

JUNE 5, 2020

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

APPLICANT: Maria S. Catano-Cardenas dba Santy's Salon Cal. No. 154-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5315 W. Belmont Avenue, 1st Floor

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 hair and nail salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all 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: Belmont Development, LLC

CAL NO.: 155-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
June 5, 2020

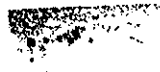
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1218 W. Belmont Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 17' for a proposed four-story, six dwelling unit mixed use building with ground floor commercial space, rooftop deck and enclosure and attached six car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the rear setback to 17' for a proposed four-story, six dwelling unit mixed use building with ground floor commercial space, rooftop deck and enclosure and attached six 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: Leana Brows Beauty 8. LTD Cal. No. 156-20-S
APPEARANCE FOR: Chris Jepson **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 2567 W. Fullerton Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

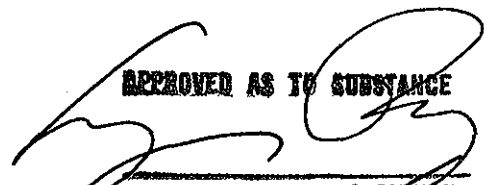
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 body art service (microblading); 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 Leana Brows Beauty 8, 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: NA Builders, Inc.

Cal. No. 157-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 511 S. California Avenue

NATURE OF REQUEST: Application for a special use to establish a one and two story gas station with retail food and second floor office.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 one and two story gas station with retail food and second floor office; a variation was also granted to the subject property in Cal. No. 158-20-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 the special use is issued solely to the applicant NA Builders, Inc., and the development is consistent with the design and layout of the plans and drawings dated April 29, 2019, including the site and landscape plans dated June 1, 2020, all prepared by Thomas Buckley Architect.

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

APPROVED AS TO SUBSTANCE

64. 31

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

APPLICANT: NA Builders Inc. **CAL NO.:** 158-20-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
June 5, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 511 S. California Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 20,000 square feet to 15,625 square feet for a proposed one and two story gas station with retail food and second floor office.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

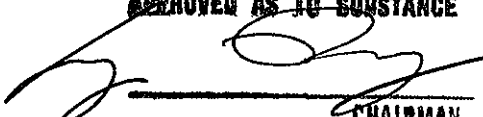
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the minimum lot area to 15,625 square feet for a proposed one and two story gas station with retail food and second floor office; a special use was also granted to the subject property in Cal. No. 157-20-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): provided the special use is issued solely to the applicant NA Builders, Inc., and the development is consistent with the design and layout of the plans and drawings dated April 29, 2019, including the site and landscape plans dated June 1, 2020, all prepared by Thomas Buckley Architect.

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: Annette Atkins dba Thiz How U Do It

Cal. No. 159-20-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:

APPEARANCE AGAINST: None

June 5, 2020

PREMISES AFFECTED: 5945 W. Madison Street

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


ACTION OF BOARD-
Continued to July 17, 2020

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

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 5, 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.

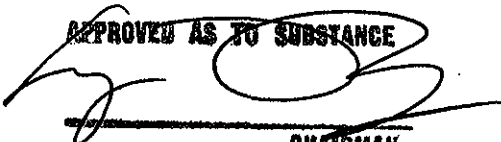
ACTION OF BOARD-
Continued to June 26, 2020.

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Nicholas Gianfortune **CAL NO.:** 161-20-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 7256 W. Palatine Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 18.93' to 15.72', combined side yard setback from 9.9' to 8.15' (west to be 4.06', east to be 4.09') for a proposed second floor addition, a rear two story addition and new front porch on the existing single family residence).

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN. 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

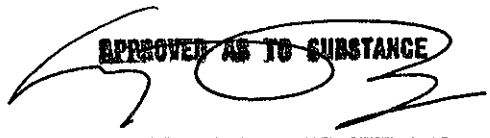
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the front setback to 15.72', combined side yard setback to 8.15' (west to be 4.06', east to be 4.09') for a proposed second floor addition, a rear two story addition and new front porch on 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: Krzysztof Granat

CAL NO.: 162-20-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3934 S. Wells Street

NATURE OF REQUEST: Application for a variation to reduce the front setback along Princeton Avenue from 14.67' to 4' and to reduce the parking setback from the front property line from 20' to 4' to prevent obstruction of the side walk by parked cars for a proposed single family residence with a detached garage.

