

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

APPLICANT: Fidel Villanueva **CAL NO.:** 281-21-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5455 N. Lieb Avenue

NATURE OF REQUEST: Application for a variation to reduce the south side setback from the required 4' to 0.16", (north to be 0.25'), combined side yard setback from 9' to 0.41', rear setback from 35' to 2.12' for a proposed shed, rear deck, covered patio and detached garage with a habitable second floor to serve the existing two-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the south side setback to 0.16", (north to be 0.25'), combined side yard setback to 0.41', rear setback to 2.12' for a proposed shed, rear deck, covered patio and detached garage with a habitable second floor to serve the existing two-story, single family residence; an additional variation was granted to the subject property in Cal. No. 282-21-Z the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Fidel Villanueva **CAL NO.:** 282-21-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5455 N. Lieb Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 400 square feet to zero for a proposed shed, rear covered patio, and detached garage with a habitable second floor to serve the existing two-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to zero for a proposed shed, rear covered patio, and detached garage with a habitable second floor to serve the existing two-story, single family residence; an additional variation was granted to the subject property in Cal. No. 281-21-Z the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Daniel and Tara Kelly **CAL NO.:** 283-21-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 16, 2021
PREMISES AFFECTED: 7337 W. Rascher Avenue

NATURE OF REQUEST: Application for a variation to reduce the combined side setback from the required 13.5' to 9.63' for a proposed one-story, west/rear addition with an attached one-car garage, one story rear addition and rear concrete patio for the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the combined side setback to 9.63' for a proposed one-story, west/rear addition with an attached one-car garage, one story rear addition and rear concrete patio for the existing single-family residence; an additional variation was granted to the subject property in Cal. No. 284-21-Z the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Daniel and Tara Kelly **CAL NO.:** 284-21-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 7337 W. Rascher Avenue

NATURE OF REQUEST: Application for a variation to reduce the required parking from two spaces to one for a proposed one-story west/rear addition with an attached one-car garage, one-story rear addition and a rear concrete patio for the existing single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the required parking to one for a proposed one-story west/rear addition with an attached one-car garage, one-story rear addition and a rear concrete patio for the existing single-family residence; an additional variation was granted to the subject property in Cal. No. 283-21-Z the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Tyffanni Bickhem, Exotic Beauty Spa, Inc. **CAL NO.:** 285-21-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2439 W. Lithuania Plaza

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

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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: Charmaine Hair Care Cal. No.286-21-S

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:** July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8256 S. Halsted Street

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; 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/hair salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



SEP 20 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Garfields Beverage Warehouse OT LLC

APPLICANT

287-21-S

CALENDAR NUMBER

1437 N. Wells Street

PREMISES AFFECTED

July 16, 2021

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the conditions set forth in this decision.

AFFIRMATIVE NEGATIVE RECUSED

Timothy Knudsen,
Chairman
Zurich Esposito
Brian Sanchez
Jolene Saul
Sam Toia

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1437 N.
WELLS STREET BY GARFIELDS BEVERAGE WAREHOUSE OT LLC.**

I. BACKGROUND

Garfields Beverage Warehouse OT LLC (the "Applicant") submitted a special use application for 1437 N. Wells Street (the "subject property"). The Applicant is a single purpose entity for the Garfield's Beverage chain of liquor stores ("Garfield's Beverage"). Garfield's Beverage was founded in 1951 and operates eight (8) locations in the Chicagoland area. Three of these locations are located in the City of Chicago (the "City"). The subject property is currently zoned B3-5 and is improved with a six-story, multi-use building (the "building"). Garfield's Beverage proposed to establish a fourth City location on the subject property. The Applicant therefore sought a special use to establish a liquor store in the building's ground floor retail space. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator") recommended approval of the proposed special use provided that: (1) it was issued solely to the Applicant; and (2) development was consistent with the design and layout of the plans and drawings dated February 21, 2020, prepared by NORR.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing¹ on the Applicant's special use application at its regular meeting on July 16, 2021, 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 Tribune*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. June 26, 2020), the Applicant had submitted its proposed Findings of Facts. The Applicant's managing member Mr. David Garfield and the Applicant's attorney Mr. Rolando Acosta were present. The Applicant's MAI certified real estate appraiser Mr. Peter Poulos was present. A representative from the Old Town Merchant and Residents Association Mr. Peter O'Brien was present and in support of the application. Ms. Amy Keller, Mr. Jeremiah Posedel, Mr. Sean Sullivan, Ms. Lauren Silvers, Mr. Keith Stolte, Ms. Kristen Field and Mr. Alan Artner (collectively, the "Objectors") were present and in opposition to the application. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. March 22, 2021)².

The Applicant's attorney Mr. Rolando Acosta provided a brief overview of the application and the nature of the relief sought.

The Applicant offered the testimony of its managing member Mr. David Garfield in support of its application.

The Applicant offered the testimony of its MAI certified real estate appraiser Mr. Peter Poulos in support of its application.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Poulos and Mr. Garfield offered further testimony.

Ms. Amy Keller, of 172 W. Burton Place, offered testimony in opposition to the application.

Mr. Jeremiah Posedel, also of 172 W. Burton Place, offered testimony in opposition to the application.

Mr. Sean Sullivan, of 166 W. Burton Place, offered testimony in opposition to the application.

Ms. Lauren Silvers, of 155 W. Burton Place, offered testimony in opposition to the application.

Mr. Keith Stolte, of 155 W. Burton Place, offered testimony in opposition to the application.

Ms. Kristen Field, of 152 W. Burton Place, offered testimony in opposition to the application.

¹ In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

² Such Emergency Rules were issued by the Chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers set forth in the Rules of Procedure.

A representative from the Old Town Merchant and Residents Association³ Mr. Peter O'Brien offered testimony in support of the application.

Mr. Stolte and Mr. Posedel were then granted leave to cross-examine Mr. O'Brien.

In response to their questions, Mr. O'Brien provided further testimony.

In response to further questions from Mr. Posedel, Mr. Poulos provided further testimony.

Mr. Alan Artner, of 161 W. Burton Place, offered testimony in opposition to the application.

Ms. Keller was then granted leave to cross-examine Mr. Garfield and Mr. Poulos.

In response to her questions, Mr. Garfield and Mr. Poulos provided further testimony.

Mr. Acosta then made a closing statement.

B. Criteria for a Special Use

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

III. FINDINGS OF FACT

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

³ The ZONING BOARD OF APPEALS takes judicial notice of the fact that the Old Town Merchant and Residents Association is the contract servicer for Special Service Area No. 48 (Old Town). Special Service Area No. 48 (Old Town) (the "SSA") was established pursuant to ordinances adopted by the City Council of the City of Chicago ("City Council") on December 2, 2009, and published in the *Journal of Proceedings of the City Council* ("*Journal of Proceedings*") for such date at pages 80448 through 80531, and on November 14, 2018, and published in the *Journal of Proceedings* for such date at pages 90651 through 90674. However, the ZONING BOARD OF APPEALS does not find any of the testimony with respect to the SSA to be particularly relevant to the proposed special use.

