

JUNE 26, 2020

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



SEP 22 2020

CITY OF CHICAGO
ZONING BOARD OF APPEALS

**The 2737 Company, LLC and David
Samuels**

APPELLANTS

121-20-A
CALENDAR NUMBER

June 26, 2020

HEARING DATE

2737 and 2767 N. Cicero Avenue

PREMISES AFFECTED

ACTION OF BOARD

THE VOTE

The decision of the Zoning
Administrator is affirmed.

Farzin Parang, Chairman
Timothy Knudsen
Sylvia Garcia
Jolene Saul
Sam Toia

AFFIRMATIVE	NEGATIVE	ABSENT
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE APPEAL OF A DECISION BY THE ZONING
ADMINISTRATOR BY THE 2737 COMPANY, LLC AND DAVID SAMUELS.**

I. BACKGROUND

The 2737 Company, LLC owns 2737 N. Cicero Avenue. Mr. David Samuels owns 2767 N. Cicero. For ease of reference, The 2737 Company, LLC and Mr. Samuels shall be referred to herein as the "Appellants." Similarly, 2737 N. Cicero and 2767 N. Cicero shall together be referred to herein as the "subject property." The subject property is located in a B1-1 zoning district and is currently vacant. The zoning district was changed from C2-1 to B1-1 on September 27, 2007.¹ At that time of this zoning change, Mr. Samuels operated a car dealership on not only the subject property but also the property located at 2734 N. Cicero (directly across the street from the subject property). Such car dealership was called Value Auto Mart and had been in operation on both the subject property and 2734 N. Cicero since the late 1950s. While car dealerships are allowed in the C2-1 zoning district, they are not allowed in the B1-1 zoning district.² Consequently,

¹ Pursuant to an ordinance passed by the City Council of the City of Chicago ("City Council") on September 27, 2007, and published in the *Journal of Proceedings of the City Council* for such date at page 10309 (Application No. A-7198(A)).

² Section 17-3-0207(SS) of the Chicago Zoning Ordinance.

after September 27, 2007, use of the subject property as a car dealership became a nonconforming use.³

Mr. Samuels continued to operate Value Auto Mart on both the subject property and 2734 N. Cicero until 2016. Because the car dealership was bisected by a vehicular thoroughfare (i.e., N. Cicero Avenue), the City of Chicago's Department of Business Affairs and Consumer Protection ("BACP") required Value Auto Mart to maintain separate licensing for 2734 N. Cicero and the subject property. As Value Auto Mart's main offices and garage repair shop were located at 2734 N. Cicero, the car dealership maintained a motor vehicles services license at 2734 N. Cicero. As Value Auto Mart operated outdoor auto sales lots on the subject property, it maintained a limited business license⁴ for auto storage and sales at subject property. At some point in early 2016, Mr. Samuels closed Value Auto Mart. BACP records show that Value Auto Mart's last renewal of its limited business license for auto storage and sales for the subject property was in 2015. This license (like most BACP licenses) had a two-year term and, as it was not renewed, expired of its own accord on January 15, 2017. The Appellants subsequently leased the subject property (as well as 2734 N. Cicero) to the car dealership Car Outlet in May 2016.⁵

In January 2016, prior to Car Outlet entering the lease, its representatives consulted with BACP regarding car dealership licensure for 2734 N. Cicero and the subject property. Although BACP does not have verbatim records of this initial consultation, standard BACP procedure is to explain the licensure requirements necessary for the particular type of business on a particular piece of property. In this case, the Car Outlet representatives would have been told that separate and distinct business licenses would be needed to operate a car dealership on 2734 N. Cicero and the subject property. They would have also been told that further documentation was needed from Car Outlet (such

³ Section 17-15-0301 of the Chicago Zoning Ordinance ("A nonconforming use is a land use that was lawfully established in accordance with zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which it is now located.").

⁴ At the hearing both Mr. Michael Addison and Mr. Scott Addison argued that no business license was required for the subject property because there was no "corresponding business category" in the Municipal Code of Chicago ("MCC"). That is patently untrue. All businesses in the City of Chicago are required to obtain limited business licenses unless: (1) the business is required to obtain a more specifically regulated license under the MCC (e.g., shared housing units, health clubs, etc.); or (2) state or federal law preempt licensing (e.g., cannabis business establishments). MCC § 4-4-020. In this particular instance, as BACP Deputy Commissioner Mr. Matthew Allec credibly testified, a sales auto and storage limited business license would be required for car dealership auto lots. To a certain extent, it does appear that the Addisons' argument is predicated on the mistaken belief that the car dealership business activity occurring on the subject property is an "incidental" (in the words of the MCC) or "adjunct" (in the words of the Addisons) use to the 2734 N. Cicero property. However, as Assistant Zoning Administrator Mr. Steven Valenziano correctly pointed out at the hearing, "You heard from the Deputy Commissioner of [BACP] saying that each separate site needs to be licensed individually. This was licensed individually. For years it was licensed individually. [Auto sales and storage was] the principal use of the lot. [Auto sales and storage was] the only use of the lot." Note, too, that even if the use of the subject property was "incidental" to the main use at 2734 N. Cicero property, such use still would have required separate licensure. MCC § 4-4-020(d).

⁵ Technically, The 2737 Company, LLC allowed Mr. Samuels to assign his lease for 2737 N. Cicero to Car Outlet AC, LLC. Mr. Samuels, as sole beneficiary for two land trusts, leased 2734 N. Cicero and 2767 N. Cicero to Car Outlet, LLC.

as driveway permit approval from the City of Chicago's Department of Transportation) before any further review – such as zoning review – by BACP occurred. After this consultation, Car Outlet applied only for a motor vehicle services license for 2734 N. Cicero. BACP issued this license on May 2, 2016.

Car Outlet then proceeded to operate a car dealership on 2734 N. Cicero and the subject property in the same configuration as Auto Value Mart (i.e., main offices and garage on 2734 N. Cicero and auto sales lot on the subject property). In February 2019, Car Outlet declared bankruptcy and, as a result, surrendered the subject property back to Appellants on March 31, 2019. Appellants began to market the subject property for lease to other car dealerships. One prospective lessee informed Appellants that the nonconforming use of the subject property for car dealership use had been lost. In July 2019, Mr. Samuels went to BACP and inquired as to licensing status of 2734 N. Cicero and the subject property. He learned that while 2734 N. Cicero had a business license, the subject property did not.

Under the Chicago Zoning Ordinance, a property can lose its nonconforming use status in two ways: (1) discontinuance; and (2) intentional destruction. In the instant case, it is the discontinuance provision that is relevant. Such discontinuance provision reads as follows:

17-15-0304-A Discontinuance.

1. If a nonconforming use is discontinued for 18 continuous months or more, all nonconforming use rights are lost and re-establishment of the nonconforming use is prohibited.

2. If a nonconforming adult use or open use of land is discontinued for 6 continuous months or more, all nonconforming use rights are lost and re-establishment of the nonconforming use is prohibited.

3. If a nonconforming use ceases operations (even if the structure or equipment related to the use remain) or fails to maintain a valid business license the use will be considered to have been discontinued.

Pursuant to Section 17-15-0304-A.3 of the Chicago Zoning Ordinance, the nonconforming car dealership use of the subject property was discontinued on January 15, 2017 (i.e., the day the limited business license for auto sales and storage expired). Pursuant to Section 17-15-0304-A.1, a car dealership had 18 months from that date (i.e., until July 15, 2018) in which to reestablish a limited business license for auto sales and storage before nonconforming use of the subject property as a car dealership was lost. Such reestablishment did not occur.