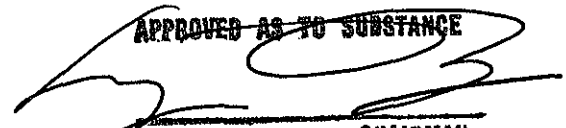
ACTION OF BOARD-
Continued to July 17, 2020

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Fade O'Clock, Inc. Cal. No. 163-20-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 3300 W. Lawrence Avenue 1E

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
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 5, 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 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: Beat the Streets - Chicago

Cal. No. 164-20-S

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5983-85 S. Archer Avenue

NATURE OF REQUEST: Application for a special use to establish an indoor physical fitness center.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
IOLENE SAUL
SAM TOIA

AFFIRMATIVE	NIGATIVE	ABSENT
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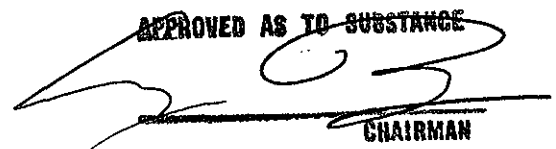
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 an indoor physical fitness center; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony 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 Beat the Streets - Chicago, and the development is consistent with the design and layout of the plans and drawings dated June 5, 2020, prepared by the applicant.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

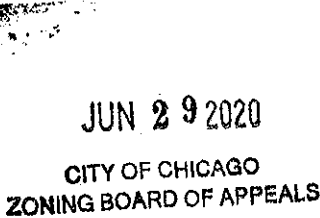
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 2401 State Street QOZB, LLC Cal. No. 165-20-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 2401 S. State Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, nineteen dwelling unit building with ground floor accessory uses, ten required parking spaces, roof top stair enclosure and elevator enclosure. This is a transit served location.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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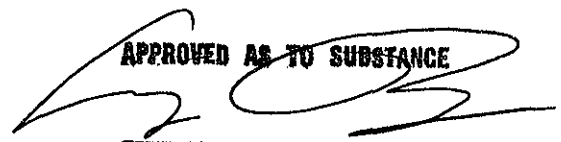
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 residential use below the second floor for a proposed four-story, nineteen dwelling unit building with ground floor accessory uses, ten required parking spaces, roof top stair enclosure and elevator enclosure. This is a transit served location; two variations were also granted to the subject property in Cal. Nos. 166-20-Z and 167-20-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 the development is consistent with the design and layout of the plans and drawings dated October 11, 2019, prepared by Built Form Architecture.

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: 2401 State Street QOZB, LLC Cal. No. 166-20-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 2401 S. State Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 2.4' for a proposed four-story, nineteen dwelling unit building with ten required parking spaces, rooftop stair enclosure and elevator enclosure. This is a transit served location.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the rear setback to 2.4' for a proposed four-story, nineteen dwelling unit building with ten required parking spaces, rooftop stair enclosure and elevator enclosure. This is a transit served location; a special use and an additional variation were also granted to the subject property in Cal. No. 165-20-S and 167-20-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: 2401 State Street QOZB, LLC Cal. No. 167-20-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 2401 S. State Street

NATURE OF REQUEST: Application for a variation to eliminate the one required loading berth for a proposed four-story, nineteen dwelling unit building with ground floor accessory uses, ten required onsite parking spaces, rooftop stair enclosures and elevator enclosures. This is a transit served location.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
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X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 permitte to eliminate the one required loading berth for a proposed four-story, nineteen dwelling unit building with ground floor accessory uses, ten required onsite parking spaces, rooftop stair enclosures and elevator enclosures. This is a transit served location; a special use and an additional variation were also granted to the subject property in Cal. No. 165-20-S and 166-20-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: 1124 W. Wilson Investors, LLC Cal. No. 168-20-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
 June 5, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1124 W. Wilson Avenue

NATURE OF REQUEST: Application for a special use to convert an existing four-story retail, office and sixty-nine single room occupancy unit mixed use building to a retail and seventy-five single room occupancy unit building with residential use on the ground floor.