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

The ZONING BOARD OF APPEALS finds that the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance. The subject property is located in a B3-5 zoning district. The Applicant's proposed liquor store is a special use in a B3-5 zoning district.⁴ The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards (i.e., bulk, density, parking, use, etc.) of the Chicago Zoning Ordinance.

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

The ZONING BOARD OF APPEALS finds that the proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.

The proposed special use is in the interest of public convenience because it will provide the neighborhood with a high-end craft beer and spirits store. The Old Town neighborhood (in which the subject property is located) is filled with high density, multi-unit buildings that would benefit from another high-end craft beer and spirits store in the area. Currently, as Mr. Garfield testified, there is not a packaged liquor store in the area that offers neighborhood residents the selection and knowledge of high-end craft, micro and small batch private label liquor that Garfield's Beverage does. Further, local restaurants with BYOB licenses (such as Old Jerusalem) would also benefit.

The ZONING BOARD OF APPEALS finds that the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community. The ZONING BOARD OF APPEALS finds that whether or not a liquor store has a significant adverse impact on the general welfare of the neighborhood depends on the operation of the liquor store. It is apparent from Mr. Garfield's testimony that he and his family have vast past experience in operating well-run, high-end liquor stores in both the City and in the greater Chicagoland area. The ZONING BOARD OF APPEALS finds Mr. Garfield to be a very credible witness, and Mr. Garfield testified that Garfield's Beverage has never had any violations in selling liquor to minors, in having garbage or in having issues with the public. The Applicant will ensure there are "no loitering"

⁴ Pursuant to Section 17-3-0207-EE.1 of the Chicago Zoning Ordinance.

signs. In contrast, the ZONING BOARD OF APPEALS finds the Objectors' testimony regarding how much harm the liquor store will pose to the neighborhood to be entirely speculative. While the ZONING BOARD OF APPEALS sympathizes with the Objectors with respect to their concerns regarding violent crime, intoxication in the public way and garbage due to such public intoxication, these issues are not at all attributable to the Applicant's proposed special use. Indeed, the retail space in which the Applicant intends to establish the proposed special use is currently vacant. Nor will violent crime, robberies, intoxication in the public way and garbage due to such public intoxication become more prevalent in the neighborhood because of the proposed special use. The ZONING BOARD OF APPEALS makes this finding due to Garfield Beverage's business model. As testified by Mr. Garfield, the Applicant will post "no loitering" and "no soliciting" signs. The Applicant will not sell pints, half pints, and/or single-serve beer or any package of beer less than a four pack. The Applicant's staff will be highly trained and will contact the police if there are any issues. The Applicant will install security cameras that will be connected to the City's Office of Emergency Management and Communications ("OEMC").

To the extent that the Objectors argued that the proposed special use would negatively impact the neighborhood because it would compete with liquor stores already established in the neighborhood, the ZONING BOARD OF APPEALS rejects such argument as the control or restriction of competition is not a proper or valid zoning concern.⁵ Likewise, the ZONING BOARD OF APPEALS rejects any argument that the proposed special use will cause structural damage to nearby improvements. The proposed use will be located inside the building and any external changes to the building would be limited to signs, cameras and lighting. Internal buildout of the building would likewise be minimal.

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

The proposed special use will be located inside the existing building. The building – as can be seen from the photographs and aerials contained in the Applicant's proposed Findings of Fact – is a typical, new-construction multi-use building for the neighborhood. Wells is primarily a pedestrian-oriented commercial corridor in this area⁶ and is primarily improved with commercial buildings or mixed-use buildings with ground floor commercial use. The proposed special use will be a commercial use and will be on the ground floor. As set forth above, the proposed special use will be a complementary use to the

⁵ *Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87 (1st Dist. 1983).

⁶ The exception is – as noted in Mr. Poulos' report – the low-rise, all residential use on the west side of Wells and across the street from the subject property.

nearby residences and BYOB restaurants and therefore it will be complementary to the pedestrian-oriented commercial corridor. Thus, the proposed special use is compatible with the character of the surrounding area of site planning and building scale and project design.

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

The ZONING BOARD OF APPEALS finds that the proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation. As noted above, Wells is primarily a pedestrian-oriented commercial corridor in this area with ground floor commercial use and either commercial or residential use above. Nearby ground floor commercial establishments include restaurants, bars and Zanies Comedy Club. The Applicant's proposed hours of operation will be less intense than these commercial uses but will still be compatible. Further, due to these less intensive hours, the proposed hours will also be compatible with the area's residential use. The Applicant's outdoor lighting will be for safety only and will not contribute to any light pollution; thus, outdoor lighting will be compatible with the operating characteristics of the surrounding area. The Applicant's proposed special use will be entirely contained within the building and therefore will not generate any noise, ensuring again that it is compatible with the operating characteristics of the surrounding area.

With respect to traffic generation, the Applicant anticipates that the majority of its customers will be walk-ins (based on the high residential density of the Old Town neighborhood as well as excellent nearby public transportation). Further, and as Mr. Garfield credibly testified, the Applicant will be using the same liquor distributors as the other restaurants in the area. Thus, the Applicant's proposed use will not bring any additional delivery trucks to the area as its delivery trucks will already be in the area. Due to the narrowness of the alley, the Applicant's deliveries will be from Wells Street rather than the alley. As delivery will occur in off-hours (like other commercial establishments in the area), street delivery will not cause traffic congestion. Thus, the proposed special use is compatible with the surrounding area in terms of traffic generation.

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

The ZONING BOARD OF APPEALS finds that the proposed special use is designed to promote pedestrian safety and comfort. Ingress and egress to the proposed special use will be off of Wells Street. As can be seen from the Applicant's proposed plans, drawings and photographs provided by the Applicant, the doors to the building's commercial space are glass and are set back from the

sidewalk, ensuring that those ingressing and egressing the proposed special use will not disrupt pedestrian traffic. Pedestrian safety and comfort will be further enhanced by the Applicant's exterior security cameras and regular monitoring of the building's exterior by its staff. In addition, the aesthetics of the immediate area will be improved by the proposed special use as it will provide an attractive storefront for what is currently a vacant space.

IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be issued solely to the Applicant;
2. The special use shall be developed consistently with the design and layout of the plans and drawings February 21, 2020 prepared by NORR.

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: 
Timothy Knudsen, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 9/20, 2021.