On September 6, 2019, the Appellants filed a "Request for Review and Relief on 'Grandfathered' Zoning Status" with the City of Chicago's Department of Planning and Development's Office of Zoning Administrator ("Zoning Administrator"). On September 27, 2019, Zoning Administrator Mr. Patrick Murphey issued an opinion letter, stating: (i) indoor and outdoor automobile sales are not permitted uses in the B1 zoning

district pursuant to Section 17-3-0207(SS) of the Chicago Zoning Ordinance; (ii) that legally established car dealerships in B1 zoning districts may continue operations as legal, nonconforming uses; (iii) if such nonconforming use is discontinued for eighteen months or more, all nonconforming use rights are lost and re-establishment of the nonconforming use is prohibited⁶; and (iv) if eighteen months had passed since the subject property had a valid business license for automobile sales, then automobile sales were no longer permitted on the subject property. Communications between the Appellants and the Zoning Administrator continued, and on October 17, 2019, Mr. Murphey sent an email in which he stated:

If [Appellants] are able to convince BACP of the circumstances of [Appellants'] license history to the point of proving no 18 month gap in license history then it may be possible for [Appellants] to be recognized as a non-confirming [*sic*] use. Without that determination from BACP, I cannot overcome the following rule:

17-15-0304-A.3. If a nonconforming use ceases operations (even if the structure or equipment related to the use remains) or **fails to maintain a valid business license** the use will be considered to have been discontinued (emphasis in original).

The Appellants then contacted BACP Deputy Commissioner Mr. Matthew Allee. Appellants first requested that BACP issue Car Outlet a retroactive license for the subject property. When told by Mr. Allee such a request was not possible, Appellants amended their request. Instead, they requested that BACP add the subject property as an "adjunct address" to the motor sales and service license issued to Car Outlet at 2734 N. Cicero.

On November 25, 2019, Mr. Allee provided Appellants with a letter in which he explained BACP's position: namely, that the subject property⁷ and 2734 were distinct business sites and therefore each property needed a separate and distinct business license. He stated that the last business to hold a business license for the subject property was Auto Value Mart and that such business license had expired on January 15, 2017. The Appellants once again contacted Mr. Murphey. On December 12, 2019, Mr. Murphey stated that he stood by his earlier decision and that, absent any change in BACP's position, the nonconforming use of the subject property as a car dealership could not be revived. The Appellants subsequently filed an appeal to the ZONING BOARD OF APPEALS on February 13, 2020. In their "appeal checklist," Appellants stated that they were appealing Mr. Murphey's September 27, 2019 zoning opinion letter as well as his December 12, 2019 email. However, as the December 12, 2019 email depends, in part on the October 17, 2019 email, the ZONING BOARD OF APPEALS will consider all three documents as the Zoning Administrator's determination in this matter.

II. PUBLIC HEARING

⁶ Section 17-15-0304-A.1 of the Chicago Zoning Ordinance.

⁷ In the letter, Mr. Allee refers to the subject property via the address range of 2136-2753 N. Cicero. As the subject property has no permanent structures, it does not have a permanent address; however, it is clear from all correspondence (and the hearing) that the Appellants, BACP and the Zoning Administrator are all referring to the same property.

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Appellants' appeal at its special meeting of June 26, 2020, after due notice thereof as provided under Section 17-13-1206 of the Chicago Zoning Ordinance, and as continued without further notice pursuant to Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. August 16, 2019), the Appellants had submitted their proposed Findings of Fact. In accordance with the ZONING BOARD OF APPEALS' Emergency Rules (eff. March 18, 2020)⁸, the Appellants had submitted all documentary evidence. Testifying on behalf of the Appellants were Mr. David Samuels, Mr. Scott Addison and Mr. Michael Addison. Mr. Scott Addison is one of the two members of The 2737 Company, LLC. The other member of The 2737 Company, LLC is the Addison Living Trust, dated Oct. 11, 1991, as amended, of which Mr. Michael Addison is the trustee. Testifying on behalf of the Zoning Administrator was Assistant Zoning Administrator Mr. Steven Valenziano. Testifying on behalf of BACP was Deputy Commissioner Mr. Matthew Allee. The statements, documentary evidence and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Emergency Rules and Rules of Procedure.

The Appellants offered the testimony of Mr. Michael Addison.

The Appellants offered the testimony of Mr. David Samuels.

The Appellants offered the testimony of Mr. Scott Addison. In response to questions from the ZONING BOARD OF APPEALS, Mr. Scott Addison provided additional testimony.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Michael Addison and Mr. Scott Addison provided additional testimony.

BACP offered the testimony of Mr. Matthew Allee.

The Zoning Administrator offered the testimony of Mr. Steven Valenziano.

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

Mr. Valenziano provided further testimony.

⁸ Such Emergency Rules were issued by the chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers pursuant to Article II, Section 2 of that certain ordinance adopted by the City Council on April 22, 2020, and published in the *Journal of Proceedings of the City Council* for such date at pages 15041 through 15045, and retroactively applied to March 18, 2020, to protect the health, safety and welfare of City residents during the COVID-19 public health emergency.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Allee provided additional testimony.

In response to testimony from Mr. Allee, Mr. Scott Addison provided further testimony. In response to questions from the ZONING BOARD OF APPEALS, Mr. Scott Addison provided further testimony.

In response to questions from Mr. Samuels, Mr. Allee provided additional testimony.

In response to questions from Mr. Scott Addison, Mr. Allee provided additional testimony.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Scott Addison provided additional testimony.

Mr. Valenziano provided further testimony.

In response to Mr. Valenziano's testimony, Mr. Michael Addison provided further testimony.

Mr. Scott Addison made closing remarks.

B. Criteria

Pursuant to Section 17-13-1201 of the Chicago Zoning Ordinance, the ZONING BOARD OF APPEALS is granted authority to hear and decide appeals when it is alleged there is an error in any order, requirement, decision or determination by the Zoning Administrator in the administration or enforcement of the Chicago Zoning Ordinance.

Pursuant to Section 17-13-1208 of the Chicago Zoning Ordinance, an appeal may only be sustained if the ZONING BOARD OF APPEALS finds that the Zoning Administrator erred. Pursuant to Section 17-13-1207 of the Chicago Zoning Ordinance, the Zoning Administrator's decision must be granted a presumption of correctness by the ZONING BOARD OF APPEALS, placing the burden of persuasion of error on the Appellants.

III. FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, the ZONING BOARD OF APPEALS hereby makes the following findings with respect to the Appellants' appeal:

1. The narrow issue on appeal is whether or not the Zoning Administrator erred in determining under Section 17-15-0304-A of the Chicago Zoning Ordinance that the nonconforming use of the subject property as a car dealership has been lost.

2. The ZONING BOARD OF APPEALS finds that the Zoning Administrator did not err with respect to determining that the nonconforming use of the subject property as a car dealership has been lost. Section 17-15-0304-A.3 of the Chicago Zoning Ordinance states, in pertinent part, that if a nonconforming use fails to maintain a valid business license, the use will be considered to have been discontinued. In turn, Section 17-15-0304-A.1 of the Chicago Zoning Ordinance states that if a nonconforming use is discontinued for 18 continuous months or more, all nonconforming use rights are lost and reestablishment of the nonconforming use is prohibited.
3. It is undisputed that Car Outlet failed to maintain a valid business license for the nonconforming car dealership use. It is also undisputed that the subject property has always required a separate and distinct business license from 2734 N. Cicero. As Mr. Allee stated in his letter and as he credibly testified at the hearing, Valuc Auto Mart was the last entity to hold a valid business license for the subject property, and such limited business license for auto sales and storage expired on January 15, 2017. Mr. Samuels corroborated this when he testified that he maintained a separate business license for the subject property. BACP records show that on January 12, 2016, representatives from Car Outlet had a consultation with BACP regarding car dealership licensure at the subject property and at 2734 N. Cicero. Pursuant to BACP standard business procedures⁹ and in accordance with Section 4-4-010 of the Municipal Code of the City of Chicago ("MCC")¹⁰, Car Outlet would have been told it needed a limited business license for sales and auto storage to operate a car dealership on the subject property. Nevertheless, Car Outlet obtained only a business license for 2734 N. Cicero.