**ACTION OF BOARD-
 APPLICATION APPROVED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 convert an existing four-story retail, office and sixty-nine single room occupancy unit mixed use building to a retail and seventy-five single room occupancy unit building with residential use on the ground floor; an additional special use was granted to the subject property in Cal. Nos. 169-20-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 1124 W. Wilson Investors, LLC, and the development is consistent with the design and layout of the plans and drawings dated December 19, 2019, prepared by Gansari & Associates, LLC.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN


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

APPLICANT: 1124 W. Wilson Investors, LLC Cal. No. 169-20-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 1124 W. Wilson Avenue

NATURE OF REQUEST: Application for a special use to reduce the required two parking spaces to zero for a transit served location to convert an existing retail, office an sixty-nine, single room occupancy unit building to a retail and seventy-five, single room occupancy and one dwelling unit mixed use building with residential use on the ground floor.

**ACTION OF BOARD-
 APPLICATION APPROVED**

THE VOTE


JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the required two parking spaces to zero for a transit served location to convert an existing retail, office an sixty-nine, single room occupancy unit building to a retail and seventy-five, single room occupancy and one dwelling unit mixed use building with residential use on the ground floor; an additional special use was granted to the subject property in Cal. Nos. 168-20-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 1124 W. Wilson Investors, LLC, and the development is consistent with the design and layout of the plans and drawings dated December 19, 2019, prepared by Gansari & Associates, LLC.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1147 Jackson, LLC Cal. No. 170-20-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 303-25 S. Racine Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed eight-story, seventy-two dwelling unit building with seventy-six parking spaces on the ground floor.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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X		

THE RESOLUTION:

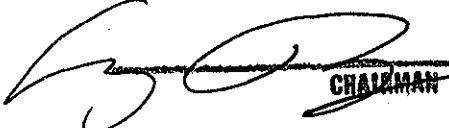
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 18, 2020; and

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 residential use below the second floor for a proposed eight-story, seventy-two dwelling unit building with seventy-six parking spaces on the ground floor; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated February 27, 2020, prepared by Sullivan, Goulette & Wilson 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: Padraic Heneghan

Cal. No. 171-20-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4805 N. Long Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story, nine dwelling unit building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 residential use below the second floor for a proposed three-story, nine dwelling unit building; a variation was also granted to the subject property in Cal. No. 172-20-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 the development is consistent with the design and layout of the plans and drawings dated January 27, 2020, prepared by MC & Associates, LLC.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Padraic Heneghan Cal. No. 172-20-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 4805 N. Long Avenue

NATURE OF REQUEST: Application for a variation to reduce the amount of transparent glass located on a pedestrian street facing facade between 4' and 10' in height from 183.6 square feet to 144 square feet for a proposed three-story, nine dwelling unit building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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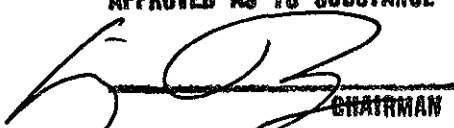
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the amount of transparent glass located on a pedestrian street facing facade between 4' and 10' in height from 183.6 square feet to 144 square feet for a proposed three-story, nine dwelling unit building; a special use was also granted to the subject property in Cal. No. 171-20-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: Lion Halsted 2, LLC
APPEARANCE FOR: Liz Butler / Paul Shadle
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3312 N. Halsted Street

Cal. No. 173-20-S

MINUTES OF MEETING:
June 5, 2020

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, seven dwelling unit building with office space and two unenclosed parking spaces. This is a transit served location.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
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 5, 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 residential use below the second floor for a proposed four-story, seven dwelling unit building with office space and two unenclosed parking spaces; a variation was also granted to the subject property in Cal. No. 174-20-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 the special use is issued solely to the applicant Lion Halsted 2, LLC, and the development is consistent with the design and layout of the plans and drawings dated November 14, 2019, prepared by Space Architects & Planners.

