Street public right of way, which had been installed in lieu of the required perimeter landscape screening; (3) the development is consistent with the design and layout of the Site Plan (V2) and Landscape Plan (V2), Floor Plan, Exterior Elevations (A-5.0 and A-5.1), and Site Demolition Plan, dated January 19, 2024, prepared by Nick Scarlatis & Associates, Ltd.; and additional condition (4) that there be signage at the exit of the drive through lane to prevent right turns onto south Clyde Avenue.

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 2/21, 2024



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Shaan 95th and Jeffrey, LLC

Cal. No.: 386-23-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2115-25 E. 95th Street

NATURE OF REQUEST: Application for a variation to eliminate shrubs and ornamental fence at required 7' landscape setback along E. 95th Street for a proposed one-story restaurant with a single drive through facility with on-site parking.

ACTION OF BOARD - VARIATION GRANTED

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
SAM TOIA

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

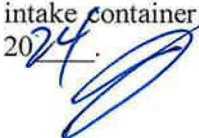
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on October 5, 2023; and

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 shrubs and ornamental fence at required 7' landscape setback along E. 95th Street for a proposed one-story restaurant with a single drive through facility with on-site parking; a special use was also approved for the subject property in Cal. No. 385-23-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): (1) the special use is issued solely to the applicant, Shaan 95th and Jeffery, LLC, (2), the applicant maintains the hedge/landscaping north of the subject property, within the 95th Street public right of way, which had been installed in lieu of the required perimeter landscape screening; and (3) the development is consistent with the design and layout of the Site Plan (V2) and Landscape Plan (V2), Floor Plan, Exterior Elevations (A-5.0 and A-5.1), and Site Demolition Plan, dated January 19, 2024, prepared by Nick Scarlatis & Associates, Ltd.; and additional condition (4) that there be signage at the exit of the drive through lane to prevent right turns onto south Clyde Avenue.

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 2/21, 2024.



APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Green & Randle, LLC / Nature's Grace & Wellness, LLC (co-applicants) **Cal. No.398-23-S**

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2601-07 W. Cermak Road

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

ACTION OF BOARD – Continued to February 16, 2024 at 2:00pm

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: Luciana Norwood Cal. No.427-23-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
January 19, 2024
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1801-03 W. 87th Street

NATURE OF REQUEST: Application for a special use to expand an existing tavern at 1801 W. 87th Street to the adjacent space at 1803 W. 87th Street and into a new enclosed rear patio on the ground floor of an existing one-story commercial building.

ACTION OF BOARD – APPLICATION APPROVED



THE VOTE

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on November 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 to expand an existing tavern at 1801 W. 87th Street to the adjacent space at 1803 W. 87th Street and into a new enclosed rear patio on the ground floor of an existing one-story commercial building; 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, Luciana Norwood, and the development is consistent with the design and layout of the plans and drawings dated November 16, 2023, prepared by Beckley Engineering, 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 2/21, 2024

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 2410 Prop Limited

Cal. No.435-23-S

APPEARANCE FOR: Timothy Barton

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2435-55 E. 95th Street

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

ACTION OF BOARD – Continued to February 16, 2024 at 2:00pm.

THE VOTE

ZBA

FEB 21 2024

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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: Denis Nam & Anna Jeong

Cal. No.: 465-23-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2024

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2235 N. Fremont Street

NATURE OF REQUEST: Application for a variation to reduce the south side setback from the required 3.84' to zero (north side setback to be 0.95), combined side yard setback from 9.6' to 0.95', rear setback from 34.72' to 22' for a proposed bay window addition on the first story and additions to the existing parapet walls on both second and third portions of existing four dwelling unit building that is being deconverted to a single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

ZBA

FEB 21 2024

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

BRIAN SANCHEZ
ANGELA BROOKS
ZURICH ESPOSITO
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 January 19, 2024 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on November 30, 2023; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the south side setback to zero (north side setback to be 0.95), combined side yard setback to 0.95', rear setback to 22' for a proposed bay window addition on the first story and additions to the existing parapet walls on both second and third portions of existing four dwelling unit building that is being deconverted to a single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

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 2/21, 2024.