Mr. Scott Addison admitted that he had been unaware that Car Outlet failed to obtain a business license for the subject property. Likewise, Mr. Michael Addison testified that had he known that nonconforming use would be discontinued if there were a failure to maintain a valid business license, he would have incorporated maintenance of the business license into the lease agreement with Car Outlet. However, the fact that it was Car Outlet and not the Appellants that failed to maintain a valid business license for the nonconforming car dealership use makes no difference. The plain language of Section 17-13-0403-A.3 of the Chicago Zoning Ordinance requires only that the license fail to be maintained. Therefore, the only analysis the Zoning Administrator undertakes when it applies Section 17-15-0403-A.3 of the Chicago Zoning Ordinance is to determine if there is a valid business license issued for the nonconforming use in question. If not, then the Zoning Administrator must consider the nonconforming use to be discontinued. Thus, the Zoning Administrator did not err with respect to its application of Section 17-15-0403-A.3 of the Chicago Zoning Ordinance to the nonconforming car dealership use at the subject property.

⁹ The ZONING BOARD OF APPEALS found Mr. Allee to be a very credible witness as to these standard business procedures, especially his testimony regarding how BACP catalogues its licenses (i.e., one business has multiple sites listed under its BACP account, each with a separate license).

¹⁰ In particular: "Each location at which a business operates must be separately licensed."

4. Once the Zoning Administrator found – pursuant to the plain language of Section 17-15-0403-A.3 of the Chicago Zoning Ordinance – the nonconforming use had been discontinued due to its failure to maintain a valid business license then the Zoning Administrator had to make the calculation as to whether or not the nonconforming use had been discontinued for eighteen continuous months. As Mr. Valenziano credibly testified, this continuous eighteen month period ran from January 15, 2017 (the date the last valid business license issued for the nonconforming car dealership use on the subject property expired) through July 15, 2018. Indeed, Mr. Michael Addison admitted that the Appellants discovered the lapse in licensing on the subject property “long after remediation was possible.” After all, it was only during negotiations with a prospective tenant in June 2019 that the Appellants became aware that the business license for the nonconforming use had expired. The Appellants thus became aware of the expired license roughly twenty-seven months after its expiration, after which time the Appellants first notified the Zoning Administrator. Thus, the Zoning Administrator – on September 27, 2019, October 17, 2019 and December 12, 2019 – did not err with respect to its application of Section 17-15-0403-A.1 of the Chicago Zoning Ordinance.
5. Though the Appellants argue that had the City of Chicago made them aware of Car Outlet’s failure to obtain a business license for the subject property Appellants would have taken steps to correct it, such an argument is not relevant. There is no requirement under the Chicago Zoning Ordinance that the Zoning Administrator notify property owners that their property has failed to maintain a valid business license for the nonconforming use on said property. Nor is there any requirement under the MCC that BACP notify property owners of property upon which a nonconforming use operates that said nonconforming use has failed to maintain a valid business license for the nonconforming use on said property. As Mr. Allee credibly testified, BACP does not have the capacity to monitor the entirety of the City of Chicago in order to ensure that no unlicensed business activity is taking place. Indeed, and as Mr. Valenziano credibly testified, the only relevant inquiry is whether or not the nonconforming use failed to maintain a valid business license, and, if so, whether or not this failure persisted for eighteen continuous months.

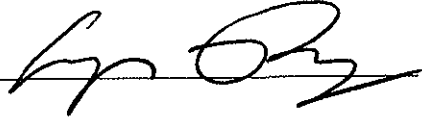
IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Appellants have not met their burden of persuasion that the Zoning Administrator has erred as required by Section 17-13-1208 of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby affirms the decision of the Zoning Administrator, and the Appellants’ appeal is denied.

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

APPROVED AS TO SUBSTANCE

By: 

Farzin Parang, Chairman

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

APPLICANT: 2434 S. Albany, LLC

CAL NO.: 181-20-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
June 26, 2020

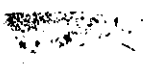
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2434 S. Albany Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.5' to 0.92' for a proposed two-story rear addition and a second floor addition with roof deck to an existing religious assembly building to be converted to a four dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUL 21 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

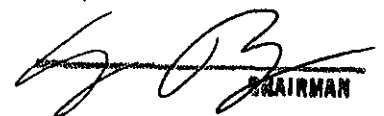
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 0.92' for a proposed two-story rear addition and a second floor addition with roof deck to an existing religious assembly building to be converted to a four dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 182-20-Z and 183-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: 2434 S. Albany, LLC

CAL NO.: 182-20-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
June 26, 2020

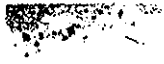
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2434 S. Albany Avenue

NATURE OF REQUEST: Application for a variation to relocate the required 200 square feet of rear yard open space to a second floor roof deck for an existing religious assembly building to be converted to a four dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

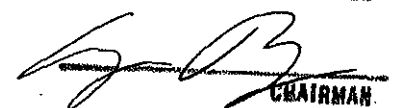
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to relocate the required 200 square feet of rear yard open space to a second floor roof deck for an existing religious assembly building to be converted to a four dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 181-20-Z and 183-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

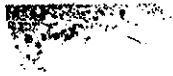
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 2434 S. Albany, LLC **CAL NO.:** 183-20-7
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 2434 S. Albany Avenue

NATURE OF REQUEST: Application for a variation to reduce the required number of off-street parking spaces from four to two for the conversion of an existing religious assembly building to a four dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

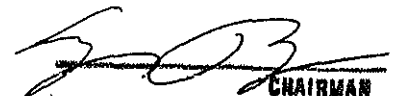
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required number of off-street parking spaces to two for the conversion of an existing religious assembly building to a four dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 181-20-Z and 182-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2454 Spaulding, LLC **CAL NO.:** 184-20-Z
APPEARANCE FOR: Ximena Castro **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2454 S. Spaulding Avenue

NATURE OF REQUEST: Application for a variation to reduce the number of required off-street parking spaces from four to three for the conversion of a mixed use building to a four dwelling unit building with dwelling units on the ground floor.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

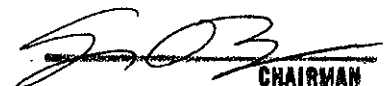
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the number of required off-street parking spaces to three for the conversion of a mixed use building to a four dwelling unit building with dwelling units on the ground floor; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Cloud Property Management, LLC 2244 Series **CAL NO.:** 185-20-Z

APPEARANCE FOR: Ximena Castro **MINUTES OF MEETING:**
June 26, 2020

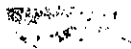
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2244 W. 23rd Place

NATURE OF REQUEST: Application for a variation to reduce the number of required off-street parking spaces from eight to seven for the construction of an additional dwelling unit in a three-story, seven dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

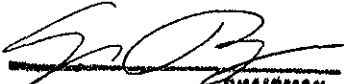
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the number of required off-street parking spaces to seven for the construction of an additional dwelling unit in a three-story, seven 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.