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: Lion Halsted 2, LLC
APPEARANCE FOR: Liz Butler / Paul Shadle
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3312 N. Halsted Street

Cal. No. 174-20-Z

MINUTES OF MEETING:
June 5, 2020

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 22' for a proposed four-story, seven dwelling unit building with office space and two unenclosed parking spaces. This is a transit served location.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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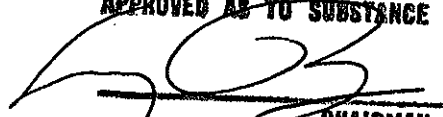
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the rear setback to 22' for a proposed four-story, seven dwelling unit building with office space and two unenclosed parking spaces. This is a transit served location; a special use was also granted to the subject property in Cal. No. 173-20-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: Green Way Resource Recovery, LLC

Cal. No. 175-20-S

APPEARANCE FOR: Danielle Cassel

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2100-36 S. Kilbourn Avenue

NATURE OF REQUEST: Application for a special use to establish a transfer station for non-hazardous municipal solid waste. Applicants existing recycling activities will continue as well as previously approved off-site parking at 2107-27 S. Kilbourn Avenue.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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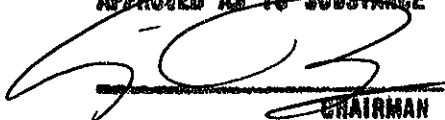
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 transfer station for non-hazardous municipal solid waste. Applicants existing recycling activities will continue as well as previously approved off-site parking at 2107-27 S. Kilbourn 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 (1) the special use is issued solely to the applicant Green Way Resource Recovery, LLC.; (2) all tipping operations and processing must take place within a completely enclosed building; (3) all storage of municipal solid waste must take place within a completely enclosed building; (4) all storage piles of construction waste, landscape waste or other materials must be screened on 3 sides by solid walls with a minimum height of 8 feet to screen storage piles from the public street and CTA right-of-way. (5) the site must be effectively screened from view by a solid fence or wall (including solid entrance and exit gates) at least 6 feet in height; and (6) must otherwise comply with the screening requirements of the Chicago Landscape Ordinance.

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: 5828 N. Lincoln, LLC Cal. No. 176-20-S
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 5824 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story, six dwelling unit building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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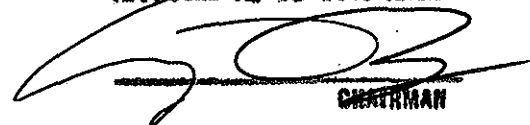
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 residential use below the second floor for a proposed three-story, six dwelling unit building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 5, 2020, prepared by Hanna Architects, Inc.

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

APPROVED AS TO SUBSTANCE

CHATHAM

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

APPLICANT: 5828 N. Lincoln, LLC*

Cal. No. 177-20-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5830 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a propose three-story, nine dwelling unit building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 residential use below the second floor for a propose three-story, nine dwelling unit building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 5, 2020, prepared by Hanna Architects, Inc.

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: Sean Sirkin Cal. No. 178-20-Z
APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 969 W. 18th Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 21'. for a proposed four-story, mixed use building with first floor office, roof top deck enclosure, rear decks and three car parking pad.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

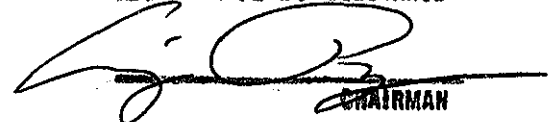
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 18, 2020; and

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 reduce the rear setback to 21' for a proposed four-story, mixed use building with first floor office, roof top deck enclosure, rear decks and three car parking pad; 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: 961 W. Montana, LLC

Cal. No. 179-20-Z

APPEARANCE FOR: Katriina McGuire

MINUTES OF MEETING:
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 963 W. Montana Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 20' on floors containing dwelling units, west setback from 2' to zero for a proposed four-story, eight dwelling unit building multi-use residence.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

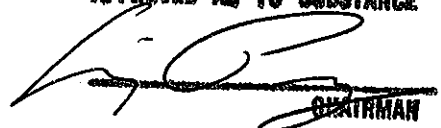
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 reduce the rear setback to 20' on floors containing dwelling units, west setback to zero for a proposed four-story, eight dwelling unit building multi-use 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: JP Morgan Chase Bank, N.A. Cal. No. 180-20-S
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
APPEARANCE AGAINST: None June 5, 2020
PREMISES AFFECTED: 5813-29 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to establish a two lane drive-up automated teller machine to serve a proposed one-story bank.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 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 two lane drive-up automated teller machine to serve a proposed one-story bank; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated May 20, 2019, including the landscape plan dated June 1, 2020, all prepared by The Architects Partnership, 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: CA Residential 3542 N. Southport, LLC Cal. No. 133-20-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:** June 5, 2020
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3542 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback to 6.69' for a proposed four-story, mixed use building with private residential roof deck and roof top elevator and stair penthouse enclosures and an attached two-car garage with roof deck from the second story.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 6.69' for a proposed four-story, mixed use building with private residential roof deck and roof top elevator and stair penthouse enclosures and an attached two-car garage with roof deck from the second story; an additional variation was granted to the subject property in Cal. No. 134-20-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: CA Residential 3542 N. Southport, LLC Cal. No. 134-20-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
June 5, 2020