Janine Klich-Jensen

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

APPLICANT: Starbucks Corporation dba Starbucks Coffee Company **CAL NO.:** 288-21-S

APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:** July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3800 S. Western Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE



TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Starbucks Corporation dba Starbucks Coffee Company; the development is consistent with the design and layout of the plans and drawings dated July 16, 2021, prepared by Ilekis Architects; the floor plans and elevations are finalized prior to building permit to maximize vision glass on north and east facades; and outdoor seating area is enlarged, with screening, prior to building permit.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.
 Page 8 of 49

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3798 S. Western, LLC **CAL NO.:** 289-21-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3747 S. Archer Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; 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 gas station with a one-story retail 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 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, 3798 S Western, LLC, and the development is consistent with the design and layout of the plans and drawings dated July 16, 2021, prepared by Ilekis Architects; and the floor plans and elevations are finalized prior to building permit to maximize vision glass on north, east and south facades.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Clark Estate, LLC **CAL NO.:** 290-21-S
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4645 N. Clark Street

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated July 14, 2021, prepared by Hanna Architects, Inc.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Clark Estate, LLC **CAL NO.:** 291-21-S
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4647 N. Clark Street

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated July 14, 2021, prepared by Hanna Architects, Inc.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: ~~RefugeeOne~~

CAL NO.: 292-21-S

APPEARANCE FOR: Kate Duncan

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2800 W. Peterson Avenue / 6008 N. California Avenue

NATURE OF REQUEST: Application for a special use to establish a community center with accessory offices and medical services in a proposed three-story building.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, RefugeeOne, and the development is consistent with the design and layout of the plans and drawings dated April 29, 2021, with landscape plans dated July 9, 2021, all prepared by bKL Architecture, LLC.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Berkley Insurance Company

CAL NO.: 293-21-S

APPEARANCE FOR: Kate Duncan

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 550 W. Jackson Boulevard

NATURE OF REQUEST: Application for a special use to establish an on-premise high rise sign for a commercial office building. The sign will be 265 square feet and will be located on the east elevation at 246 feet above grade. The sign will not extend beyond the roof line and will be flush mount on the wall.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; 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 on-premise high rise sign for a commercial office building. The sign will be 265 square feet and will be located on the east elevation at 246 feet above grade. The sign will not extend beyond the roof line and will be flush mount on the wall; 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 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, Berkley Insurance Company, (2) the development is consistent with the design and layout of the plans and drawings dated March 16, 2020 prepared by Poblocki Sign Company, and (3) the sign will not extend beyond the roof line and will be flush mount on the wall.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: The Black Ensemble Theater Corporation CAL NO.: 294-21-S

APPEARANCE FOR: Nicholas Ftikas MINUTES OF MEETING: July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4410 N. Clark Street

NATURE OF REQUEST: Application for a special use to establish a business live / work unit on the ground floor of a proposed four-story, twenty-six dwelling unit building.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show 'X' marks for affirmative votes.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; 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 business live / work unit on the ground floor of a proposed four-story, twenty-six dwelling unit building; a variation was also granted for the subject property in Cal. No. 295-21-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 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 March 24, 2021, prepared by 2RZ Architecture and the business live/work unit complies with Section 17-9-0103.1 of the Chicago Zoning Ordinance.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

Handwritten signature and CHAIRMAN stamp.

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

APPLICANT: The Black Ensemble Theatre Corporation **CAL NO.:** 295-21-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4410 N. Clark Street

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 10,300 square feet to 9,935 square feet for a proposed four-story, twenty-six dwelling (twenty-four units, one efficiency unit and one proposed business / live work unit) building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE


AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the minimum lot area to 9,935 square feet for a proposed four-story, twenty-six dwelling (twenty-four units, one efficiency unit and one proposed business / live work unit) building; a special use also approved for the subject property in Cal. No. 294-21-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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Thomas Heskin **CAL NO.:** 296-21-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3015 N. Olcott Avenue

NATURE OF REQUEST: Application for a variation to reduce the north setback from the required 4' to 1.38' (south to be 4.27'), combined side setback from 7.5' to 5.65' for a proposed front second story addition, rear two addition, a new relocated north and west wall and new rear deck on the existing single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north setback to 1.38' (south to be 4.27'), combined side setback to 5.65' for a proposed front second story addition, rear two addition, a new relocated north and west wall and new rear deck 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.

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

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



AUG 23 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Curative Health, LLC
APPLICANT

297-21-S & 298-21-S
CALENDAR NUMBERS

4758-4760 ½ N. Milwaukee Avenue
PREMISES AFFECTED

July 16, 2021
HEARING DATE

ACTION OF BOARD

THE VOTE

The applications are approved.

AFFIRMATIVE NEGATIVE RECUSED

Timothy R. Knudsen,
Chairman
Zurich Esposito
Brian H. Sanchez
Jolene Saul
Sam Toia

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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATIONS FOR
4758-4760 ½ N. MILWAUKEE AVENUE BY CURATIVE HEALTH, LLC.**

I. BACKGROUND

Curative Health, LLC, dba Columbia Care IL (the "Applicant") submitted two special use applications for 4758-4760 ½ N. Milwaukee Avenue (the "subject property"). The subject property is currently zoned C2-2 and is improved with a two-story and one-story commercial building (the "building"). The Applicant currently operates a medical cannabis dispensary¹ and adult use cannabis dispensary² at 4758 N. Milwaukee Avenue inside a commercial storefront on the first floor of the building. The Applicant proposed to expand operations of both its medical cannabis dispensary and its adult use cannabis dispensary into the second commercial storefront at 4760 ½ N. Milwaukee. To permit this expansion, the applicant sought a special use to expand an existing medical cannabis dispensary and a special use to expand an existing adult use cannabis dispensary.³ In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Zoning

¹ Pursuant to two special uses issued by the ZONING BOARD OF APPEALS on November 21, 2014, as Board Cal. No. 398-14-S and 396-14-S.

² Pursuant to Section 17-9-0129(2) of the Chicago Zoning Ordinance. Note, however, that pursuant to Section 17-9-0129(4), such adult use cannabis dispensary is considered a special use.

³ In accordance with Section 17-13-0910 of the Chicago Zoning Ordinance which states: "A change or increase in the area, bulk or function of any existing special use, or from those conditions specified by the Zoning Board of Appeals at the time of approval, will constitute and be deemed the same as a new special use and will require special use approval pursuant to all procedures of this section."

Administrator”) recommended approval of the proposed expansion of the existing medical cannabis dispensary and the exiting adult use cannabis dispensary provided that: (1) the special uses were issued solely to the Applicant; (2) all on-site customer queuing occurs within the building; and (3) the development was consistent with the design and layout of the plans and drawings prepared by Kluber Architects + Engineers dated January 13, 2021 with first floor plan dated September 21, 2020.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing⁴ on the Applicant’s special use applications at its regular meeting on July 16, 2021, 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 Tribune*. In accordance with the ZONING BOARD OF APPEALS’ Rules of Procedure (eff. June 26, 2020), the Applicant had submitted its proposed Findings of Facts. The Applicant’s market director for Illinois Mr. Andrew Bayly, its senior vice president Mr. Adam Goers, and its attorney Mr. Tyler Manic were present. Also present on behalf of the Applicant were its licensed architect, Mr. Joseph Villanti, its certified land planner Mr. Steve Lenet, its licensed professional traffic engineer and expert traffic consultant Mr. Luay Aboona, and its licensed MAI appraiser Mr. Andrew Lines. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS’ Rules of Procedure and its Emergency Rules (eff. September 9, 2020)⁵.