APPROVED AS TO SUBSTANCE


CHAIRMAN

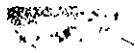
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 2668-70 N. Burling Street, LLC **CAL NO.:** 186-20-Z
APPEARANCE FOR: Fred Agustin **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 2668 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 31.68' to 21.5' for a proposed two car garage with roof top deck and stairs to serve an existing three-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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X		

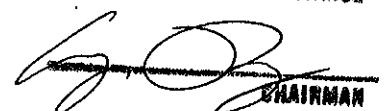
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 21.5' for a proposed two car garage with roof top deck and stairs to serve an existing three-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. Nos. 187-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2668-70 N. Burling Street, LLC **CAL NO.:** 187-20-Z
APPEARANCE FOR: Fred Agustin **MINUTES OF MEETING:** June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2668 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from 171.6 square feet to 140 square feet and to decrease the minimum measurement of 12' on any side to 11.33' for a proposed two-car garage to serve an existing three story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

ALTERNATIVE	NEGATIVE	ABSENT
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X		
X		
X		

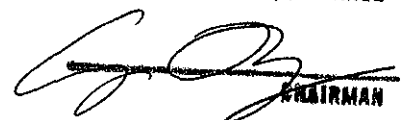
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to 140 square feet and to decrease the minimum measurement of 12' on any side to 11.33' for a proposed two-car garage to serve an existing three story, two dwelling unit building; an additional variation was granted to the subject property in Cal. Nos. 186-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2668-70 N. Burling Street, LLC

CAL NO.: 188-20-Z

APPEARANCE FOR: Fred Agustin

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2670 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 31.68' to 21.5' for a proposed two car garage with roof deck and stairs to serve an existing three- story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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X		
X		
X		

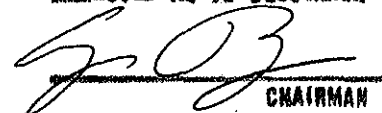
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 21.5' for a proposed two car garage with roof deck and stairs to serve an existing three- story, two dwelling unit building; an additional variation was granted to the subject property in Cal. Nos. 189-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2668-70 N. Burling Street, LLC **CAL NO.:** 189-20-Z
APPEARANCE FOR: Fred Agustin **MINUTES OF MEETING:** June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2670 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 171.6 square feet to 140 square feet and to reduce the measurement of 12' on any side to 11.33' for a proposed two-car garage with roof deck and stairs to serve an existing three-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

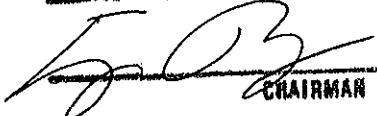
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to 140 square feet and to reduce the measurement of 12' on any side to 11.33' for a proposed two-car garage with roof deck and stairs to serve an existing three-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. Nos. 188-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: Christian and Megan Herrmanns **CAL NO.:** 190-20-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1504 N. Elk Grove Avenue

NATURE OF REQUEST: Application for a variation to reduce the west side setback from the required 4' to 2' (east to be 8'), the rear setback from 33.04' to 24' for a proposed three-story single family residence with a partially below grade connection to garage, a rear deck at 7' in height above the level of the adjoining ground and garage roof top deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

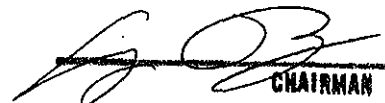
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west side setback to 2' (east to be 8'), the rear setback to 24' for a proposed three-story single family residence with a partially below grade connection to garage, a rear deck at 7' in height above the level of the adjoining ground and garage roof top deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Chicago Fire Soccer Holdings, LLC Cal. No. 191-20-S
APPEARANCE FOR: Liz Butler **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3725 N. Talman Avenue

NATURE OF REQUEST: Application for a special use to establish a non-required, accessory off-site parking lot to serve an existing recreational use located at 3626 N. Talman Avenue.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-required, accessory off-site parking lot to serve an existing recreational use located at 3626 N. Talman Avenue; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Chicago Fire Soccer Holdings, LLC, and the development is consistent with the design and layout of the site/landscape plans dated June 11, 2020, prepared by Terra Engineering, Ltd.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

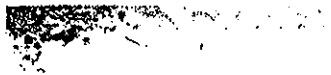
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: SHC Dev. LLC **CAL NO.:** 192-20-Z
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 1909 N. Howe Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 0.67, south side setback from 2.04' to 0.15'9 north to be 0.12') combined side setback from 5.12' to 0.27' for a proposed three-story, single family residence with underground storage and detached garage.

ACTION OF BOARD-
Continued to July 17, 2020

THE VOTE



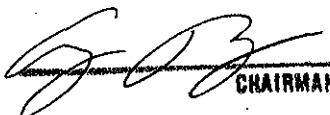
JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

ALTERNATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: SHC Dev. LLC

CAL NO.: 193-20-Z

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
June 26, 2020

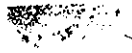
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1909 N. Howe Street

NATURE OF REQUEST: Application for a variation to relocate the required 208 square feet of rear yard open space to the roof of the garage to serve a proposed three-story, single family residence.

ACTION OF BOARD-
Continued to July 17, 2020

THE VOTE



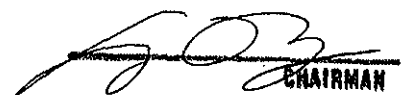
JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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: LIANA Build, LLC **CAL NO.:** 194-20-Z
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 1301 S. California Boulevard

NATURE OF REQUEST: Application for a variation to reduce the required number of additional off-street parking spaces from three to one to convert an existing three-story, thirteen dwelling unit building to a sixteen dwelling unit building.

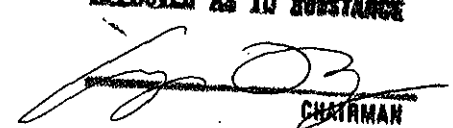
ACTION OF BOARD-
Continued to July 17, 2020

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Malden Development, LLC 406606-30 N. Malden Series **CAL NO.:** 195-20-Z

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
June 26, 2020

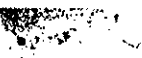
APPEARANCE AGAINST: None

PREMISES AFFECTED: 4630 N. Malden Street

NATURE OF REQUEST: Application for a variation to reduce the open space from the required 520 square feet to zero for a proposed three-story, seven dwelling unit building with detached five-car garage, two parking stalls on slab, trash enclosure and front open decks.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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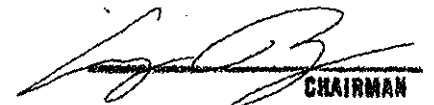
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the open space to zero for a proposed three-story, seven dwelling unit building with detached five-car garage, two parking stalls on slab, trash enclosure and front open decks; 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 hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: James and Debra Lloyd **CAL NO.:** 196-20-Z
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3942 N. Hoyne Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2.8' to zero, (south to be 24.83') combined setback to be 24.83' for a proposed rear one story addition to the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north side setback to zero, (south to be 24.83') combined setback to be 24.83' for a proposed rear one story addition to the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: The Rebuild Foundation NFP Cal. No. 197-20-S

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

June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1341-53 E. 72nd Street

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

ACTION OF BOARD-
Continued to July 17, 2020

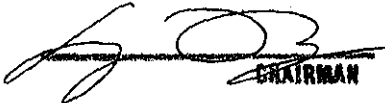
THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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: Kasper Development, LLC

CAL NO.: 199-20-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2716 S. Emerald Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area per unit from 3,000 square feet to 2,952 square feet for a proposed three-story, three dwelling unit building.