APPEARANCE AGAINST: None

PREMISES AFFECTED: 3542 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to increase the height from 50' to 55' for a proposed four-story, mixed use building with private residential roof deck and roof top elevator and stair penthouse enclosures and an attached two-car garage with roof deck from the second story.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE


JUN 29 2020
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

FARZIN PARANG
 ZURICH ESPOSITO
 SYLVIA GARCIA
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

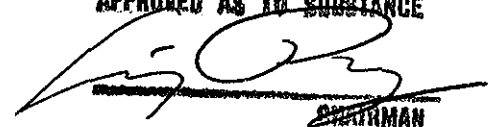
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2020; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the height to 55' for a proposed four-story, mixed use building with private residential roof deck and roof top elevator and stair penthouse enclosures and an attached two-car garage with roof deck from the second story; an additional variation was granted to the subject property in Cal. No. 133-20-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: John Downes Construction, Inc. Cal. No. 136-20-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
June 5, 2020

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3149 N. Sawyer Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback on N. Sawyer Street from the required 6.27' to zero a proposed three-story, seven dwelling unit building and a three and four car attached garages.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 29 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

FARZIN PARANG
ZURICH ESPOSITO
SYLVIA GARCIA
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

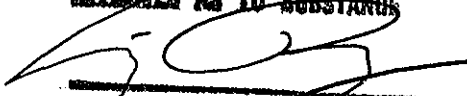
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 5, 2020 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2020; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JUL 21 2020
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Joseph Caldwell Jr.
APPLICANT

55-20-Z
CALENDAR NUMBER

901 W. 129th Place
PREMISES AFFECTED

**May 15, 2020 &
June 5, 2020**
HEARING DATES

ACTION OF BOARD

The request to reduce the front setback is denied for the reasons set forth in this decision. The request to reduce the east and west side setbacks is approved for the reasons set forth in this decision.

THE VOTE (FRONT SETBACK)

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

THE VOTE (EAST & WEST SIDE SETBACKS)

	AFFIRMATIVE	NEGATIVE	ABSENT
Farzin Parang, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zurich Esposito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sylvia Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jolene Saul	<input checked="" type="checkbox"/>	<input 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 APPLICATION FOR 901 W. 129TH
PLACE BY JOSEPH CALDWELL, JR.**

I. BACKGROUND

Joseph Caldwell, Jr. (the "Applicant") submitted a variation application for 901 W. 129th Place (the "subject property"). The subject property is currently zoned B2-3 and is improved with two detached principal residential buildings. The detached principal residential building on the north end of the subject property ("north building") predated the Applicant's ownership of the subject property. The detached principal residential building on the south end of the subject property ("south building") was erected by the Applicant without building permits and, consequently, was also erected without zoning review by the Department of Planning and Development to ensure the south building was

in compliance with the Chicago Zoning Ordinance.¹ In 2015, the City of Chicago (“City”) initiated a housing complaint against the Applicant.² In an effort to bring the subject property into compliance with the Chicago Zoning Ordinance, the Applicant first rezoned the subject property from a RS-2 zoning district to its present B2-3 zoning district.³ Second, as two principal residential buildings are not allowed on a single zoning lot⁴, the Applicant sought to connect the north and south buildings by way of a breezeway and attached garage. This would allow the Applicant to create a two-dwelling unit building on the subject property (the “proposed building”). In order to permit the proposed building as well as to erect a 6’ high solid masonry fence across the front (north) end of the property, the Applicant sought a variation to reduce: (1) the front setback from the required 15.41’ to 0’; and (2) the east side setback from 6.83’ to 0’ and the west side setback from 5’ to 0’.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held public hearings on the Applicant’s variation application at its regular meeting held on May 15, 2020⁵ and its special meeting held on June 5, 2020, after due notice thereof as provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under 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 Applicant had submitted its proposed Findings of Fact. In accordance with the ZONING BOARD OF APPEALS’ Emergency Rules (eff. March 18, 2020)⁶, the Applicant had submitted all documentary evidence. The Applicant and his land use consultant Mr. Kareem