The Applicant’s attorney Mr. Tyler Manic provided an overview of the applications and the nature of the relief sought (namely, expansion, repurposing, and utilizing the adjacent vacant storefront to allow additional square footage), the Applicant had outgrown its original space within the current building.

The Applicant offered the testimony of its market director for Illinois Mr. Andrew Bayly in support of its applications.

The Applicant offered the testimony of its senior vice president Mr. Adam Goers in support of its applications.

The Applicant offered the testimony of its certified land planner Mr. Steven Lenet in support of its applications. The ZONING BOARD OF APPEALS recognized Mr. Lenet’s expertise in land planning.

The Applicant offered the testimony of its MAI certified commercial real estate appraiser Mr. Andrew Lines in support of its applications. The ZONING BOARD OF APPEALS recognized Mr. Lines’ expertise in real estate appraisal.

⁴ In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

⁵ Such Emergency Rules were issued by the Chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers set forth in the Rules of Procedure.

The Applicant offered the testimony of its licensed professional traffic engineer and expert traffic consultant Mr. Luay Aboona.

B. Criteria for a Special Use

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

Pursuant to Section 17-13-0905-G of the Chicago Zoning Ordinance, no special use for a cannabis business establishment may be approved unless the ZONING BOARD OF APPEALS finds that the applicant for such special use has held a least one community meeting in the ward in which the cannabis business establishment is proposed to be located for the purpose of explaining the proposal and soliciting comments on it. Such community meeting must be held no later than two weeks prior to the date of the anticipated special use hearing before the ZONING BOARD OF APPEALS. The applicant must notify the Chairman of the ZONING BOARD OF APPEALS and the Alderman of the ward in which the cannabis business establishment is proposed to be located, in writing of the time, place and purpose of the community meeting. The applicant must publish notice in a newspaper of general circulation within the ward and the applicant must send written notice by USPS first class mail to the property owner of the subject property and to all property owners within 250 feet of the property lines of the subject property. Such applicant shall furnish a complete list of the names and last known addresses of the persons provided with such written notice as well as a written affidavit certifying compliance with such written notice to the Chairman of the ZONING BOARD OF APPEALS on or before the public hearing is held by the ZONING BOARD OF APPEALS, in a form prescribed by the Commissioner of the Department of Planning and Development.

Pursuant to the ZONING BOARD OF APPEALS' Supplemental Rule for Cannabis Business Establishments dated June 26, 2020, Governing the Conduct of Cannabis Business Establishment Community Meetings ("Supplemental Rule"), in addition to the requirements of Section 17-13-0905-G of the Chicago Zoning Ordinance, each community meeting held on or after March 20, 2020⁶ must: (1) be comprised of at least three (3) physical sessions so that the maximum amount of persons that wish to physically attend

⁶ The date upon which the Governor of the State of Illinois issued Executive Order 2020-10 in response to the COVID-19 public health emergency. Among other things, Executive Order 2020-10 limited the amount of people that may attend public gatherings. Although Executive Order 2020-10 no longer governs the COVID-19 public health emergency, the amount of people that may attend public gatherings remains limited.

the community meeting may have the opportunity; and (2) that each session has a virtual component so that those that wish to attend and participate but do not want to physically attend can virtually attend and participate.

III. FINDINGS OF FACT

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

1. *The proposed special uses comply with all applicable standards of the Chicago Zoning Ordinance.*

As shown by Mr. Steve Lenet's report, the proposed special uses are 500' or more from a school as required by Section 17-9-0129(3) of the Chicago Zoning Ordinance. The subject property is located in a C2-2 zoning district. Both medical cannabis dispensaries and adult use cannabis dispensaries are special uses in a C2- zoning district.⁷ The Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special uses that bring it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special uses to the Applicant, the Applicant's proposed special uses therefore comply with all applicable standards of the Chicago Zoning Ordinance.

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

The proposed special uses are in the interest of the public convenience as they will allow the Applicant to increase its ability to provide retail products for which (as has been evident over the past eighteen months⁸) there is very high demand. The proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community. As Mr. Bayly testified, the proposed special uses will allow a storefront that is currently vacant to be put to productive use. Additionally, Mr. Bayly testified the proposed special uses will allow the Applicant to manage customer flow to prevent outside queuing, provide additional registers and provide separate points of ingress and egress for medical

⁷ Pursuant to Sections 17-3-0207-AAA(1) & (2) of the Chicago Zoning Ordinance.

⁸ The ZONING BOARD OF APPEALS takes judicial notice of the fact that since adult use cannabis became legal in Illinois on January 1, 2020, cannabis dispensaries have had long lines and have frequently sold out of adult use cannabis products.

patients. The ZONING BOARD OF APPEALS finds Mr. Bayly to be a very credible witness.

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

The proposed special uses will be located within an existing storefront in the building. As set forth in Mr. Bayly's testimony, the only exterior modification to be made was requested by the community and the Alderman and that is to extend the existing front façade of 4758 N. Milwaukee into the space at 4760 ½ N. Milwaukee. Additionally, the Applicant will add additional exterior lighting and trees. As testified by Mr. Goers, the proposed special uses will allow the Applicant to re-orient customers and medical patients. In particular, medical patients will have a separate ingress/egress point. Additionally, the Applicant can manage customer flow to prevent any external spillage. This change in project design will ensure that the Applicant's dispensaries remain compatible with the character of the surrounding area. The ZONING BOARD OF APPEALS notes that prior to January 1, 2020, the Applicant's customers were limited only to those persons who held medical cannabis cards. The Applicant (like all other cannabis dispensaries in Illinois) could not sell cannabis to the general public. Thus, while customer ingress and egress was entirely appropriate for the Applicant's limited customer base prior to January 1, 2020, such customer ingress and egress became problematic after January 1, 2020.

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

The Applicant has operated a medical cannabis dispensary in the building since January 1, 2015. It has operated an adult use cannabis dispensary in the building since January 1, 2020. The Applicant has operated the dispensary without any issue for more than five years. Mr. Bayly testified that the Applicant would be keeping its current hours of operations. As set forth in the Applicant's proposed Findings of Fact, the proposed expansion would (due to the increase of square footage and relocation of customer ingress and egress) alleviate any exterior queuing. Thus, the proposed special uses are compatible with the character of the surrounding neighborhood in terms of hours of operation and traffic generation. As on-site cannabis consumption is prohibited at the subject property and as all queuing will now occur inside the dispensaries, noise generation will be compatible with the character of the surrounding area. Further, as set forth in the Applicant's proposed Findings of Fact, outdoor lighting at the 4760 ½ N. Milwaukee property will remain consistent with the current outdoor lighting on

the 4758 N. Milwaukee property and such current outdoor lighting has existed for the past five years. Thus, the proposed special uses will be compatible with the character of the surrounding area in terms of outdoor lighting.