ACTION OF BOARD-
Continued to July 17, 2020

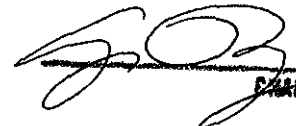
THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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: 2368 N. Elston, LLC

Cal. No. 200-20-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:

June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2368 N. Elston Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor to convert a building from five dwelling units to seven dwelling units.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor to convert a building from five dwelling units to seven dwelling units; a related special use to utilize seven of the thirty-six parking stalls to serve the proposed residential conversion from five to seven units located at 2368 N. Elston Avenue was approved in Cal. No. 201-20-S ; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, 2368 N Elston, LLC, and the development is consistent with the design and layout of the site plan, dated July 3 2019, multi-unit residential plan, dated November 8, 2018, and coach house plan, dated June 23, 2020, prepared by Aiello Architecture Design.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2368 N. Elston, LLC Cal. No. 201-20-S
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 2356 N. Elston Avenue

NATURE OF REQUEST: Application for a special use to utilize seven of the thirty-six parking stalls to serve the proposed residential conversion from five to seven units located at 2368 N. Elston Avenue.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

THE RESOLUTION:

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

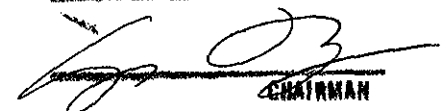
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to utilize seven of the thirty-six parking stalls to serve the proposed residential conversion from five to seven units located at 2368 N. Elston Avenue; see related special use approved for 2368 N. Elston Avenue in Cal. No. 200-20-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, 2368 N Elston, LLC. and the parking garage and lot are maintained consistent with the design and layout of the site plan, dated July 3, 2019, prepared by Aiello Architecture Design

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

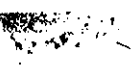
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Sun Xien Soy Products, LLC **CAL NO.:** 202-20-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 613 W. 47th Street

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

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 6' for a proposed two-story addition to the east side of the existing one-story tofu processing facility; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: EZMB, LLC

CAL NO.: 203-20-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1453 W. Grand Avenue

NATURE OF REQUEST: Application for a variation to reduce the east side setback* from 2' to zero for a proposed four-story, five dwelling unit building with detached two and three car garages with an open stair to provide access to the roof decks.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east side setback* to zero for a proposed four-story, five dwelling unit building with detached two and three car garages with an open stair to provide access to the roof decks; an additional variation was granted to the subject property in Cal. No. 204-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

*Amended at Hearing

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: EZMB, LLC

CAL NO.: 204-20-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1453 W. Grand Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 5,000 square feet to 4,695 square feet for a proposed four-story, five dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area to 4,695 square feet for a proposed four-story, five dwelling unit building; an additional variation was granted to the subject property in Cal. No. 203-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

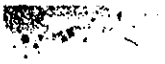
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Growen, LLC Cal. No. 205-20-S
APPEARANCE FOR: Paul Montes **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 309-19 N. Justine Avenue

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

ACTION OF BOARD-APPLICATION APPROVED

THE VOTE



JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a cannabis infuser; two additional special uses were granted to the subject property in Cal. Nos. 206-20-S and 207-20-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided (1) the special use is issued solely to the applicant, Growen, LLC, (2) the proposed shared cannabis craft growing and processing uses, as per applications 206-20-S and 207-20-S, have been approved by the Zoning Board of Appeals, (3) no retail sales, samples, or physical product displays or stock are allowed at this facility, and (4) the development is consistent with the design and layout of the plan dated February 27, 2020, prepared by Crosby & Associates.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Growen, LLC Cal. No. 206-20-S

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

June 26, 2020

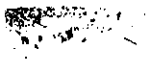
APPEARANCE AGAINST: None

PREMISES AFFECTED: 309-19 N. Justine Avenue

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

ACTION OF BOARD-APPLICATION APPROVED

THE VOTE



JUL 21 2020

CITY OF CHICAGO

ZONING BOARD OF APPEALS

THE RESOLUTION:

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

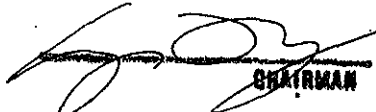
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a cannabis craft grower; two additional special uses were granted to the subject property in Cal. Nos. 205-20-S and 207-20-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided (1) the special use is issued solely to the applicant, Growen, LLC, (2) the proposed shared cannabis craft growing and processing uses, as per applications 206-20-S and 207-20-S, have been approved by the Zoning Board of Appeals, (3) no retail sales, samples, or physical product displays or stock are allowed at this facility, and (4) the development is consistent with the design and layout of the plan dated February 27, 2020, prepared by Crosby & Associates.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Growen, LLC Cal. No. 207-20-S

APPEARANCE FOR: Paul Montes **MINUTES OF MEETING:**
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 309-19 N. Justine Avenue

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

ACTION OF BOARD-APPLICATION APPROVED

THE VOTE



JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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THE RESOLUTION:

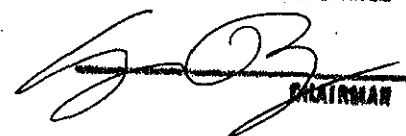
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a cannabis processor; two additional special uses were granted to the subject property in Cal. Nos. 205-20-S and 206-20-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided (1) the special use is issued solely to the applicant, Growen, LLC, (2) the proposed shared cannabis craft growing and processing uses, as per applications 206-20-S and 207-20-S, have been approved by the Zoning Board of Appeals, (3) no retail sales, samples, or physical product displays or stock are allowed at this facility, and (4) the development is consistent with the design and layout of the plan dated February 27, 2020, prepared by Crosby & Associates.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 1767 W. Rosehill, LLC **CAL NO.:** 208-20-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 1765 W. Rosehill Drive

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

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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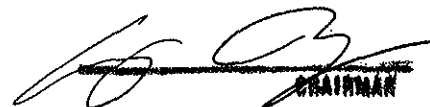
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

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

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Felix Bahena **CAL NO.:** 209-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5200 S. Mobile Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 20' to 4.62', north side setback from 2.28' to 0.04' (south to be 6.59') existing combined side yard setback is 6.63' to subdivide an existing zoning lot into two zoning lots. The existing single family residence shall remain. A single family residence is proposed for the newly created lot.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

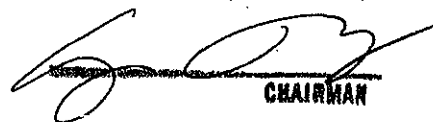
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 4.62', north side setback to 0.04' (south to be 6.59') existing combined side yard setback is 6.63' to subdivide an existing zoning lot into two zoning lots. The existing single family residence shall remain. A single family residence is proposed for the newly created lot; a related variation was granted to subject property 5204 S. Mobile in Cal. No. 210-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Felix Bahena **CAL NO.:** 210-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5204 S. Mobile Avenue

NATURE OF REQUEST: Application for a variation to reduce the combined side yard setback from the required 8.2' to 7' for a proposed two story, single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the combined side yard setback to 7' for a proposed two story, single family residence; a related variation was granted to subject property 5200 S. Mobile Avenue in Cal. No. 209-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

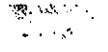
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Leonard Di Cristofano **CAL NO.:** 211-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4200 N. Kildare Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 30.29' to 10' for a proposed two-story, two dwelling unit building with detached two car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

ALTERNATIVE	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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 10' for a proposed two-story, two dwelling unit building with detached two car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Yao Lin **CAL NO.:** 212-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2900-02 W. Pershing Road