¹ See, e.g., *1350 Lake Shore Associates v. Mazur-Berg*, 339 Ill.App.3d 618, 619 (1st Dist. 2003) (explaining that an application for a building permit under the Chicago Zoning Ordinance is simultaneously an application for a certificate of zoning compliance).

² *City of Chicago v. Joseph Caldwell, Jr., et al.*, 2015 M1 402958 (Cir. Ct. Cook County).

³ Pursuant to that certain ordinance adopted by the City Council of the City (“City Council”) on December 14, 2015, and published in the *Journal of Proceedings of the City Council* (“*Journal of Proceedings*”) for such date at page 40680. Such rezoning was necessary because the addition of the south building to the subject property violated the bulk and density standards of the RS zoning district.

⁴ Section 17-1-1300 of the Chicago Zoning Ordinance.

⁵ Note that due to the COVID-19 public health emergency, the ZONING BOARD OF APPEALS’ regular March 20, 2020 meeting had been rescheduled to the ZONING BOARD OF APPEALS’ May 15, 2020 regular meeting. Thus, all items heard at the May 15, 2020 meeting were items from the ZONING BOARD OF APPEALS’ March 20, 2020 agenda.

⁶ 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 24, 2020, and published in the *Journal of Proceedings* 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.

Mussawir were present at the May 15, 2020 hearing. The Applicant, Mr. Mussawir and the Applicant's architect Mr. Victor Drapzo were present at the June 5, 2020 hearing. The statements and testimony given during the public hearings were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules.

At the May 15, 2020 hearing, the Applicant offered testimony in support of the application.

At the May 15, 2020 hearing, the Applicant's land use consultant offered testimony in support of the application.

At the conclusion of the May 15, 2020 hearing, the ZONING BOARD OF APPEALS offered the Applicant the option of continuing the hearing until June 5, 2020, so that the Applicant could: (1) work with his architect to determine what setback reduction relief was necessary for the subject property to come into compliance with the Chicago Zoning Ordinance; and (2) articulate an argument as to how not having a 6' high solid masonry fence across the front (north) end of the subject property constituted a hardship.

At the June 5, 2020 hearing, the Applicant's architect Mr. Victor Drapzo offered testimony as to how the east and side setback reductions would allow the subject property to come into compliance with the Chicago Zoning Ordinance.

At the June 5, 2020 hearing, the Applicant stated that while he would like to have a 6' high solid masonry fence across the front (north) end of the subject property, he would be "all right" with a 5' open web wrought iron fence.

As a 5' open web wrought iron fence would be a permitted obstruction in the front setback (as it would be no more than 20% opaque)⁷, the request to reduce the front setback was therefore no longer necessary.

In response to questions by the ZONING BOARD OF APPEALS at the June 5, 2020 hearing, the Applicant stated he was willing to therefore withdraw the request to reduce front setback.

However, as Mr. Drapzo was unsure if the front setback request might be necessary to permit the breezeway, the Applicant did not withdraw the request to reduce the front setback at the June 5, 2020 hearing.

III. FINDINGS OF FACT.

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

⁷ Section 17-17-0309 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.*

Front Setback

As the required front setback for the subject property is 15.41' and as the breezeway is set 29' 7" back from the front property line, the breezeway is not in the required front setback. Further, the Applicant articulated no hardship or difficulty with respect to the subject property that would require a 6' high solid masonry fence and, in fact, conceded that he would be "all right" with erecting a fence across the front (north) end of the subject property that did strictly comply with the Chicago Zoning Ordinance. Thus, strict compliance with the regulations and standards of the Chicago Zoning Ordinance with respect to the front setback would not create practical difficulties or particular hardships for the subject property.