4. *The proposed special uses are designed to promote pedestrian safety and comfort.*

The expansion of the Applicant's current adult use cannabis dispensary and medical cannabis dispensary will ensure that all customer queuing will be interior. As Mr. Bayly testified, the Applicant will be expanding, repurposing, and utilizing the adjacent vacant space allowing the Applicant to establish additional ingress/egress for customers and patients, to provide additional registers, and to ensure that the queuing is inside, not outside of the premises. Thus, the proposed special uses are designed to promote pedestrian safety and comfort in that the Applicant's customers will no longer block the sidewalk on Milwaukee Avenue.

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

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

IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's applications for special uses, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special uses subject to the following conditions:

1. The special uses shall be issued solely to the Applicant;
2. All on-site customer queuing shall occur within the building;

3. The special uses shall be developed consistently with the design and layout of the floor plans dated January 13, 2021, with first floor plan dated September 21, 2020, prepared by Kluber Architects + Engineers.

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: 

Timothy Knudsen, Chairman

I, Janine Klich-Jensen, project coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.



Janine Klich-Jensen

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

APPLICANT: Allimar, LLC

Cal. No.299-21-S

APPEARANCE FOR: Sylvia Michas

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2839 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to reduce the required off street parking from six spaces to zero to renovate the existing mixed-use building. This is a transit served location and will provide sixteen bicycle spaces for a six-dwelling unit and one commercial unit building.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required off street parking to zero to renovate the existing mixed-use building. This is a transit served location and will provide sixteen bicycle spaces for a six-dwelling unit and one commercial 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 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): to reduce the required off street parking from six spaces to zero to renovate the existing building for six dwelling units, plus commercial space, with fourteen ground floor bicycle spaces, and additional storage and bicycle parking in the basement, provided the development is consistent with the design and layout of the plans and drawings dated July 13, 2021, with floor plans dated July 15, 2021, all prepared by Seek Design + Architecture.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



SEP 20 2021

CITY OF CHICAGO
ZONING BOARD OF APPEALS

10640 Property, LLC

APPLICANT

300-21-S & 301-21-Z
CALENDAR NUMBERS

10644 S. Halsted Street

PREMISES AFFECTED

July 16, 2021

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the conditions set forth in this decision. The application for the variation is approved.

Timothy Knudsen,
Chairman
Zurich Esposito
Brian Sanchez
Jolene Saul
Sam Toia

AFFIRMATIVE NEGATIVE ABSENT

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 10644 SOUTH
HALSTED STREET BY 10640 PROPERTY, LLC.**

I. BACKGROUND

10640 Property, LLC. (the "Applicant") submitted a special use application and a variation application for 10644 South Halsted Street (the "subject property"). The subject property is currently zoned B3-1 and is currently vacant. The Applicant proposed to erect a gas station (the "proposed gas station") on the subject property. In turn, the proposed gas station would be comprised of a one-story, 2,880 square foot mini mart (the "proposed mini mart) and eight gas pumps. To permit this, the Applicant sought: (1) a special use to establish the proposed gas station and (2) a variation to reduce the required minimum lot area for a gas station from 20,000 square feet to 19,855.78 square feet. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Department") recommended approval of the proposed gas station provided that: (1) the special use was issued solely to the Applicant; and (2) development was consistent with the design and layout of the plans and drawings dated July 14, 2021, prepared by BAU Design & Development.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a remote public hearing¹ on the Applicant's special use and variation applications at its regular meeting held on July 16, 2021, 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 Tribune*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure (eff. June 26, 2020), the Applicant had submitted its proposed Findings of Fact. The Applicant's manager Mr. Mohamed Mohsin and its attorney Mr. Paul Kolpak were present. The Applicant's architect Mr. Amrou Said and its land use consultant Mr. Kareem Musawwir were present. Ms. Alicia Bradley and Ms. Michelle Reynolds were present and in opposition to the applications. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure and its Emergency Rules (eff. March 22, 2021)².

The Applicant's attorney Mr. Paul Kolpak provided a brief overview of the applications.

The Applicant's manager Mr. Mohamed Mohsin offered testimony in support of the applications.

The Applicant's architect Mr. Amrou Said offered testimony in support of the applications.

The Applicant's land use consultant Mr. Kareem Musawwir offered testimony in support of the applications.

Mr. Kolpak made further statements.

Ms. Alicia Bradley, of 10645 South Emerald Avenue, offered testimony in opposition to the application.

Ms. Michelle Reynolds, of 10655 South Emerald Avenue, offered testimony in opposition to the applications.

In response to Ms. Reynolds' testimony, Mr. Mohsin offered further testimony.

In response to questions from Ms. Reynolds, Mr. Mohsin offered further testimony.

Ms. Reynolds then offered further testimony.

In response to Ms. Reynolds' testimony, Mr. Mohsin offered further testimony.

In response to questions from Ms. Reynolds, Mr. Mohsin offered further testimony.

Mr. Kolpak then provided further statements.

¹ In accordance with Section 7(e) of the Open Meetings Act, 5 ILCS 120/1 *et seq.*

² Such Emergency Rules were issued by the Chairman of the ZONING BOARD OF APPEALS in accordance with his emergency rule-making powers set forth in the Rules of Procedure.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Mohsin offered further testimony.

Ms. Reynolds then offered further testimony.

In response to Ms. Reynolds' testimony, Mr. Mohsin offered further testimony.

Mr. Kolpak made further statements.

B. Criteria for a Special Use

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

C. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions

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

III. FINDINGS OF FACT

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

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

The subject property is zoned B3-1. As a gas station is a special use in a B3-1 zoning district³, the Applicant requires a special use to establish the proposed gas station. Other than the accompanying variation, the Applicant is seeking no other relief from the Chicago Zoning Ordinance. It is only the special use and the variation that brings it before the ZONING BOARD OF APPEALS. Since the ZONING BOARD OF APPEALS has decided to grant the special use and the variation to the Applicant, the Applicant's proposed special use therefore complies with all applicable standards of the Chicago Zoning Ordinance.

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

The proposed special use is in the interest of the public convenience because it will allow the proposed gas station. As Mr. Musawwir credibly testified, the existing gas stations nearest to the subject property on the west of Halsted Street are located one mile away to the north and one and a half miles away to the south. Therefore, a gas station in this location would be convenient for the fueling needs of those in the immediate area that live west of Halsted as well as those traveling southbound on Halsted. In addition, the proposed special use will allow the construction of the proposed mini mart. The proposed mini mart will offer general produce and other items to neighborhood residents as well as those traveling southbound on Halsted. The proposed special use will also enable the Applicant to offer six full-time and six part-time positions. Taking all these

³ See Section 17-3-0207(HH) of the Chicago Zoning Ordinance.

benefits together, it is clear that the proposed special use is in the interest of the public convenience.

Further, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community. Mr. Mohsin's testimony leaves no doubt the Applicant safely and cleanly operates its gas stations. As Mr. Mohsin credibly testified, the Applicant will provide armed security for at least six hours a day and will increase those hours if business dictates. The Applicant's exterior security cameras will be linked the Chicago Police Department ("CPD"), and the Applicant has made arrangements with CPD to make loitering arrests based on that exterior security camera feed (i.e., the Applicant does not need to call CPD for arrests). The ZONING BOARD OF APPEALS finds it significant that the Applicant's nearby gas station at 210 W. 103rd Street has not experienced a shooting in the five (5) years the Applicant has owned it. The Applicant will close the existing curb cuts on 107th Street so that traffic will be directed to the commercial street of Halsted and away from the residential areas along 107th Street. The Applicant will also be a good neighbor to the community as evidenced by Mr. Mohsin's testimony regarding the fundraisers the Applicant either participates in or hosts as well as Mr. Mohsin's testimony that he will make himself available for community input.