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.62' to zero, west side setback from 2' to 0.66' (east to be 2.66') combined side setback from 5' to 3.32' to subdivide one zoning lot into two zoning lots. The existing building at 2902 W. Pershing Road shall remain with one unenclosed parking space. A single family residence with two unenclosed parking spaces is proposed for the newly created lot.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

ALTERNATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

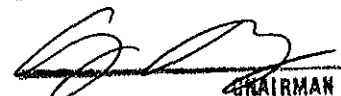
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero, west side setback to 0.66' (east to be 2.66') combined side setback to 3.32' to subdivide one zoning lot into two zoning lots. The existing building at 2902 W. Pershing Road shall remain with one unenclosed parking space. A single family residence with two unenclosed parking spaces is proposed for the newly created lot; two additional variations were granted to the subject property in Cal. Nos. 213-20-Z and 214-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Yao Lin **CAL NO.:** 213-20-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 2900-02 W. Pershing Road

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 214.22 square feet to zero to permit the subdivision of one zoning lot into two zoning lots. The existing building at 2902 W. Pershing Road shall remain with one unenclosed parking space. A single family residence with two unenclosed parking spaces is proposed for the newly created lot.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

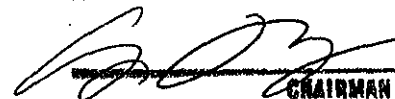
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the rear yard open space to zero to permit the subdivision of one zoning lot into two zoning lots. The existing building at 2902 W. Pershing Road shall remain with one unenclosed parking space. A single family residence with two unenclosed parking spaces is proposed for the newly created lot; two additional variations were granted to the subject property in Cal. Nos. 212-20-Z and 214-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Yao Lin **CAL NO.:** 214-20-Z

APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
June 26, 2020

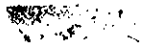
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2900-02 W. Pershing Road

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking spaces from the required two to one to permit the subdivision of an existing zoning lot into two zoning lots.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
IOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required off-street parking spaces to one to permit the subdivision of an existing zoning lot into two zoning lots; two additional variations were granted to the subject property in Cal. Nos. 212-20-Z and 213-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

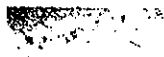
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Focal Point, LLC Cal. No. 215-20-S
APPEARANCE FOR: Donna Pugh / Michael Noonan **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3800-30 W. 42nd Street / 3809-13 W. 41st Street

NATURE OF REQUEST: Application for a special use to establish a non-accessory parking lot with 205 parking spaces that will serve as non-required off-site accessory parking serving the existing building at 4127-41 S. Pulaski Road.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

THE RESOLUTION:

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

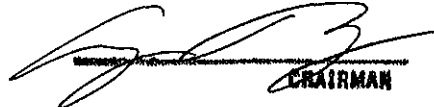
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-accessory parking lot with 205 parking spaces that will serve as non-required off-site accessory parking serving the existing building at 4127-41 S. Pulaski Road; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Focal Point, LLC, and the development is consistent with the design and layout of the landscape plan and planting details, dated June 24, 2020, prepared by Site Design Group Ltd. and Weaver Consultants Group.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 312 Spirited Ventures, LLC Cal. No. 216-20-S
APPEARANCE FOR: Thomas Raines **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 942 W. Randolph Street

NATURE OF REQUEST: Application for a special use to establish an outdoor roof top patio to serve a proposed restaurant.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUL 21 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

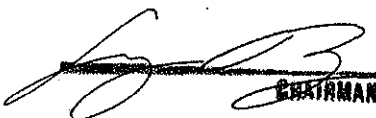
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an outdoor roof top patio to serve a proposed restaurant; a variation was also granted for the subject property in Cal. No. 217-20-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided (1) the special use is issued solely to the applicant 312 Spirited Ventures, LLC, (2) the associated variation application, 217-20-Z, to reduce the required on-site parking from 12 to 0 spaces is approved, and (3) the development is consistent with the design and layout of the plans and drawings dated April 23, 2019, prepared by CBD Architects.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 312 Spirited Ventures, LLC

CAL NO.: 217-20-Z

APPEARANCE FOR: Thomas Raines

MINUTES OF MEETING:
June 26, 2020

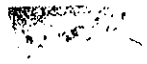
APPEARANCE AGAINST: None

PREMISES AFFECTED: 942 W. Randolph Street

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking for a transit served location from twelve parking spaces to zero for a proposed restaurant in an existing building with a proposed root top outdoor patio.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

ALTERNATIVE	NEGATIVE	ABSENCE
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the required off-street parking for a transit served location to zero for a proposed restaurant in an existing building with a proposed root top outdoor patio; a special use was also approved for the subject property in Cal. No. 216-20-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):

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

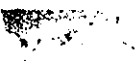
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Willow Tree Child Care Fullerton Corporation **CAL NO.:** 218-20-Z
APPEARANCE FOR: Timothy Barton **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 2616 W. Fullerton Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking spaces from two to one for a proposed day care facility on the ground floor of an existing four-story, mixed use building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required off-street parking spaces to one for a proposed day care facility on the ground floor of an existing four-story, mixed use building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Ashler, LLC **CAL NO.:** 219-20-Z
APPEARANCE FOR: Timothy Barton **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2118 W. 18th Place*

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 3,000 square feet to 2,976 square feet for a proposed three-story, three dwelling unit building with three rear open parking stalls.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area to 2,976 square feet for a proposed three-story, three dwelling unit building with three rear open parking stalls; 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.

*Scrivener's error.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Ashler, LLC **CAL NO.:** 219-20-Z
APPEARANCE FOR: Timothy Barton **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2118 W. 18th Place*

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 3,000 square feet to 2,976 square feet for a proposed three-story, three dwelling unit building with three rear open parking stalls.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		


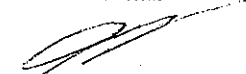
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area to 2,976 square feet for a proposed three-story, three dwelling unit building with three rear open parking stalls; 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.

*Scrivener's error.

APPROVED AS TO SUBSTANCE

CHAIRMAN


**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



SEP 22 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Nicole Rajic
APPLICANT

220-20-Z & 221-20-Z
CALENDAR NUMBERS

1811 N. Halsted Street
PREMISES AFFECTED

June 26, 2020
HEARING DATE

ACTION OF BOARD

THE VOTE

The applications for the variations are approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Timothy Knudsen (alt.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jolene Saul	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 1811 N.
HALSTED STREET BY NICOLE RAJIC.**

I. BACKGROUND

Ms. Nicole Rajic (the "Applicant") submitted two variation applications for 1811 N. Halsted (the "subject property"). The subject property is currently zoned RM-4.5 and is vacant. The subject property has no rear alley access and is located on a portion of Halsted that has been designated a pedestrian street.¹ The Applicant proposed to construct a two-story, single-family residence with an attached two-car garage (the "proposed residence") on the subject property. In order to permit construction, the Applicant sought variations to: (1) reduce the north side setback from 2.24' to 1.12, the combined side setback from 5.6' to 3.41' and the rear setback from 36.68' to 32.77'²; and (2) establish a 16.58' wide driveway along a pedestrian street.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its special meeting held on June 26, 2020, after due notice thereof

¹ Section 17-3-500 of the Chicago Zoning Ordinance.