APPROVED AS TO SUBSTANCE


CHAIRMAN



ZBA

FEB 21 2024

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

**CITY OF CHICAGO
ZONING BOARD
OF APPEALS**

Taneka Daniels
APPLICANT(S)

336-23-S
CALENDAR NUMBER(S)

5405-11 W. Madison
SUBJECT PROPERTY

November 17, 2023
HEARING DATE

ACTION OF BOARD	THE VOTE	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"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Angela Brooks	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	select member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. APPLICATION BACKGROUND

The subject property is located in the South Austin neighborhood. It is zoned B3-2 and is improved with one-story commercial structure. The Applicant submitted a special use application, proposing to construct a rooftop outdoor patio to serve a proposed restaurant on the ground floor of the subject property. Pursuant to Section 17-3-0207(AA)4 Chicago Zoning Ordinance, outdoor patio is a special use in a B3-2 district. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City’s Department of Planning and Development (the “Zoning Administrator” and the “Department”) recommended approval of the special use with the following conditions: (1) the special use is issued solely to the applicant, Taneka Daniels; (2) the development is consistent with the design and layout of the Proposed Upper & Lower Level Roof Electrical Lighting Plans, Existing First & Roof Floor Plans, Proposed First & Roof Floor Plans, and Building Elevations, dated November 16, 2023, and the Site Plan (Original (Black) Vs Proposed (Red) Overlay) and Site Plan, dated November 17, 2023, all prepared by BEEHYVE; (3) a final rooftop plan showing solid screening (fencing or similar material), up to 6 ft. in height, all along north south sides of the roof top area and solid non-combustible screening all around the HVAC area is submitted for review and approval by the Department of Planning and Development; (4) a final landscape plan with details on the design of the planters and specifications of the species, number, and spacing of evergreen trees along the east and west side is submitted for review and approval by the Department of Planning and Development; and (5) prior to issuance of any occupancy permits for the roof top patio, all roof top screening, as per conditions 3 and 4, above, have been installed per the final approved plans .

II. PUBLIC HEARING

In accordance with the Rules of Procedure of the Zoning Board of Appeals (“ZBA”), the Applicant had submitted their proposed Findings of Fact. The ZBA held a public hearing on the Applicant’s special use application at its regular meeting held on Friday, November 17, 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.

III. SPECIAL USE CRITERIA

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

IV. FINDINGS OF FACT

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

(1). The subject property is located in a B3-2 zoning district. Since a(n) outdoor patio is a special use in this zoning district, the Applicant requires a special use. The proposed use complies with all other standards set forth in the Chicago Zoning Ordinance because it is only the requirement to request a special of use from the Zoning Board of Appeals that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance.

(2). The proposed use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community because a restaurant with a rooftop patio is an allowable use in this zoning classification and that the size of the business and the amount of customers it will have is not enough to have a significant impact on the area. The ZBA further finds that this special use is in a business district along Madison Street, is located in a business district that is in need of business, and that business owners choose to operate businesses in areas where there is a demand for their type of business.

(3). The proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the property is an existing building similar to existing buildings along Madison Street. The rooftop patio will not be visible from grade level because of screening (both solid and landscaping). The ZBA also finds that the design of the bar space is set at the center of the building and also will not be visible with the required screenings.

(4). The proposed use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because concerns of increased noise and lighting from the patio will be mitigated by the required screenings. The ZBA finds that Madison Street is a major thoroughfare, and this special use is compatible with the area in terms of traffic generation. The ZBA also finds that the business hours are substantially similar to like uses in the area.

(5). The proposed use is designed to promote pedestrian safety and comfort because the proposed patio is on the roof top as opposed to an outdoor patio on the sidewalk. This prevents any obstruction for pedestrians. The ZBA also finds that the location is served by two (2) bus routes within walking distances of this special use, and that no driveways or curb cuts are required for this project.

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

CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

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

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, Taneka Daniels;
2. The development is consistent with the design and layout of the Proposed Upper & Lower Level Roof Electrical Lighting Plans, Existing First & Roof Floor Plans, Proposed First & Roof Floor Plans, and Building Elevations, dated November 16, 2023, and the Site Plan (Original (Black) Vs Proposed (Red) Overlay) and Site Plan, dated November 17, 2023, all prepared by BEEHYVE;
3. A final rooftop plan showing solid screening (fencing or similar material), up to 6 ft. in height, along south sides of the roof top area, evergreen tree screening along the northside of the roof top area, and solid non-combustible screening all around the

HVAC area is submitted for review and approval by the Department of Planning and Development;

- 4. A final landscape plan with details on the design of the planters and specifications of the species, number, and spacing of evergreen trees along the east and west side is submitted for review and approval by the Department of Planning and Development; and
- 5. Prior to issuance of any occupancy permits for the roof top patio, all roof top screening, as per conditions 3 and 4, above, have been installed per the final approved plans except as conditioned by the ZBA.

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 2/21, 2024.


Janine Klich-Jensen



ZBA

FEB 21 2024

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

CITY OF CHICAGO
ZONING BOARD
OF APPEALS

Flip N D's
APPLICANT(S)

472-23-S
CALENDAR NUMBER(S)

3215 N Harlem
SUBJECT PROPERTY

December 15, 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"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Angela Brooks	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	[vacant position]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINDINGS OF THE ZONING BOARD OF APPEALS

I. APPLICATION BACKGROUND

The subject property is located in the 29th Ward. It is zoned B3-1 and is improved with a one-story commercial tavern building. The Applicant submitted a special use application, proposing to establish an outdoor patio to serve an existing tavern on the subject property. Pursuant to Section 17-3-0207(AA)(3) of the Chicago Zoning Ordinance, a tavern (and the expansion of an existing tavern) is a special use in a B3-1 district. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended: approval of the tavern expansion to a proposed outdoor patio provided: (1) the special use is issued solely to the applicant, Flip N. D's, (2) the development is consistent with the design and layout of the Site Plan for Flip N D's Pub, dated December 14, 2023, prepared by Dana Al-Houti, and (3) proposed patio lighting should have cut off fixtures and should be mounted a minimum of 12" below top of fence.

II. PUBLIC HEARING

In accordance with the Rules of Procedure of the Zoning Board of Appeals, the Applicant had submitted its proposed Findings of Fact. The Zoning Board of Appeals ("ZBA") held a public hearing on the Applicant's special use application at its regular meeting held on Friday, December 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*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

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

III. 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.

IV. FINDINGS OF FACT

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

(1). The subject property is located in a B3-1 zoning district. Since a Tavern 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 ZBA that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance.

(2). The proposed use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community because the proposed use provides a local entertainment venue for the neighborhood. A bar has operated at the subject property for at least thirty years and the Applicant's owner has operated on the subject property for the last six years. Unlike most special uses before the ZBA, the Applicant previously operated the special use (a seasonal patio) as permitted by the City's Seasonal Permit Program and now seeks to make the patio permanent. Applicant will install a 6-foot high wooden fence to enclose the perimeter and limit access to only the front door of the tavern, meaning ingress and egress would be through the front of the bar on Harlem Ave. Additionally, the use of "cut off" lighting fixtures below the fence line will keep the patio's light away from neighboring properties. All of this will contain the use to the subject property and limit impacts on surrounding properties.

(3). The proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the patio will make use of the unimproved portion of the property located adjacent to two alleys to the rear of the existing tavern. The proposed use on the subject property will be outdoors at ground level and will be fenced in, similar to that of other surrounding properties along the alley. Further, there are no modifications to the exterior of the existing building.

(4). The proposed use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the subject property is located in a very high-traffic area. The Applicant will operate the outdoor patio at the times consistent with the hours of its current license which are from 7:00am to 11:00pm Monday through Thursday; 7:00am to 12:00am Friday and Saturday; and 11:00am to 11:00pm on Sunday. Lighting will be consistent with DPD's recommendations which will ensure that there is minimal spillover to adjacent properties.

At the hearing, a neighbor appeared and objected to the proposed use due to concerns about noise. While the ZBA understands the neighbor's concerns, it also acknowledges that the subject property is in a very high traffic area with a lot of ambient noise, including at least one 24-hour business and other late-night businesses. The Applicant has operated for six years and has not received any citations for its business operations. The ZBA finds that the Applicant will operate in a manner consistent with the surrounding area.

(5). The proposed use is designed to promote pedestrian safety and comfort because pedestrians will enter the subject property from the sidewalk on Harlem Avenue. The Applicant will also install bollards along the sides of the property abutting the alleys to protect patrons from automobiles. Finally, according to the submitted survey and site drawing, the proposed special use does not require curb cuts at the sidewalk.


CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS

1. For all the above reasons, the ZBA finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance.
2. The ZBA hereby APPROVES the Applicant's application for a special use, and pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use SUBJECT TO THE FOLLOWING CONDITIONS: (1) the special use is issued solely to the applicant, Flip N. D's, (2) the development is consistent with the design and layout of the Site Plan for Flip N D's Pub, dated December 14, 2023, prepared by Dana Al-houti, and (3) proposed patio lighting should have cut off fixtures and should be mounted a minimum of 12" below top of fence.

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 2/21, 2024.


Janine Klich-Jensen