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

As stated in Mr. Musawwir's report, the proposed mini mart will be one-story and will be surrounded by one- and two-story mixed-use buildings. As stated above, the existing curb cuts on 107th Street will be closed in order to direct traffic onto commercial Halsted Street and away from the residential areas on 107th Street. The subject property is currently a vacant lot. The subject property's use as a gas station is more productive and will be compatible with the surrounding retail uses in the area, particularly with the gas station directly east of the subject property, across Halsted Street. Thus, the proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.

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

As Mr. Mohsin credibly testified, the proposed special use will operate twenty-four (24) hours per day which is in line with the operating hours of the other gas stations in the area. From a comparison of plans for the proposed gas station and the photographs of the area, it is apparent that the outdoor lighting emanating from the gas pump area and the proposed mini mart will not be directed toward

the residential properties to the west of the subject property (i.e., across the alley). Mr. Mohsin has credibly testified that the Applicant intends to prevent disturbances from loitering by incorporating cameras, coordinating with law enforcement and hiring security. Thus, the proposed special use is compatible with the characteristics of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.

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

As stated in Mr. Musawwir's report, the subject property will provide landscaping, fencing, lighting and driveway sightlines that are designed to promote pedestrian safety and comfort. Further, the existing curb cuts along 107th Street will be closed. This will provide an uninterrupted pedestrian path along 107th Street (which, as previously mentioned, is a residential street at this location).

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

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

Strict compliance with the Chicago Zoning Ordinance would prevent the Applicant from establishing the proposed gas station at the subject property. Though the subject property could physically support a gas station use, the subject property is a mere 144.22 square feet short of the 20,000 square foot minimum lot area required by the Chicago Zoning Ordinance. As Mr. Mohsin testified, the Applicant owns four gas stations in Chicago. As such, the Applicant's plan for the subject property is specifically to establish and operate a gas station. Without the variation, the Applicant would be unable to develop the subject property, which is currently vacant and underutilized, into a productive gas station and mini mart that would benefit the surrounding area. The ZONING BOARD OF APPEALS finds that such continued underutilization constitutes a particular hardship for the subject property.

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

The requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance, specifically by: (1) preserving the overall quality of life for residents and visitors pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance by providing a nearby option for fueling west of Halsted Street,

as well as by offering general produce to the surrounding neighborhood; (2) protecting the character of established residential neighborhoods pursuant to Section 17-1-0503 of the Chicago Zoning Ordinance by closing existing curb cuts along 107th Street thereby directing traffic toward commercial Halsted Street and away from the residential neighborhood on 107th Street; and (3) maintaining economically vibrant as well as attractive business and commercial areas pursuant to Section 17-1-0504 of the Chicago Zoning Ordinance by activating a vacant parcel and replacing it with the proposed gas station.

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

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

Without the variation, the Applicant cannot establish the proposed gas station on the subject property. As the Applicant operates four gas stations in Chicago, it is clear that the Applicant's sole plan for the subject property is to construct and operate the proposed gas station. If the subject property is permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance, the Applicant will not be able to utilize the subject property at all and the subject property will not yield any return for the Applicant. Instead, it would remain vacant and underutilized.

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

The Chicago Zoning Ordinance requires 20,000 square feet minimum lot area to establish a gas station. As stated in the Applicant's proposed Findings of Fact, it is difficult to find an available parcel of land with 20,000 square feet located in a developed area. Consequently, it is difficult to locate a gas station within a developed area. As Mr. Musawwir credibly testified, the other gas station in the area is on a minimal lot size and that gas station, taken together with the proposed gas station, would equal what would normally be found on a one-acre lot gas station. The subject property is short of the minimum lot area requirement by a mere 144.22 square feet. The ZONING BOARD OF APPEALS finds that the subject property's size, which fails to meet the minimum lot area requirement by a slim margin, is a particular hardship that is not generally applicable to other property upon which a gas station may be located.

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

As Mr. Musawwir credibly testified, there is a nearby gas station east of Halsted Street that is located on a relatively small lot. As such, the addition of the

proposed gas station on the west side of Halsted is similar and will not alter the essential character of the neighborhood. Further, the curb cuts along 107th Street will be closed thereby directing traffic away from the residential portions of 107th Street and toward the more commercial Halsted Street. From the photographs of the area, it is clear that there are many commercial uses nearby, including the strip mall adjacent to the subject property and the Save-A-Lot located directly south across 107th Street. The ZONING BOARD OF APPEALS finds that the subject property's use as a gas station would not alter the essential character of the neighborhood. Instead, it would be compatible with the immediate area.

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

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

The particular shape of the subject property - that is, its size - would result in a particular hardship upon the property owner if the strict letter of the Chicago Zoning Ordinance were carried out. The size of the subject property is deficient by only 144.22 square feet of the minimum required lot area for a gas station. Without the variation the Applicant would be unable to establish the proposed gas station, and the Applicant would be unable to realize any return on the subject property. The ZONING BOARD OF APPEALS finds that this constitutes a particular hardship and not a mere inconvenience for the Applicant.

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

Not all property located in B3-1 districts are 144.22 square feet short of the minimum required lot area for a gas station. Therefore, the ZONING BOARD OF APPEALS finds that the practical difficulty here is not generally applicable to other B3-1 property.

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

The purpose of the variation is not based upon a desire to make more money out of the subject property but rather to establish and operate the proposed gas station on the subject property. The Applicant is unable to realize any return on the subject property without the variation. As set forth in the Applicant's findings of Fact, the variation is necessary for the establishment and operation of the proposed gas station.

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

The Applicant did not cause the subject property to be 144.22 square feet short of the minimum required lot area for the establishment of a gas station.

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

The variation allows the establishment of the proposed gas station and the proposed mini mart. The proposed gas station and the proposed mini mart are compatible with the surrounding commercial uses and are an improvement over the subject property's current vacant condition. Additionally, and as Mr. Mohsin credibly testified, the Applicant will utilize various procedures to maintain a safe environment, including security, exterior cameras and coordination with the Chicago Police Department.

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

The subject property is bordered by 107th Street to the south, Halsted Street to the east, a strip mall to the north and a public alley to the west. The mini mart will only be one-story and will not impair light and air to the residential properties across the alley. The variation will not substantially increase congestion in the public streets as the existing curb cuts will be closed in order to direct traffic away from the residential properties along 107th Street. As can be seen from the plans, the subject property will be supported by six off-street parking spaces. The proposed gas station will not be built unless and until the Applicant receives all necessary permits, and thus the variation will not increase the danger of fire or endanger the public safety. Further, as Mr. Mohsin credibly testified the proposed gas station will have security and exterior cameras that are linked to the Chicago Police Department. Thus, the public safety will not be endangered. As the variation will allow the Applicant to activate a vacant and underutilized lot and replace it with the proposed gas station and the proposed mini mart, the variation will not substantially diminish or impair property values within the neighborhood.

IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be issued solely to Applicant; and
2. Development shall be consistent with the design and layout of the plans and drawings dated July 14, 2021, prepared by BAU Design & Development.

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

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

APPROVED AS TO SUBSTANCE

By: 
Timothy Knudsen, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the mail on 9/20, 2021.


Janine Klich-Jensen

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

APPLICANT: Lakeside Bank, an Illinois Banking Corporation **CAL. NO.:** 302-21-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2800 N. Ashland Avenue

NATURE OF REQUEST: Application for a special use to establish a drive through facility to serve an existing bank that is being increased to accommodate proposed parking.

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 2140 Rockwell, LLC

CAL. NO.: 303-21-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2140 N. Rockwell Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback on floors containing dwelling units from the required 30' to zero for a proposed four-story, four dwelling unit building with an attached four-car garage with roof deck.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Angel Aguilar

CAL. NO.: 304-21-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4901 W. Deming Place

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 18.29' to zero, east side setback from 2' to 1.26' (west to be 3.02'), combined side yard setback from 5' to 4.28' for a proposed rear addition, a second story addition and front steps over 6' in height for the existing two-story single-family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to zero, east side setback to 1.26' (west to be 3.02'), combined side yard setback to 4.28' for a proposed rear addition, a second story addition and front steps over 6' in height for the existing two-story single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Community United Development Group, LLC East Side Bank & **CAL. NO.:** 305-21-S
Trust Company as Trustee under Trust Agreement dated 01/11/00 known as Trust #4295

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6700 S. Halsted Street

NATURE OF REQUEST: Application for a special use to establish a gas station.

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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: Community United Development Group, LLC East Side Bank & CAL. NO.: 306-21-S
Trust Company as Trustee under Trust Agreement dated 01/11/00 known as Trust #4295

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6700 S. Halsted Street

NATURE OF REQUEST: Application for a variation to reduce the minimum required lot area from 20,000 square feet to 15,299 square feet for a proposed gas station.

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: César and Melba Cumbe

CAL. NO.: 307-21-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3059 W. Montrose Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero for a proposed two-story rear addition with parking on the ground level and residential use on the second level to an existing two-story retail and three-dwelling unit to be converted to retail and four dwelling units.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Waldo Cooney, Inc. dba Waldo Cooney's Pizza Cal. No.308-21-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2408 W. 111th Street

NATURE OF REQUEST: Application for a special use to establish a single lane drive-through to serve an existing restaurant.

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Straight Edge Barber Parlor, LLC Cal. No.309-21-S

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:** July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2899 S. Archer Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: GRO Community NFP Cal. No.310-21-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
APPEARANCE AGAINST: None July 16, 2021
PREMISES AFFECTED: 221 W. 109th Street

NATURE OF REQUEST: Application for a special use to establish a transitional residence within an existing one-story building and rear two-story building.

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Denis Halilovic & Tanya Valencia

CAL. NO.: 311-21-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1421 W. Highland Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30.8' to 0.08' for a proposed 9.33' in height metal and wood sliding gate for a two-car parking pad to serve the existing two-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE



AUG 23 2021

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 0.08' for a proposed 9.33' in height metal and wood sliding gate for a two-car parking pad to serve the existing two-story, single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Suave, Inc. dba Infiniti Bar & Grill **CAL. NO.:** 312-21-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:** July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 12717 S. Halsted Street

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license to provide live music and charging at the door for an existing facility which is located within 125' of a residential district.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to establish a public place of amusement license to provide live music and charging at the door for an existing facility which is located within 125' of a residential district; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Second Church of Christ, Scientist, Chicago **CAL. NO.:** 313-21-Z
APPEARANCE FOR: Mark Ordower **MINUTES OF MEETING:** July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2700 N. Pine Grove Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 11', north side setback from 5' to 1', rear setback from 37.5' to 15' to allow an existing church to remain with a seven- story addition for twenty-six dwelling units and thirty-one on-site parking spaces.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 11', north side setback to 1', rear setback to 15' to allow an existing church to remain with a seven- story addition for twenty-six dwelling units and thirty-one on-site parking spaces; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Sarah & Dylan Whitcher **CAL. NO.:** 314-21-Z
APPEARANCE FOR: Timothy Barton **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3326 N. Sacramento Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 507 square feet to zero for a proposed two-story addition to the front and rear buildings to be converted from a single-family residence and warehouse to two dwelling unit building.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 JOLENE SAUL
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: YC Real Estate, LLC

CAL. NO.: 315-21-Z

APPEARANCE FOR: Elizabeth Santis

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3905 S. Lake Park Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from the required 2' to zero, (south will be 5'), combined side yard setback to be 5' for a proposed two-story rear addition with raised foundation and new roof top penthouse stair enclosure addition to the existing three-story attached single-family residence with new roof deck and rear one story open deck.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

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

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: CP Developers 4642, LLC Cal. No.316-21-S
APPEARANCE FOR: Andrew Scott **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4640-48 N. Western Avenue

NATURE OF REQUEST: Application for a special use to establish a live/ work space on the ground floor of an existing four-story building with a proposed fifth story addition with retail and twenty-two dwelling units above. This is a transit served location.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; 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 live/ work space on the ground floor of an existing four-story building with a proposed fifth story addition with retail and twenty-two dwelling units above. This is a transit served location; two variations were also granted to the subject property in Cal. Nos. 317-21-Z and 318-21-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 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 13, 2021 prepared by Glascott Associates/Hirsch MPG, with ground level plan dated March 5, 2021, by Hirsch MPG Architecture + Planning and the business live/work unit complies with Section 17-9-0103.1 of the Chicago Zoning Ordinance.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: CP Developers 4642, LLC

CAL. NO.: 317-21-Z

APPEARANCE FOR: Andrew Scott

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4640-48 N. Western Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to zero for the existing four-story building with a proposed fifth story addition with retail on the ground floor and twenty-two dwelling units above. This is a transit served location.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to zero for the existing four-story building with a proposed fifth story addition with retail on the ground floor and twenty-two dwelling units above. This is a transit served location; a special use and an additional variation were also granted to the subject property in Cal. Numbers 316-21-S and 318-21-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): provided the development is consistent with the design and layout of the plans and drawings dated January 13, 2021 prepared by Glascott Associates/Hirsch MPG, with ground level plan dated March 5, 2021, by Hirsch MPG Architecture + Planning and the business live/work unit complies with Section 17-9-0103.1 of the Chicago Zoning Ordinance.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: CP Developers 4642, LLC