² The Applicant originally sought to reduce the south side setback from 2.24' to 1.67' but withdrew this request.

as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. August 16, 2019), the Applicant had submitted its proposed Findings of Fact. In accordance with the ZONING BOARD OF APPEALS' Emergency Rules (eff. March 18, 2020)³, the Applicant had submitted all documentary evidence. The Applicant Ms. Nicole Rajic and the Applicant's attorney Mr. Andrew Scott were present. The Applicant's architect Mr. David Genc was also present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules.

The Applicant's attorney Mr. Andrew Scott provided an overview of the requested variation to establish a 16.58' wide driveway on a pedestrian street.

The Applicant Ms. Nicole Rajic offered testimony in support of the requested variation to establish a 16.58' wide driveway on a pedestrian street.

The Applicant's architect Mr. David Genc offered testified in support of the requested variation to establish a 16.58' wide driveway on a pedestrian street.

Mr. Scott then provided an overview of the requested variation to reduce the north side setback from 2.24' to 1.12, the combined side setback from 5.6' to 3.41' and the rear setback from 36.68' to 32.77'.

Ms. Rajic offered testimony in support of the requested variation to reduce the north side setback from 2.24' to 1.12, the combined side setback from 5.6' to 3.41' and the rear setback from 36.68' to 32.77'.

Mr. Genc offered testimony in support of the requested variation to reduce the north side setback from 2.24' to 1.12, the combined side setback from 5.6' to 3.41' and the rear setback from 36.68' to 32.77'.

Ms. Joana Zaidan, director of zoning and development for 43rd ward alderman Michele Smith (the "Alderman"), read a letter into the record from the Alderman. As the letter dealt with negotiations between the Applicant, the Alderman, the local neighborhood group and certain adjacent neighbors with respect to the requested

³ Such Emergency Rules were issued by the chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers pursuant to Article II, Section 2 of that certain ordinance adopted by the City Council of the City of Chicago ("City Council") on April 22, 2020, and published in the *Journal of Proceedings of the City Council* for such date at pages 15041 through 15045, and retroactively applied to March 18, 2020, to protect the health, safety and welfare of City residents during the COVID-19 public health emergency, State of Illinois Executive Order 2020-7, issued by the Governor of the State of Illinois ("Governor") on March 16, 2020, in which certain sections of the Open Meetings Act (5 ILCS 120/1 *et seq.*) were suspended during the COVID-19 public health emergency and State of Illinois Executive Order 2020-10 issued by the Governor on March 20, 2020, in which all public gatherings were limited, in accordance with guidelines recommended by the United States Centers for Disease Control and Prevention, to no more than 10 people.

variations. As such letter did not address the criteria necessary for the ZONING BOARD OF APPEALS to grant a variation, such letter was not germane to the ZONING BOARD OF APPEALS' inquiry.

B. Criteria for a Variation

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

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

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

III. FINDINGS OF FACT.

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

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

The subject property has no rear alley access. Because of this, strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property in that any home erected on the subject property would not be able to have on-site parking. The subject property is located in a very densely developed area of the City of Chicago ("City"). Because of this, strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property in that any home erected on the subject property would lack adequate private outdoor space.

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

The requested variations are consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) promoting the public health, safety and general welfare pursuant to Section 17-1-0501 of the Chicago Zoning Ordinance by enabling the Applicant to put a currently vacant lot in a residential section of N. Halsted to residential use; (2) preserving the overall quality of life for residents and visitors pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance, protecting the character of established residential neighborhoods pursuant to Section 17-1-0503 and maintaining orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance by enabling the Applicant to construct the proposed residence on a vacant lot, which residence (as can be seen from the site plans and photographs of the immediate area) will enhance the N. Halsted streetscape at this location; (3) ensuring adequate light, air, privacy, and access to property pursuant to Section 17-1-0509 of the Chicago Zoning Ordinance by ensuring that the subject property will have vehicular access and that the rear balcony of the proposed residence will provide an additional element of privacy to the area; and (4) maintaining a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance by enabling the Applicant to construct the proposed residence as an extension of her primary residence at 1810 N. Burling.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's

applications for variations pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance:

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

The subject property is zoned for residential use. It is currently vacant, unimproved and lacks rear alley access. Without the requested variations to establish a driveway on a pedestrian street and to reduce the north side setback, any improvement erected on the subject property would not be able to have on-site parking. Further, the subject property is located in a very densely developed area of the City. As Mr. Scott noted and as can be seen from the photographs of the surrounding area, private outdoor space is scarce. The requested variation to reduce the rear setback will allow the Applicant to erect wing walls on the proposed residence's second floor balcony. As the proposed residence's second floor balcony will be – like the other residences in the area – the primary form of private outdoor space for the subject property, the wing walls are necessary to ensure privacy not only for the Applicant's family but also the residents of the adjacent residences.

Although the Applicant does intend to use the subject property as an extension of her family residence at 1810 N. Burling, she admits in her proposed Findings of Fact that in the event she (by and through her trust) ever did sell the subject property, the proposed residence would have all amenities that are common to the neighborhood and important to prospective buyers. The ZONING BOARD OF APPEALS agrees with this assessment of the proposed residence: new residential construction in this particular area of Lincoln Park requires both on-site parking and private outdoor space. Thus, without the requested variations, the subject property would be unable to realize a reasonable return.

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

The ZONING BOARD OF APPEALS finds that the practical difficulties or particular hardships facing the subject property, namely the subject property's lack of a rear alley and location in a very densely populated area of the City, is unique to the subject property and is not generally applicable to other similarly situated property. Most residential property in the City has rear alley access. In fact, and as noted in the Applicant's proposed Findings of Fact, it is very atypical for residential property to lack rear alley access. Further, most residential property in the City is not located in such a densely populated area as this

particular portion of Lincoln Park and has adequate outdoor space for its residents.

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

The ZONING BOARD OF APPEALS finds that the variations, if granted, will not alter the essential character of the neighborhood. The variations will allow the Applicant to build the proposed residence, and the proposed residence will – as can be seen from the renderings – fit harmoniously in with the neighborhood, especially the other new construction on N. Halsted (i.e., the improvements at 1817 and 1819 N. Halsted). As can be seen from photographs of N. Halsted at this location, there are other residences that have driveways off of N. Halsted (notably, 1815, 1817 and 1819 N. Halsted) as well as attached front-facing garages. Thus, the variation to establish a driveway on a pedestrian street will not alter the essential character of the neighborhood. As can also be seen from the photographs, other residences in the neighborhood (again, 1815, 1817, and 1819 N. Halsted) have their garages side-by-side with their front entrances. Thus, the variation to reduce the north side setback will not alter the essential character of the neighborhood. The variation to reduce the rear yard setback will allow the Applicant to introduce an element of privacy to the proposed residence's second-floor balcony in the form of wing walls. As can be seen from photographs of the surrounding improvements to the subject property, it is clear that balconies are the primary form of residential outdoor space in this area. Thus, the request to reduce the rear setback will preserve the privacy these existing balconies currently enjoy.

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

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

The particular physical surroundings of the subject property – that is subject property's lack of rear alley access and its location in such a densely populated area of the City – results in particular hardship upon the Applicant. Without the requested variations to establish a driveway on a pedestrian street and to reduce the north side setback, the Applicant would not be able to have on-site parking. The ZONING BOARD OF APPEALS finds that the inability to have on-site parking at a new construction residence is a particular hardship to the Applicant (by and through her land trust). Without the requested variation to reduce the rear setback, the Applicant would not be able to have sufficient private outdoor space at the subject property. The ZONING BOARD OF APPEALS finds that such

inability to have sufficient outdoor private space in such a location of the City is a particular hardship to the Applicant (by and through her land trust).