East and West Side Setbacks

If the Applicant were forced to strictly comply with the regulations and standards of the Chicago Zoning Ordinance, the Applicant would not be able to erect the proposed building. If the Applicant cannot erect the proposed building, the Applicant would be forced to demolish the south building. Thus strict compliance with the regulations and standards of the Chicago Zoning Ordinance with respect to the east and west side setbacks would create practical difficulties or particular hardships for the subject property.

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

Front Setback

The request to reduce the front setback is so that the Applicant can erect a solid 6' high fence across the front (north) end of the subject property. As the Applicant admitted that there are no other brick fences in the area, and as the area is an established residential neighborhood, the requested variation would not protect the established character of established residential neighborhoods as required by Section 17-1-0503 of the Chicago Zoning Ordinance.

East and West Side Setbacks

The request to reduce the west and east side setbacks will allow the Applicant to erect the proposed building. The variation therefore will promote the public health, safety and general welfare pursuant to Section 17-1-0501 of the Chicago Zoning Ordinance in that it will allow the Applicant to obtain valid building permits for the south building and ensure that the south building was built to all Chicago Building Codes. The variation will preserve the overall quality of life for residents and visitors pursuant to Section 17-1-00502 by avoiding the unnecessary and potentially disruptive demolition of the south building. The variation will promote rehabilitation and reuse of older buildings pursuant to Section 17-1-0511 of the Chicago Zoning Ordinance as it will allow for the conversion of the north building from a single-family home into a two-dwelling unit building. The variation will maintain a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance for that same reason (i.e., allowing the conversion of a single-family home into a two-dwelling unit building).

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

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

Front Setback

Again, the request to reduce the front setback is solely so that the Applicant can erect a 6' high solid masonry fence at the front (north) end of the subject property. The Applicant provided no evidence that the subject property could not yield a reasonable return without said fence. In fact, the ZONING BOARD OF APPEALS notes that subject property currently has no fence across the front (north) end of the subject property.

East and West Side Setbacks

The request to reduce the east and west side setbacks is to bring the subject property into compliance with the Chicago Zoning Ordinance. If the subject property were permitted to be used only in accordance with the Chicago Zoning Ordinance, the south building would need to be torn down. The ZONING BOARD OF APPEALS find that tearing down the south building would result in the subject property not being able to realize a reasonable return as the Applicant spent much time and money into rehabilitating the subject property as his primary residence.

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

Front Setback

As set forth above, the ZONING BOARD OF APPEALS finds that there is no practical difficulty or particular hardship with respect to the front setback. To the extent that the Applicant's aesthetic desire for the subject property can be considered a practical difficulty or particular hardship, such desire is not due to unique circumstances, as most property owners desire to have an aesthetically pleasing primary residence.

East and West Side Setbacks

The practical difficulties or particular hardships in this case are due to the unique circumstances of the Applicant's original architect not obtaining building permits for the south building. This is not generally applicable to other property with new construction in the City as most new construction is built with valid building permits.

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

Front Setback

The request to reduce the front setback is solely so that the Applicant can erect a 6' high solid masonry fence across the front (north) end of the subject property. As Applicant testified that there were no other masonry fences in the area, the request – if granted – would alter the essential character of the neighborhood.

East and West Side Setbacks

The request to reduce the east and side setbacks will not alter the essential character from the neighborhood. The variation will allow for the construction of the breezeway and the attached garage, both of which are located in the middle of the subject property and thus will have little (if any) impact on the streetscape.

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

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

Front Setback

There is nothing about the particular surroundings, shape or topographical condition of the subject property that would result in particular hardship upon the Applicant with respect to the front setback. The ZONING BOARD OF APPEALS finds that the Applicant's inability to erect a 6' high solid masonry fence across the front (north) end of the subject property is, at most, a mere inconvenience, especially as the Applicant conceded that he would be "all right" with an open web wrought iron fence that complied with the Chicago Zoning Ordinance.

East and West Side Setbacks

The particular topographical condition – that is, the existence of the south building – of the subject property results in a particular hardship to the Applicant if the strict letter of the regulations were carried out. After all, if the request to reduce the east and west side setbacks were not granted, the Applicant would be required to tear down the south building. The ZONING BOARD OF APPEALS finds that tearing down the south building is more than a mere inconvenience.

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

Front Setback

The request to reduce the front setback is so that the Applicant can erect what he considers to be an aesthetically pleasing fence. Such a condition is applicable, generally, to other property used as a primary residence as most homeowners desire their property to be aesthetically pleasing to them.

East and West Side Setbacks

The request to reduce the east and west side setbacks is so that the Applicant can bring the subject property into compliance with the Chicago Zoning Ordinance. This is not a condition, generally, applicable to other property in the B2-3 zoning classification as most other property in the B2-3 zoning classification (as well as all other City zoning classifications) is in compliance with the Chicago Zoning Ordinance.

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

Front Setback

The request to reduce the front setback is so that the Applicant can erect what he considers to be an aesthetically pleasing fence. Therefore, the purpose of the request is not based exclusively upon a desire to make more money out of the subject property.

East and West Side Setbacks

The request to reduce the east and west side setbacks is so that the proposed building may be erected and the subject property itself may come into compliance with the Chicago Zoning Ordinance. Therefore, the purpose of the request is not based exclusively upon a desire to make more money out of the subject property but is instead to allow the Applicant to finish the rehabilitation to the subject property and allow him to make the subject property the primary residence for himself and his brother.

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

Front Setback

As set forth above, the ZONING BOARD OF APPEALS does not find the inability to erect a 6' high solid masonry fence across the front (north) end of the property to be practical difficulty or particular hardship. To the extent it can be considered a practical difficulty or particular hardship, it has been created by the Applicant as it is merely the Applicant's desire for the fence that would cause any practical difficulty or particular hardship.

East and West Side Setbacks

The request to reduce the east and west side setbacks is so that the Applicant can legalize the existing condition of the south building, erect the proposed building and bring the subject property into compliance with the Chicago Zoning Ordinance. While the Applicant did own the subject property while the south building was being erected, he relied upon his original architect to build plans that complied with the Chicago Zoning Ordinance. He also relied upon his original architect to obtain building permits. Thus, the existing condition of the south building has not been created by the Applicant.

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.*

Front Setback

It is up to the Applicant to prove his case. The Applicant provided no evidence that a 6' high solid masonry fence across the front (north) end of the subject property would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

East and West Side Setbacks

Granting the request to reduce the east and west sides setbacks will not be detrimental to the public welfare or injurious to other property in the neighborhood. On the contrary, granting the request to reduce the east and west side setbacks will allow the Applicant to obtain valid building permits for the development on the subject property. Valid building permits will ensure that the south building was constructed safely and in such a manner that it will not harm adjacent improvements.

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

Front Setback

It is up to the Applicant to prove his case. The Applicant provided no evidence that such a drastic change to the streetscape – that is, a solid 6' high masonry fence across the front (north) end of the subject property in a residential neighborhood with no precedence of brick fences, let alone 6' high ones – would not substantially diminish or impair property values in the neighborhood. However, a solid 6' high masonry fence across the front (north) end of the subject property would not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger or fire or endanger the public safety.

East and West Side Setbacks

The request to reduce the east and west side setbacks will allow the Applicant to erect the proposed building. From the site plans, it is clear that the proposed building will not impair and adequate supply of light and air to adjacent property.

As the proposed building will contain an attached garage, the request to reduce the east and west side setbacks will not substantially increase congestion in the public streets. Since the proposed building will not be erected unless and until a valid building permit is obtained, the request to reduce the east and west side setbacks will not increase the danger of fire or endanger the public safety. As the proposed building will have little impact on the streetscape, the request to reduce the east and west side setbacks will not substantially diminish or impair property values in the neighborhood.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not proved his case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance with respect to the request to reduce the front setback.

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved his 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 with respect to the request to reduce the east and west side setbacks.

The ZONING BOARD OF APPEALS hereby denies the Applicant's request to reduce the front setback of the subject property from 15.41' to 0'.

The ZONING BOARD OF APPEALS hereby approves the Applicant's request to reduce the east and west side setbacks, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-1105 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said variation subject to the following condition:

1. Development shall be consistent with the plans and drawings submitted to the ZONING BOARD OF APPEALS, with the exception of the fence across the front (north) end of the subject property, which fence the ZONING BOARD OF APPEALS has denied by denying the request to reduce the front setback.

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