CAL. NO.: 318-21-Z

APPEARANCE FOR: Andrew Scott

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4640-48 N. Western Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one 10' x 25' loading berth for the existing four-story building with proposed fifth story addition with retail and twenty-two dwelling units above.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to eliminate the one 10' x 25' loading berth for the existing four-story building with proposed fifth story addition with retail and twenty-two dwelling units above; a special use and an additional variation were also granted to the subject property in Cal. Numbers 316-21-S and 317-21-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): provided the development is consistent with the design and layout of the plans and drawings dated January 13, 2021 prepared by Glascott Associates/Hirsch MPG, with ground level plan dated March 5, 2021, by Hirsch MPG Architecture + Planning and the business live/work unit complies with Section 17-9-0103.1 of the Chicago Zoning Ordinance.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 4046 Hermitage, LLC

CAL. NO.: 319-21-Z

APPEARANCE FOR: Warren Silver

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4040-48 N. Hermitage Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one required 10' x 25' loading berth to convert an existing three-story industrial building to a nineteen dwelling unit building with nineteen enclosed parking spaces.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to eliminate the one required 10' x 25' loading berth to convert an existing three-story industrial building to a nineteen dwelling unit building with nineteen enclosed parking spaces; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Pit Stop Tavern, LLC

Cal. No.320-21-S

APPEARANCE FOR: Tamara Walker

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 902 W. 119th Street

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

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

8893-0007-1-1


AUG 23 2021

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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: Renne Solano- De La O **CAL. NO.:** 321-21-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5953 S. Talman Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 11.93' to 8.4' for a proposed second floor addition with rear open deck for the existing one-story, single family residence.

ACTION OF BOARD - VARIATION GRANTED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on July 1, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 8.4' for a proposed second floor addition with rear open deck for the existing one-story, single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation s consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood, it is therefore

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

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Cicero Food Mart, Inc. Cal. No.203-21-S

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

July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2734-58 N. Cicero Avenue

NATURE OF REQUEST: Application for a special use to establish a gas station with an accessory car wash, convenience store and retail store.

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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: NRNSA* Cicero, LLC dba Dunkin Donuts Cal. No.205-21-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4649 S. Cicero Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on May 6, 2021; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, NRNSA Cicero, LLC dba Dunkin Donuts; the development is consistent with the design and layout of the plans and drawings dated July 16, 2021, prepared by Atul Karkhanis Architects; and the final Cicero Avenue and 47th Street elevations are finalized prior to issuance of building permit.

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

*Amended at Hearing

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: John Morgan

CAL. NO.: 219-21-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1912 N. Orchard Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 13.5', south side setback from 4.66' to 0.58', north side setback from 4.66' to zero, combined side yard setback from 11.65' to 0.58', rear setback from 36.74' to 0.2' for a proposed four-story, single family residence with four car oversized garage with accessory storage under the rear open terrace, basement, and roof deck.

ACTION OF BOARD - VARIATION WITHDRAWN

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Leroy Avenue, LLC dba Leroy Avenue Barbershop Cal. No.237-21-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6136 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use to expand an existing barber shop with a proposed second floor addition.

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 3, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing barber shop with a proposed second floor addition; 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 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 with issue date of March 29, 2021 prepared by Architectonic Solutions.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Raina 31st Halsted, LLC

Cal. No.246-21-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3121 S. Halsted Street

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

ACTION OF BOARD – Continued to September 17, 2021

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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: Sea Craft, LLC Cal. No.275-21-S

APPEARANCE FOR: Nick Standiford **MINUTES OF MEETING:**
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 9933 S. Cottage Grove Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
JOLENE SAUL
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 3, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a cannabis craft grower facility; two additional special uses were approved for the subject property in Cal. Numbers 276-21-S and 277-21-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 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, Sea Craft, LLC, (2) the proposed shared cannabis processing and infuser uses, as per applications 276-21-S and 277-21-S, have been approved by the Zoning Board of Appeals, (3) no retail sales, samples, or physical product displays or stock are allowed at this facility, and (4) the development is consistent with the design and layout of the plan dated July 15, 2021, prepared by AltusWorks, Inc., with floor plans prepared by Can Core Concepts/SEA Craft LLC, and the Environmental Plan dated July 15, 2021, prepared by SEA Craft LLC/ Locke Lord LLP; and (5) details on the quantitative basis for the final odor control system and components, including but not limited to the size and type of equipment, filter types/sizes, etc. are provided to the Chicago Department of Public Health for final review and approval.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sea Craft, LLC Cal. No.276-21-S

APPEARANCE FOR: Nick Standiford **MINUTES OF MEETING:**
July 16, 2021

APPEARANCE AGAINST: None

PREMISES AFFECTED: 9933 S. Cottage Grove Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
CITY OF CHICAGO
ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
ZURICH ESPOSITO
BRIAN H. SANCHEZ
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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 3, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a cannabis processor facility; two additional special uses were approved for the subject property in Cal. Numbers 275-21-S and 277-21-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 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, Sea Craft, LLC, (2) the proposed shared cannabis processing and infuser uses, as per applications 276-21-S and 277-21-S, have been approved by the Zoning Board of Appeals, (3) no retail sales, samples, or physical product displays or stock are allowed at this facility, and (4) the development is consistent with the design and layout of the plan dated July 15, 2021, prepared by AltusWorks, Inc., with floor plans prepared by Can Core Concepts/SEA Craft LLC, and the Environmental Plan dated July 15, 2021, prepared by SEA Craft LLC/ Locke Lord LLP; and (5) details on the quantitative basis for the final odor control system and components, including but not limited to the size and type of equipment, filter types/sizes, etc. are provided to the Chicago Department of Public Health for final review and approval.

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

I, Janine Klich-Jensen, Project Coordinator for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail at 121 North LaSalle Street, Chicago, IL on 8/23, 2021.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sea Craft, LLC Cal. No.277-21-S
APPEARANCE FOR: Nick Standiford **MINUTES OF MEETING:**
July 16, 2021
APPEARANCE AGAINST: None
PREMISES AFFECTED: 9933 S. Cottage Grove Avenue

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

ACTION OF BOARD – APPLICATION APPROVED

THE VOTE

AUG 23 2021
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

TIMOTHY R. KNUDSEN
 ZURICH ESPOSITO
 BRIAN H. SANCHEZ
 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 July 16, 2021 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 3, 2021; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a cannabis infuser facility; two additional special uses were approved for the subject property in Cal. Numbers 275-21-S and 276-21-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 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, Sea Craft, LLC, (2) the proposed shared cannabis processing and infuser uses, as per applications 276-21-S and 277-21-S, have been approved by the Zoning Board of Appeals, (3) no retail sales, samples, or physical product displays or stock are allowed at this facility, and (4) the development is consistent with the design and layout of the plan dated July 15, 2021, prepared by AltusWorks, Inc., with floor plans prepared by Can Core Concepts/SEA Craft LLC, and the Environmental Plan dated July 15, 2021, prepared by SEA Craft LLC/ Locke Lord LLP; and (5) details on the quantitative basis for the final odor control system and components, including but not limited to the size and type of equipment, filter types/sizes, etc. are provided to the Chicago Department of Public Health for final review and approval.

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CHAIRMAN