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

The ZONING BOARD OF APPEALS finds that the subject property's lack of rear alley access and location in such a densely populated area of the City are conditions not applicable, generally, to other property within the RM-4.5 zoning classification. It is highly atypical for *any* property in the City to lack rear alley access, let alone property within a residential property classification such as a RM-4.5 zoning district. Further, it also atypical for property within the RM-4.5 zoning classification (or indeed, any residential property in the City) to be located in such a densely populated area.

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

The purpose of the variations is so that the Applicant can erect the proposed residence. As the proposed residence will be an extension of the Applicant's primary residence at 1810 N. Burling, the variations are not based exclusively upon a desire to make more money out of the subject property. Instead, the proposed variations are to increase the livability of the subject property for the Applicant and her family.

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

As can be seen from the plat of survey, the subject property has no rear alley access. This lack of rear alley access was created when the subject property and the surrounding lots were subdivided. As this subdivision took place before the Chicago Fire, the practical difficulty or particular hardship of the subject property lacking rear alley access has not been created by any person presently having an interest in the subject property. Similarly, the fact that the subject property is located in one of the more densely populated areas in the City is also not a practical difficulty or particular hardship that has been created by any person presently having an interest in the subject property.

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

The variations will allow a currently vacant lot to be developed with the proposed residence. Such proposed residence has been designed so that it will provide on-site parking. The proposed residence has also been designed so that its second-floor balcony will provide privacy not only for the Applicant and her family but also for the subject property's immediate neighbors, such as 1815 N. Halsted and 752 and 756 W. Willow. As can be seen from the photographs of the surrounding areas, the primary outdoor space for both 752 and 756 W. Willow are second-floor balconies. The second-floor balcony of the Applicant's proposed residence will have wing walls, ensuring that there is privacy between the outdoor space at the subject property and at 752 and 756 W. Willow. Thus, the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

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

Again, the variations will allow a currently vacant lot to be developed with the proposed residence. As can be seen from the site plans and renderings of the proposed residence, the variations will not impair an adequate supply of light and air to adjacent property. Because the variations will allow for the proposed residence to have on-site parking for two vehicles, the variations will not substantially increase congestion in the public streets. As the proposed variations will not be built unless and until the Applicant obtains valid building permits, the variations will not increase the danger of fire or endanger the public safety. Because the variations enable the Applicant to construct the proposed residence in place of a vacant and underutilized parcel and as there are other modern-style new construction residences in the immediate area (notably, the residences at 1817 and 1819 N. Halsted) property values in the neighborhood will not be impaired.

IV. CONCLUSION

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

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

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

APPROVED AS TO SUBSTANCE

By: 
Farzin Parang, Chairman

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

APPLICANT: MJ Star Hair Salon Inc. Cal. No. 222-20-S
APPEARANCE FOR: John Sugrue **MINUTES OF MEETING:**
June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3358 W. Bryn Mawr Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Garfield Beverage Warehouse LIN, LLC Cal. No. 223-20-S

APPEARANCE FOR: Richard Toth

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3200-04 N. Lincoln Avenue / 1602-08 W. Belmont Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

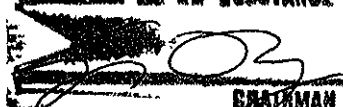
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant Garfield Beverage Warehouse LIN, LLC, and the development is consistent with the design and layout of the plans and drawings dated June 26, 2020, prepared by ATS Companies.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Palmer Irrevocable Trust GST Trust dated 11/2/12 **CAL NO.:** 224-20-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2643 N. Lakewood Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 8.5' south setback from 5' to zero (north to be 5') combined side setback from 10' to 5' rear setback from 34.79' to zero for a proposed three-story single family residence with accessory interior ice rink, and basketball court, attached three car garage accessed from the alley and attached two car garage accessed from the existing altered drive way from North Lakewood Avenue.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
	X	
X		

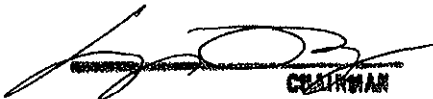
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback from the required 15' to 8.5' south setback to zero (north to be 5') combined side setback to 5' rear setback to zero for a proposed three-story single family residence with accessory interior ice rink, and basketball court, attached three car garage accessed from the alley and attached two car garage accessed from the existing altered drive way from North Lakewood Avenue; two additional variations were granted to the subject property in Cal. Nos. 225-20-Z and 226-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Palmer Irrevocable Trust GST Trust dated 11/2/12 **CAL NO.:** 225-20-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2643 N. Lakewood Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 807.63 square feet to zero for a proposed three-story, single family residence with accessory interior ice rink, and basketball court, attached three car garage accessed from the alley and attached two car garage accessed from the existing altered drive way from North Lakewood Avenue.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to zero for a proposed three-story, single family residence with accessory interior ice rink, and basketball court, attached three car garage accessed from the alley and attached two car garage accessed from the existing altered drive way from North Lakewood Avenue; two additional variations were granted in Cal. Nos. 224-20-Z and 226-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Palmer Irrevocable Trust GST Trust dated 11/2/12 **CAL NO.:** 226-20-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** June 26, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2643 N. Lakewood Avenue

NATURE OF REQUEST: Application for a variation to reduce the front property line to on-site parking from 20' to 16.83' for a proposed three-story, single family residence with accessory interior ice rink, and basketball court, attached three car garage accessed from the alley and attached two car garage accessed from the existing altered driveway from North Lakewood Avenue.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JUL 21 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 TIMOTHY KNUDSEN
 JOLENE SAUL
 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 June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 11, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front property line to on-site parking to 16.83' for a proposed three-story, single family residence with accessory interior ice rink, and basketball court, attached three car garage accessed from the alley and attached two car garage accessed from the existing altered driveway from North Lakewood Avenue; two additional variations were granted in Cal. Nos. 224-20-Z and 225-20-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 1443 W. Summerdale Partners, LLC **CAL NO.:** 144-20-Z
APPEARANCE FOR: Nick Fitkas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 26, 2020
PREMISES AFFECTED: 1433 W. Summerdale Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35.15' to 2', east setback from 2.4' to zero (west to be zero) combined side setback from 7' to zero for a proposed front and rear addition, rear open deck, two car garage with roof deck and access stair directly from the rear deck to an existing two-story, two dwelling unit building to be converted to a single family residence.

ACTION OF BOARD-
Continued to July 17, 2020

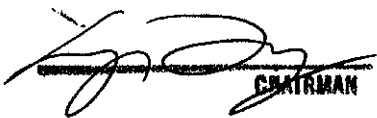
THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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: 1443 W. Summerdale Partners, LLC **CAL NO.:** 145-20-Z

APPEARANCE FOR: Nick Fitkas **MINUTES OF MEETING:**
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1433 W. Summerdale Avenue

NATURE OF REQUEST: Application for a variation to increase the allowed floor area from the maximum 3,389 square feet (0.9) to 3,766 square feet (1.0) for a proposed front and rear addition, rear open deck, two-car detached garage with roof deck and access stair directly from the rear deck to an existing two-story, two dwelling unit building to be converted to a single family residence.

ACTION OF BOARD-
Continued to July 17, 2020

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
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: One Stop Beauty Salon Inc. dba One Stop Beauty School Cal. No. 160-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
June 26, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4360 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to establish a nail and esthetics school.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
TIMOTHY KNUDSEN
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

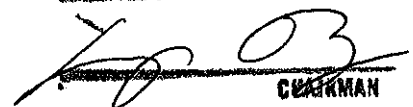
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 26, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 18, 2020; and

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

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN