

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

**APPLICANT:** Joann Stevens **CAL NO.:** 195-16-S  
**APPEARANCE FOR:** Same **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3141 W. 71st Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a hair and nail salon.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

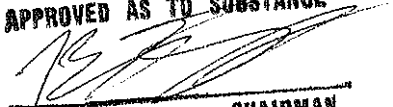
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

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

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Cornelia Lincoln Acquisitions, LLC

**CAL NO.:** 196-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

May 20, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2151-2153 W. Division Street

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of residential use below the second floor for two existing non-conforming retail and five dwelling unit buildings. To be connected with a one-story addition for a total of ten dwelling units and retail space.

**ACTION OF BOARD-**  
CASE CONTINUED TO JUNE 17, 2016

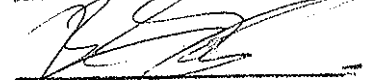
**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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:** Nigerian Islamic Association of USA **CAL NO.:** 197-16-S

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

May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 8561 S. South Chicago Avenue

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of a religious assembly facility with an accessory community center.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant has previously appeared before the Board with the same request and was granted in Cal. No.60-12-S; the applicant was unable to establish the religious assembly with an accessory community center at the time, prior to the expiration of the special use; the applicant testified that the project is still the same and would like to re-establish the previously granted special use at the subject site; the applicant shall be permitted to establish a religious assembly with an accessory community center at the subject site; an additional special use was granted to the applicant to establish off-site parking in Cal. No. 198-16-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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):The development is consistent with the design and layout in the plans dated November 12, 2015, as well as the landscape plan dated January 26, 2016, all prepared by Wallin Gomez Architects Ltd.

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

**APPROVED AS TO SUBSTANCE**

  
CHICAGO

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

**APPLICANT:** Nigerian Islamic Association of USA **CAL NO.:** 198-16-S

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

May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 8550-8572 S. South Chicago Avenue

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of a ninety-six parking space, off-site, accessory parking lot to serve a religious assembly located at 8561 S. South Chicago Avenue.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant has previously appeared before the Board with the same request and was granted in Cal. No.61-12-S; the applicant was unable to establish the off-site parking to serve the religious assembly with an accessory community center at the time, prior to the expiration of the special use; the applicant testified that the project is still the same and would like to re-establish the previously granted special use at the subject site; the applicant shall be permitted to establish a ninety-six parking space, off-site, accessory parking lot to serve a religious assembly located at 8561 S. South Chicago Avenue; an additional special use was granted to the applicant to establish a religious assembly with an accessory community center in Cal. No. 197-16-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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): The development is consistent with the design and layout in the plans dated November 12, 2015, as well as the landscape plan dated January 26, 2016, all prepared by Wallin Gomez Architects Ltd.

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

APPROVED AS TO SUBSTANCE  
*[Signature]*

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

**APPLICANT:** Elastic Arts Foundation **CAL NO.:** 199-16-Z  
**APPEARANCE FOR:** Joseph Gattuso **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None May 20, 2016  
**PREMISES AFFECTED:** 3429 W. Diversey Avenue

**NATURE OF REQUEST:** Application for a variation for the establishment of a public place of amusement license, to provide live music within a performing Arts Center which is located within 125' of a RS-3 zoning district.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
 CITY OF CHICAGO

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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X		

**THE RESOLUTION:**

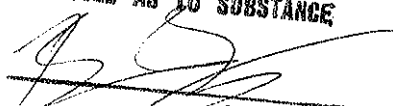
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 public place of amusement license within a performing arts center; the center is located within 125' of an RS-3 residential zoning 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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**APPROVED AS TO SUBSTANCE**  
  
 CHAIRMAN

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

**APPLICANT:** 1154 Ohio, LLC

**CAL NO.:** 200-16-S

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1903 W.Irving Park Road

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of residential use below the second floor for a proposed three-story, three dwelling unit building.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

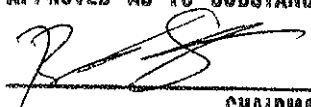
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 residential use below the second floor for a three-story, three-dwelling unit building; an additional variation was granted to the subject site in Cal. No. 201-16-Z expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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):The development is consistent with the design and layout and plans prepared by Hanna Architects, Inc. and dated March 30, 2016.

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** 1154 Ohio, LLC **CAL NO.:** 201-16-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1903 W. Irving Park Road

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 30' to 21.16' for an open stair to access a proposed roof deck on a three car garage which will serve a three-story, three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUN 22 2016  
CITY OF CHICAGO**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		
AMANDA WILLIAMS	X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.16' for an open stair to access a proposed roof deck on a three car garage which will serve a three-story, three dwelling unit building; a special use was also granted to the subject site in Cal. No. 200-13-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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

**APPROVED AS TO SUBSTANCE**  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:** Coen Construction Inc.

**CAL NO.:** 202-16-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 657 W. Melrose Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 45.67' to 20.50' for a proposed open bridge walkway to access a roof deck on the existing three-car garage which serve an existing four-story, three dwelling unit building.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF RECORDS & INFORMATION

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 20.50' for a proposed open bridge walkway to access a roof deck on the existing three-car garage which serve an existing four-story, three 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CITIZENMAN



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

**APPLICANT:** 2525 Partners, LLC

**CAL NO.:** 203-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

May 20, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2525 N. Orchard Street, 1st Floor

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of a vacation rental.

**ACTION OF BOARD-**  
CASE CONTINUED TO JULY 15, 2016

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF RECORDS AND INFORMATION

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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: 2525 Partners, LLC

CAL NO.: 204-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

May 20, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 2525 N. Orchard Street, 2nd Floor

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a vacation rental.

ACTION OF BOARD-  
CASE CONTINUED TO JULY 15, 2016

THE VOTE

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:** 2525 Partners, LLC

**CAL NO.:** 205-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

May 20, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2525 N. Orchard Street, 3rd Floor

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a vacation rental.

**ACTION OF BOARD-**  
CASE CONTINUED TO JULY 15, 2016

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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:** Bricks Properties LLC

**CAL NO.:** 206-16-Z

**APPEARANCE FOR:** Paul Kolpak

**MINUTES OF MEETING:**

May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2859 S. Hillock Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from 15.27' to 3'; the south setback from 6.32' to 2.5', the north setback from 6.32' to 2' and the combined side setback combination from 15.8' to 4.5' for a two-story single family residence with an attached garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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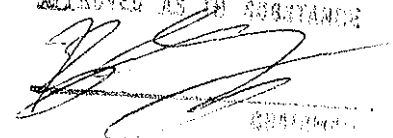
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 3'; the south setback to 2.5', the north setback to 2' and the combined side setback combination to 4.5' for a two-story single family residence with an attached garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  


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

**APPLICANT:** Courtney Connolly **CAL NO.:** 207-16-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None May 20, 2016  
**PREMISES AFFECTED:** 3443 N. Janssen Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the required rear yard setback from 33.67' to 0.06'; the north setback from 5' to 1.96' (south setback to be 6.12'), the combined side setback from 12.5' to 8.08'; the rear property line setback for enclosed parking spaces from 2.0' to 0.06' for a two-story side addition, with two open patios, a rear one and two-story addition, and attached three-car garage with roof deck and an open stair to access the roof deck.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
 CITY OF CHICAGO

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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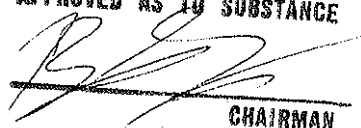
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 rear yard setback to 0.06'; the north setback to 1.96' (south setback to be 6.12'), the combined side setback to 8.08'; the rear property line setback for enclosed parking spaces to 0.06' for a two-story side addition, with two open patios, a rear one and two-story addition, and attached three-car garage with roof deck and an open stair to access the 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Lublin Development, LLC **CAL NO.:** 208-16-Z  
**APPEARANCE FOR:** Jim Griffin **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2041 W. Homer Street

**NATURE OF REQUEST:** Application for a variation for the approval to reduce the rear setback from 28' to 22' for a detached two-car garage with roof deck and an open stair to provide access to the roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22' for a detached two-car garage with roof deck and an open stair to provide access to the 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

**APPROVED AS TO SUBSTANCE**  
*[Signature]*

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

**APPLICANT:** Lublin Development, LLC **CAL NO.:** 209-16-Z  
**APPEARANCE FOR:** Jim Griffin **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2229 W. Shakespeare Avenue

**NATURE OF REQUEST:** Application for a variation the approval to reduce the rear setback from 28' to 22' for a detached two-car garage with roof deck and open stair to provide access to the roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF PLANNING AND DEVELOPMENT

BLAKESERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

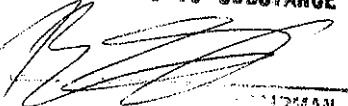
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22' for a detached two-car garage with roof deck and open stair to provide access to the 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** 6516 Higgins Corporation **CAL NO.:** 210-16-S  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:** May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6516 W. Higgins Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty/nail salon.

**ACTION OF BOARD-**  
**APPLICATION APPROVED**

**THE VOTE**

JUN 22 2016  
 CITY OF CHICAGO  
 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

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 May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN



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

**APPLICANT:** Denny Development **CAL NO.:** 211-16-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1715 W. Fletcher Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 35.04' to 2.33', the east setback from 2' to 0.17' (the west setback to be at 2'), the total combined side yard setback from 4.8' to 2.17', for a detached two-car garage with roof deck and an open stair to access the roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

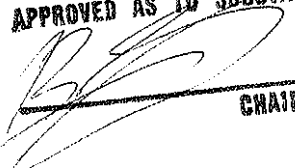
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2.33', the east setback to 0.17' (the west setback to be at 2'), the total combined side yard setback to 2.17', for a detached two-car garage with roof deck and an open stair to access the 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** FBF, LLC **CAL NO.:** 212-16-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3751 N. Oakley Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.74' to 2'; reduce the north and south setback from 2.4' each to zero and the combined side yard setback from 6', also to relocate the rear yard open space on to the roof of the detached garage with an attached open stair and landing on the south end of the garage that is more than 6' above grade to access the roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016

CITY OF CHICAGO

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

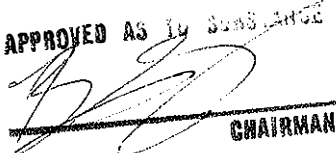
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2'; reduce the north and south setback from 2.4' each to zero and the combined side yard setback from 6', also to relocate the rear yard open space on to the roof of the detached garage with an attached open stair and landing on the south end of the garage that is more than 6' above grade to access the 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** 2232 Huron, LLC **CAL NO.:** 213-16-Z  
**APPEARANCE FOR:** Nick Ftikas **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2232 W. Huron Street

**NATURE OF REQUEST:** Application for a variation for the approval to reduce the rear setback from the required 34.05' to 22.33' for an open stair that exceeds six feet in height to access an open roof deck on the existing garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

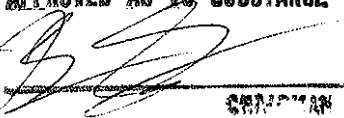
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22.33' for an open stair that exceeds six feet in height to access an open roof deck on the existing garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  


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

APPLICANT:

Old Town Ventures, LLC

CAL NO.: 214-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

May 20, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

517 N. Racine Avenue, Unit 1

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a business live/work unit, on the first floor of an existing four-story building.

ACTION OF BOARD-

CASE CONTINUED TO JULY 15, 2016

THE VOTE

JUN 22 2016

CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES

SHEILA O'GRADY

SAM TOIA

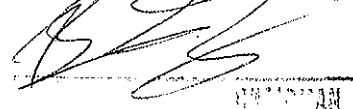
AMANDA WILLIAMS

AFFIRMATIVE      NEGATIVE      ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

3 2 3 3 3

APPROVED AS TO SUBSTANCE



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

**APPLICANT:** James Kocsis **CAL NO.:** 215-16-Z  
**APPEARANCE FOR:** William Banks **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1523 N. Elk Grove Road

**NATURE OF REQUEST:** Application for a variation to reduce the front yard setback from the required 7.56' to zero, the rear property line setback for a private garage from 2' to zero, the rear setback from 22.75' to zero, for a detached garage with an open stair and landing and to relocate the rear yard open space of 225 square feet to the roof of the garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front yard setback to zero, the rear property line setback for a private garage to zero, the rear setback to zero, for a detached garage with an open stair and landing and to relocate the rear yard open space of 225 square feet to the roof of the garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Peerless Real Estate Investments, LLC, Series 1038-40 W. Diversey **CAL NO.:** 216-16-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1038-40 West Diversey Parkway

**NATURE OF REQUEST:** Application for a variation for the approval to reduce the rear setback from the required 37.35' to 24' for two open bridges to access the roof deck on the detached six car garage that serves the existing three-story, six dwelling unit building.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 24' for two open bridges to access the roof deck on the detached six car garage that serves the existing three-story, six dwelling unit building; a variation was also granted to the subject site in Cal. No. 217-16-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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

**APPROVED AS TO SUBSTANCE**

  
CHAIRMAN

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

**APPLICANT:** Old Town Wieland, LLC **CAL NO.:** 217-16-S  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1544 N. Wieland Avenue

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of residential use below the second floor for a proposed four-story, two dwelling unit building with attached required, two-car parking on the ground floor and a small retail space.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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, two dwelling unit building with attached required, two-car parking on the ground floor and a small retail space; a variation was also granted to the subject site in Cal. No. 218-16-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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): The development is consistent with the design, layout and plans prepared by Sullivan, Goulette and Wilson Architects, and dated January 19, 2015.

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

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:** Old Town Wieland, LLC **CAL NO.:** 218-16-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1544 N. Wieland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the required rear setback from 30' to 15' for a four-story, two dwelling unit building with required two-car garage on the ground floor and a small retail space.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
 CITY OF CHICAGO  
 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 rear setback to 15' for a four-story, two dwelling unit building with required two-car garage on the ground floor and a small retail space; a special use was also granted to the subject site in Cal. No. 217-16-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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN



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

**APPLICANT:** African Queen Braids and Beauty **CAL NO.:** 219-16-S  
**APPEARANCE FOR:** Akote Balikpo **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None May 20, 2016  
**PREMISES AFFECTED:** 302 ½ E. Pershing Road

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a hair braiding shop.

**ACTION OF BOARD-**  
**APPLICATION APPROVED**

**THE VOTE**

JUN 22 2016  
 CITY OF CHICAGO

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

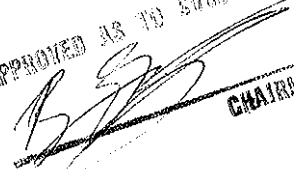
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Neda's Healing Touch Inc.

**CAL NO.:** 220-16-S

**APPEARANCE FOR:** Lawrence Lusk

**MINUTES OF MEETING:**  
May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1814 W. Belmont Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a massage establishment.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

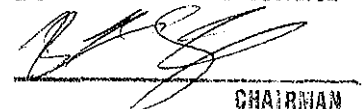
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

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

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

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

**APPROVED AS TO SUBSTANCE**

  
CHAIRMAN

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JUN 22 2016  
CITY OF CHICAGO

**WHCP-N 2050 LLC**

APPLICANT

**147-16-S, 149-16-S & 150-16-Z**  
CALENDAR NUMBERS

**2050 N Clark Street**

PREMISES AFFECTED

**May 20, 2016**

HEARING DATE

**Mariah DiGrino**

APPEARANCE FOR APPLICANT

**Gene Eydelmon & Others**

OBJECTORS

**NATURE OF REQUESTS**

Application for a special use to permit the establishment of a five story, thirty-two dwelling unit residential building with thirty-one required on-site parking spaces on the ground floor.

Application for a variation to reduce the required rear west setback from 30' to 0' for a five story, thirty-two dwelling unit residential building with parking on the ground floor.

Application for a variation to reduce the required off-street parking from thirty-four spaces to thirty-one spaces for a five story, thirty-two dwelling unit residential building with thirty-one required parking spaces on the ground floor.

**ACTION OF BOARD**

**THE VOTE**

The application for the special use is approved. The applications for the variations are approved.

	APPROVE	DENY	ABSENT
Blake Sercye, Chairmain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Ms. Mariah DiGrino, counsel for the Applicant, explained the history of the subject property and underlying nature of the relief sought; that after community

APPROVED AS TO SUBSTANCE

CHAIRMAN

feedback, the Applicant had modified the design of its proposed building (“Building”); that the Building would now only be 5 stories in height; that in consequence, the Applicant would only be providing 32 residential units and would be providing 31 on-site parking spaces; that the Applicant is a joint venture between West Highland Capital Partners and Novak Construction; and

WHEREAS, Ms. DiGrino submitted and the Board accepted the Applicant’s revised plans for the Building into the record; and

WHEREAS, Mr. Erik Sziraki testified on behalf of the Applicant; that he is the project architect for the Building; that he then testified as to the current conditions of the subject property as well as his program of development for the Building; that the program of development for the Building has been reviewed and approved by the City’s Department of Transportation (“CDOT”); and

WHEREAS, Ms. DiGrino submitted and the Board accepted the CDOT approved site plan into the record; and

WHEREAS, Mr. Vince Priest, of West Highland Capital Partners, one of the principals of the development team, testified on behalf of the Applicant; that his background is in real estate development and retail business; that he will be involved daily with project management of development of the Building; that the objective of the Applicant’s program of development of the subject property is to improve an underutilized site in such a manner that it will be compatible with the building and amenities in the neighborhood; and

WHEREAS, Ms. Karen Costantino, of Novak Construction, testified on behalf of the Applicant; that Novak Construction is not only co-owner of the subject property but will also serve as general contractor for the Building; that she conducted outreach to the neighbors with respect to the Building; that she then testified as to what this outreach entailed; and

WHEREAS, Ms. DiGrino submitted and the Board accepted into the record a summary of Ms. Costantino’s outreach activities; that Ms. DiGrino then submitted and the Board accepted into the record letters of support or non-opposition for the Building; and

WHEREAS, Mr. Paul Woznicki testified on behalf of the Applicant; that Mr. Woznicki’s credentials as an expert in land planning were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that he then testified that the subject property is both irregularly shaped and a through lot, as defined pursuant to Section 17-17-02177 of this Zoning Ordinance; that as it is a through lot, there are two frontages; that the development team has chosen to front the Building on Clark Street and have the rear of the Building on

Orleans; that this necessitates the request to reduce the rear setback – or rather the Orleans frontage – from the required 30' to 0'; and

WHEREAS, Mr. Woznicki then testified that the proposed special use: (1) complies with all standards, provided the Board grants the requests for the special use and the variations; (2) is in the interest of the public convenience as it will provide closed parking for 31 vehicles to serve the residential dwellings located on the second through fifth floors of the Building and will not have an adverse impact on the general welfare of the community as the land use in the immediate vicinity shows that 57.4% of the buildings have residential use below the second floor; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the surrounding area is characterized by residential buildings and multi-story buildings with a mix of commercial and residential uses occupying the ground floor; (4) 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 the Building will be residential so it will not have land use conflicts that would occur if there were a restaurant at grade; and (5) is designed to promote pedestrian safety and comfort as the parking will be located in the Building and vehicular access to the parking will occur via a single driveway along North Clark Street which will ensure the fewest disruptions to pedestrians; and

WHEREAS, Mr. Woznicki then testified that with respect to the variations: (1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property as the subject property is an irregularly shaped through lot and that through lots make up only 3.6% of all 800,000 lots in the City; (2) that because of the fact the subject property is an irregularly shaped through lot, strict compliance is not feasible for maintaining the utility of the proposed Building and site development; (3) that granting the variations is consistent with the stated purpose and intent of this Zoning Ordinance in that the granting of the requested variations will allow for a use of an underutilized parcel of land in a B1-3 zoning district in a manner that is compatible with the surrounding land use and development in the Lincoln Park neighborhood; (4) the practical difficulties or particular hardships of the irregular shape of the lot combined with the through lot configurations are unique circumstances and are not generally applicable to other similarly situated property; (5) the variations if granted will not alter the essential character of the neighborhood as the surrounding buildings are similar in volume, bulk and height to the proposed Building; (6) due to the particular size and shape of the subject property, the property will not accommodate the required 30' rear setback and 32 required parking spaces without significantly impacting the ability of the site development to meet the demands of the Lincoln Park area market which results in particular hardship to the Applicant, as distinguished from mere inconvenience; (7) the purpose of the variations is not based exclusively out of a desire to make more money out of the property as the Building has a 20% lower density than what is allowed by as of right on the property; (8) that the subject property as it currently exists existed prior to the Applicant taking title and therefore the Applicant did not create the circumstances giving rise to the practical difficulties; (9) that the granting of the variations will not be detrimental to the public

welfare or injurious to other property or improvements in the neighborhood; (9) the granting of the variations will not impair adequate light and air to adjacent properties, substantially increase the congestion in the public streets or increase the danger of fire or endanger the public safety; and

WHEREAS, Mr. Matthew Alle, of Alderman Michelle Smith's office, testified that the Alderman had submitted a letter of no-objection to the proposed Building; that he then read a portion of the letter into the record; and

WHEREAS, Mr. Gene Eydelmon, of 2042 N. Clark, testified in objection to the application; that he is concerned with traffic safety due to the location of the entrance to the Building's parking garage; that he is similarly concerned with fire safety; and

WHEREAS, Ms. DiGrino explained to the Board that the relief the Applicant is seeking has nothing to do with the location of the entrance to the Building's parking garage; that the Applicant is seeking relief from the rear setback requirement, a parking reduction – which by definition would reduce the volume in and out of the subject property – and the absence of ground floor commercial – which again, would generate less traffic to and from the subject property; that she does not understand the concern about fire safety as the property lines are not changing and the current improvement on the subject property actually abuts the building at 2042 N. Clark; that the Building will be built according to all fire code and building code requirements; and

WHEREAS, Mr. Sziraki further testified as to the changes made to the Building in response to community feedback; that the building at 2042 N. Clark was constructed with windows within 12' of the property line; that the Chicago Building Code mandates these windows have fire protection; that the Applicant does not believe these windows are fire protected; that part of the Applicant's program of design for the Building therefore necessitated that the Building be set back an adequate amount to allow for the windows to exist without additional fire protection; and

WHEREAS, Ms. DiGrino explained that the requested variations do not relate to traffic; that the Applicant has consulted with Luay Aboona, a well-respected traffic consultant; that he is available for questioning; and

WHEREAS, Mr. Stan Sirot, of 2042 N. Clark, testified in objection to the application; that he objects to the lack of retail on the ground floor; that the parking garage entrance is right across from a bus stop; that he is also concerned about fire safety in that it is his belief that there will be no access to the rear of 2042 N. Clark once the Building is complete; and

WHEREAS, Ms. Michelle Suhrie, of 2042 N. Clark, testified in objection to the application; that she is concerned about the summary of the community outreach as she believes it misrepresents the 2042 N. Clark condominium association's position; that she is also concerned about the Building's height, fire safety, and the lack of retail on the first floor; and

WHEREAS, Ms. Marina Sirot, of 2042 N. Clark, testified in objection to the application; that there is traffic congestion in the neighborhood; that she believes the Applicant should provide one parking space per residential unit; and

WHEREAS, in response to the concerns raised by the Objectors, Ms. DiGrino explained that under the relief the Applicant is seeking, it is by definition limiting the number of cars that will be generated by this site; the Applicant is providing 32 units as opposed to the 41 units to which the Applicant is entitled; that therefore the density of the building is much less; that the subject property is zoned B1-3; that if commercial were provided on the ground floor, there would a very different kind of parking generated as well as loading; that the Applicant is proposing a Building very much compatible with the neighborhood; and

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, 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 this Zoning Ordinance.
2. The proposed special use is in the interest of the public convenience as it will provide closed parking for 31 vehicles to serve the residential dwellings located on the second through fifth floors of the Building and will not have an adverse impact on the general welfare of the community as the land use in the immediate vicinity shows that 57.4% of the buildings have residential use below the second floor.
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 because the surrounding area is characterized by residential buildings and multi-story buildings with a mix of commercial and residential uses occupying the ground floor.
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 the Building will be residential so it will not have land use conflicts that would occur if there were a restaurant at grade.
5. The proposed special use is designed to promote pedestrian safety and comfort as the parking will be located in the Building and vehicular access to the parking will occur via a single driveway along North Clark Street which will ensure the fewest disruptions to pedestrians.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use.

WHEREAS, Section 17-13-1101-D of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit the reduction of off-street parking requirements by not more than one parking space or 20% of the applicable regulations, whichever number is greater; and

WHEREAS, Section 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit the reduction of any setback; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to approve a variation application must be based solely on the approval criteria enumerated in Section 17-13-1107-A, B and C of the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant's application for variation:

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardship as the subject property is an irregularly shaped through lot and that through lots make up only 3.6% of all 800,000 lots in the City. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance as the of granting of the requested variations will allow for a use of an underutilized parcel of land in a B1-3 zoning district in a manner that is compatible with the surrounding land use and development in the Lincoln Park neighborhood
2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance as strict compliance is not feasible for maintaining the utility of the proposed Building and site development; (2) the practical difficulty or particular hardship of the property – namely, the fact that the property is an irregularly shaped through lot– is due to unique circumstances and is not generally applicable to other similarly situated property as through lots make up only 3.6% of all 800,000 lots in the City; and (3) the variations, if granted, will not alter the essential character of the neighborhood as the homes in the neighborhood as the surrounding buildings are similar in volume, bulk and height to the proposed Building.
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the irregularly shaped through lot – would result in particular hardship upon the



Applicant if the strict letter of the regulations were carried out; (2) the conditions of the irregularly shaped through lot are not applicable, generally, to other property in the B1-3 zoning district; (3) the purpose of the variations is not based exclusively out of a desire to make more money out of the property as the Building has a 20% lower density than what is allowed by as of right on the property; (4) the hardship of the irregularly shaped through lot has not been created by the Applicant; (5) the granting of the variations will not be detrimental to public welfare or injurious to other property; 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.

RESOLVED, the Board finds that the Applicant has sufficiently established by testimony and other evidence covering the specific criteria for a variation to be granted pursuant to Sections 17-13-1107- A, B and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid variation applications are hereby approved, and the Zoning Administrator is authorized to permit said variations.

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

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JUN 22 2016  
CITY OF CHICAGO

**Golan Family Trust**

APPLICANT

**151-16-A**

CALENDAR NUMBER

**1370 N. Milwaukee Avenue**

PREMISES AFFECTED

**May 20, 2016**

HEARING DATE

**Dan Johnson**

APPEARANCE FOR APPLICANT

**Steven Valenziano**

APPEARANCE FOR ZONING ADMINISTRATOR

**NATURE OF REQUEST**

An appeal of the decision by the Office of the Zoning Administrator in refusing to permit the establishment of an off-premise advertising sign.

**ACTION OF BOARD**

**THE VOTE**

The decision of the Zoning Administrator is upheld.

UPHELD

REVERSED

ABSENT

Blake Sercye, Chair  
Sol Flores  
Sheila O'Grady  
Sam Toia  
Amanda Williams

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on May 20, 2016; and

WHEREAS, the Office of the Zoning Administrator ("Zoning Administrator") refused to permit the establishment of the Applicant's off-premise advertising sign at this location; and

WHEREAS, Mr. Barry Golin, testified in support of the appeal; that he had a picture from 1961 showing the subject sign; that the picture had been taken by a professional photographer; that he and his brother own the building on the subject property; that his parents purchased the building in 1951; that there has continually been a sign on the building since at least the 1950s; that he took over management of the subject property in

APPROVED AS TO SUBSTANCE

CHAIRMAN

1980; that as property manager, he either rented the sign directly to advertisers or to a company that wanted to rent the sign; that he has had three or four different sign companies over the years; that he has never intended to or taken any action that would indicate an intent to abandon the sign; and

WHEREAS, Mr. Steven Valenziano, Assistant Zoning Administrator, testified on behalf of the Zoning Administrator; that the picture of the sign in 1961 shows a faded, painted wall sign; that the Zoning Administrator is of the opinion that even in 1961, the sign was no longer in use and no longer existed; that furthermore, as part of the file submitted to the Zoning Administrator, there is an email from Mr. Golin to Mr. Thomas Murphy, Mr. Golin's attorney, dated May 20, 2015; in the third paragraph of the email, Mr. Golin writes, "In the end [the sign company] never performed and we had the sign taken down"; that therefore, Mr. Golin intentionally removed the sign; that additionally, there is nothing provided by Mr. Golin that shows continuous use of the sign; that this Zoning Ordinance does not allow for replacement of nonconforming signs; that once a nonconformity is intentionally removed, it cannot be replaced; and

WHEREAS, the Board inquired as to how Mr. Valenziano obtained the email; and

WHEREAS, Mr. Valenziano testified it was part of the file that was given to the Zoning Administrator; and

WHEREAS, in response to Mr. Valenziano's testimony the Board inquired of Mr. Golin's counsel how the statement "In the end [the sign company] never performed and we had the sign taken down" could be rectified with Section 17-15-0404-A of the Chicago Zoning Ordinance ("Zoning Ordinance") that states "when a structure with nonconforming elements is removed or intentionally destroyed, reestablishment of the nonconforming elements is prohibited"; and

WHEREAS, Mr. Dan Johnson, counsel for the Applicant, stated he would like to have Mr. Golin answer the question; and

WHEREAS, Mr. Golin further testified that he did not want to take the sign down; that he took the sign down at the direction of the City; that when the sign company did not perform, the City notified him that he was in violation; that since that time, he has been trying to reestablish the sign; and

WHEREAS, the Board stated that there is no intent in Section 17-15-040-A regarding the removal of the sign; that the ordinance only states, "when a structure with nonconforming elements is removed"; and

WHEREAS, Mr. Johnson stated that this was a case where the City forced the hand of Mr. Golin to either pay \$1000 a day for a grandfathered sign or remove the sign; and

WHEREAS, the Board asked Mr. Johnson on what grounds the sign had been grandfathered in; and

WHEREAS, Mr. Johnson stated he did not know; and

WHEREAS, Sections 17-13-1207 and 17-13-1208 of the Chicago Zoning Ordinance grant the Board of Appeals authority to hear and decide appeals when it is alleged there is an error in any order, requirement, decision or determination by the Zoning Administrator in the administration or enforcement of this Zoning Ordinance; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to sustain an appeal must be based solely on the approval criteria enumerated in Section 17-13-1208 of the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant's appeal:

1. The Board finds that the Applicant did remove the sign and therefore pursuant to the plain language of Section 17-15-0404-A of this Zoning Ordinance, the sign cannot be re-established.
2. The Board further finds that the Applicant did not meet its burden of persuasion that the Zoning Administrator erred as required by Section 17-13-1208.

RESOLVED, the Board hereby affirms the Zoning Administrator's decision, and the Applicant's appeal is denied.

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

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



**JUL 19 2016**  
CITY OF CHICAGO

**OOS Investments, LLC**

APPLICANT

**155-16-A**  
CALENDAR NUMBER

**768-770 N. Milwaukee Avenue**

PREMISES AFFECTED

**May 20, 2016**  
HEARING DATE

**Sanford Stein**

APPEARANCE FOR APPLICANT

**Steven Valenziano**

APPEARANCE FOR ZONING ADMINISTRATOR

**NATURE OF REQUEST**

An appeal of the decision by the Office of the Zoning Administrator in refusing to permit the establishment of an off-premise advertising sign.

**ACTION OF BOARD**

**THE VOTE**

The decision of the Zoning Administrator is reversed.

UPHELD      REVERSED      ABSENT

Blake Sercye, Chair  
Sol Flores  
Sheila O'Grady  
Sam Toia  
Amanda Williams

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

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on May 20, 2016; and

WHEREAS, the Office of the Zoning Administrator ("Zoning Administrator") refused to permit the establishment of the Applicant's off-premise advertising sign at this location; and

WHEREAS, Mr. Sanford Stein, counsel for the Applicant, explained the history of the subject sign; that the sign had been properly permitted when it was erected in 1996; that the 2004-2005 Chicago Zoning Ordinance made the sign a legal nonconforming use; that Mr. David Gevercer, the owner of the subject property, was unhappy with his contract with Clear Channel for the sign; that, however, due to the fact that the sign was a

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

legal nonconforming use, he did not believe he could cancel his lease with Clear Channel as that would require that the sign be removed; that however, in February 2012, the so-called Mell Ordinance went into effect; that the Mell Ordinance allowed a nonconforming sign to be replaced if said nonconforming sign was removed solely because of a change in sign operators; that therefore, Mr. Gervercer canceled his contract with Clear Channel; that Clear Channel removed the sign but left a portion of the sign structure; that Mr. Gervercer was confident the sign could be rebuilt by a new sign operator pursuant to the Mell Ordinance; that the new sign operator chosen by Mr. Gervercer did not actually file applications for the sign in a timely matter and did not pay its rent; that Mr. Gervercer therefore found a new sign operator; that this sign operator also had problems; that the Mell Ordinance was then repealed; and

WHEREAS, Mr. David Gervercer testified that he has owned the subject property since 1995; that in approximately February 1996, he entered into a lease with Universal Outdoor Advertising later acquired by Clear Channel to construct and maintain an off-premise advertising sign on the subject property; that this lease ran for about fifteen (15) years; that after the fifteen (15) years, it was renewed on a yearly basis; that the rent he received from Clear Channel was horribly inadequate; that he could not leave the Clear Channel lease because the sign structure belonged to Clear Channel, and as a legal nonconforming sign, if the sign were to be removed, he could not reconstruct a new sign; that in approximately February 2012, he became aware of a change to the Chicago Zoning Ordinance ("Zoning Ordinance") that allowed the reconstruction of a legal nonconforming sign if the sign was removed solely due to a change of lease holder; that this change was known as the Mell Ordinance; that due to the protection offered by the Mell Ordinance, he entered into a more lucrative lease with National Sign Company; that Clear Channel subsequently removed its sign except for a small portion that could be used to rebuild a sign; that it was his intention at all times to reconstruct a new sign on the property pursuant to the Mell Ordinance; that it was never his intent to abandon the sign; that nevertheless, the deal with National Sign Company fell apart as two (2) of their rent checks bounced; that then he engaged in discussions with the Van Wagner Sign Company; that Van Wagner Sign Company pulled out the deal; that in May 2014, he entered an agreement with the Applicant; that since that time, he has engaged in meetings with both Alderman Burnett's office and the Neighbors of River West neighborhood association; that Alderman Burnett supports the sign; that the Neighbors of River West had no objection to the restoration of the sign; and

WHEREAS, Mr. Jim Neumann testified on behalf of the Applicant; that the Applicant is a billboard operating company; that the Applicant has much experience in the sign business; that he learned of Mr. Gervercer's situation and agreed to reconstruct the sign at Mr. Gervercer's property; and

WHEREAS, Mr. Chris Ryan testified in support of the application; that he owns the property at 551 N. Ogden Avenue; and

WHEREAS, Mr. Sam Martonia testified in support of the application; that he is the President of Neighbors of River West; that he had a letter of support from Alderman Burnett; that he then read Alderman Burnett's letter into the record; and

WHEREAS, Mr. Stein then entered into the record several Illinois cases on the issue of abandonment; and

WHEREAS, in response to questions by the Board, Mr. Neumann further testified that the foundation of the previous sign is still on the subject property; that the sign actually sticks up about three-and-a-half (3½) feet from the ground; that the structure is therefore still there; that it is just a matter of piecing the sign back together; and

WHEREAS, Mr. Steven Valenziano, Assistant Zoning Administrator, testified on behalf of the Zoning Administrator; that pursuant to 17-15-0502 of this Zoning Ordinance a nonconforming sign is a "sign that was lawfully established pursuant to a lawfully issued permit but is no longer allowed by the regulations of this Zoning Ordinance"; that the sign previously on the subject property did have a permit; that the Mell Ordinance stated that if the property owner wished to have a new lease, the legal nonconforming sign could be taken down provided that it was reestablished within twelve (12) months; that the Mell Ordinance has been repealed; that subject sign was taken down intentionally as the property owner intended to get a better deal; that, unfortunately, the property owner did not hit the twelve (12) month period to take advantage of the Mell Ordinance; that furthermore, the Mell Ordinance no longer exists as City Council repealed it; that again, the sign was intentionally taken down; that due to the changes in the Zoning Ordinance, it cannot now be reestablished as the Zoning Ordinance no longer allows for a sign of this height or size at this particular location; and

WHEREAS, Mr. Neumann further testified that while the Applicant was within its twelve (12) months, he attempted to apply for a permit but his application was refused; that he was told there was a moratorium on accepting sign permit applications; that he agrees that the sign was not applied for within twelve (12) months but it was because the application was not accepted; and

WHEREAS, Mr. Valenziano testified that he misquoted the Mell Ordinance with respect to the twelve (12) months; that it was actually six (6) months to reestablish the sign; and

WHEREAS, Mr. Neumann further testified that it was within the six (6) months period; and

WHEREAS, Mr. Stein reminded the Board that while no one has the right to a continuation of the present zoning classification, a citizen does have a right to the fair application of the law; that again, this is a case of intent and there was no intent by Mr. Gervercer to abandon the sign; and

WHEREAS, the Board reminded Mr. Stein that 17-15-0404-A of this Zoning Ordinance does not speak of intent or abandonment; that based on the plan language of the Zoning Ordinance, abandonment is not relevant; and

WHEREAS, Mr. Stein stated that he disagreed; that abandonment was very relevant; that to constitute abandonment of a nonconforming use, it must appear that there was an intent to abandon the use and near cessation of the use will not result in the right to resume the use; and

WHEREAS, Mr. Valenziano reminded the Board and Mr. Stein that the subject of the appeal was not a nonconforming use; that the subject of the appeal was a nonconforming sign; that there was an intent to remove the sign as the sign was removed from the site; and

WHEREAS, Mr. Neumann testified that in his view, there is still a structure there; that it is half of a structure because it goes down twenty-seven (27) feet into the ground; that if the sign were truly abandoned, Clear Channel should have taken its sign out of the property; that the sign and structure –as the picture presented to the Board shows – is still there; that the sleeve for the sign is still there; and

WHEREAS, Mr. Stein stated that the sign is the nonconforming use; that the structure is the structure; that section 17-15-0404-A of this Zoning Ordinance really speaks to the structure supporting the nonconforming use; and

WHEREAS, Ms. Shukuntla Rucker, of Alderman Burnett's office, testified in support of the application; and

WHEREAS, Mr. George Blakemore testified in objection to the application; and

WHEREAS, Sections 17-13-1207 and 17-13-1208 of the Chicago Zoning Ordinance grant the Board of Appeals authority to hear and decide appeals when it is alleged there is an error in any order, requirement, decision or determination by the Zoning Administrator in the administration or enforcement of this Zoning Ordinance; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to sustain an appeal must be based solely on the approval criteria enumerated in Section 17-13-1208 of the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant's appeal:

1. The Board finds that as a portion of the sign's structure remains, the sign has not been either removed or intentionally destroyed as required by Section 17-15-0404-A of this Zoning Ordinance.
2. The Board further finds that as a result, the sign has not lost its legal nonconforming status.



RESOLVED, the Board finds the Applicant has met its burden of persuasion that the Zoning Administrator has erred as required by Section 17-13-1208.

RESOLVED, the Zoning Administrator's decision is hereby reversed, and the Zoning Administrator shall authorize a permit for the subject sign.

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

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

**APPLICANT:** John and Krissan Jennings **CAL NO.:** 221-16-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:** May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1923 N. Mohawk Street

**NATURE OF REQUEST:** Application for a variation to reduce the required minimum rear yard setback from 35.89' to 0.27', the north setback from 2.0' to zero (south setback to be 0.05'), the combined to side yard setback from 4.9' to 0.05' for a two-story rear addition, a breezeway connecting the principal building to the garage, a garage roof deck with a pergola over 15' in height, and an open stairway to access the garage roof deck.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
 CITY OF CHICAGO

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

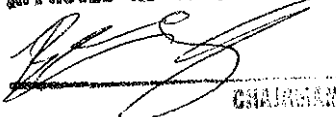
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 minimum rear yard setback to 0.27', the north setback to zero (south setback to be 0.05'), the combined to side yard setback to 0.05' for a two-story rear addition, a breezeway connecting the principal building to the garage, a garage roof deck with a pergola over 15' in height, and an open stairway to access the garage 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

**APPROVED AS TO SUBSTANCE**  
  
 CHAIRMAN

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

APPLICANT: Wolcott School

CAL NO.: 223-16-S

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:

May 20, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1938-58 W. Hubbard St./ 439-51 N. Damen Ave./ 1939-59 W. Ferdinand St.

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a 12,331 square feet indoor sports and recreation facility which will also require on-site parking.

ACTION OF BOARD- APPLICATION APPROVED

THE VOTE

JUN 22 2016

CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

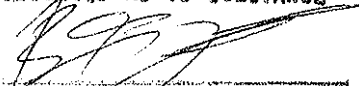
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 12,331 square feet indoor sports and recreation facility which will also require on-site parking at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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): The development is consistent with the design, layout, and materials of the floor plans and elevations dated May 18, 2016, the site plan dated April 29, 2016, and the landscape plan dated May 5, 2016, all prepared by Lothan Van Hook DeStefano Architecture LLC.

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

APPROVED AS TO SUBSTANCE  
  
CHAIRPERSON

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JUN 22 2016  
CITY OF CHICAGO

**Holy David M.B. Church**

APPLICANT

**224-16-S**

CALENDAR NUMBER

**5737-61 S. Wentworth**

PREMISES AFFECTED

**April 15, 2016**

HEARING DATE

**Pro Se**

APPEARANCE FOR APPLICANT

**Ald. Cochran**

OBJECTOR

**NATURE OF REQUEST**

Application for a special use to permit the establishment of a 192-seat religious assembly with twenty-nine on-site parking spaces.

**ACTION OF BOARD**

**THE VOTE**

The application for a special use is approved.

Blake Sercye, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Soi Flores	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sheila O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVE

DENY

ABSENT

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on April 20, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Kareem Musawwir testified on behalf of the Applicant; that his credentials as an expert in land planning were acknowledged by the Board; that the subject property is located on the east side of South Wentworth Avenue, immediately adjacent to Interstate 94; that the subject property is currently unimproved and is located in a C1-1 zoning district; that the Applicant proposes to erect a one-story, twenty-two foot high masonry church building with 192 seats and twenty-nine off-street parking spaces on the subject property; that the proposed church will become the new home for the Applicant's congregation; that currently, the Applicant is sharing a facility with another church; that the Applicant's program of development will provide new

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

landscaping, lighting and driveways to bring new attraction to the area; that the proposed church will have 5862 square feet; that the proposed parking spaces will be located at the north side of the proposed building and will be accessed via driveway from West 57<sup>th</sup> Place; that there would also be a driveway on Wentworth Avenue; that the Applicant purchased the land in 2000; that the Applicant is now prepared to go forward with the project; and

WHEREAS, Pastor James D. Cotton testified on behalf of the Applicant; that he is the pastor of the Applicant; that the Applicant does not currently have a building; that the Applicant's congregation is currently thirty members; that previously they were at 300 but since they were moving, the congregation has scattered; that currently, the Applicant's congregation meets at 1213 W. 59<sup>th</sup> Street; that the Applicant shares this space with another congregation; and

WHEREAS, in response to questions by the Board, Mr. Musawwir testified that the twenty-nine parking spaces are all the on-site parking spaces that are required under this Zoning Ordinance; that Pastor Cotton has indicated that as the congregation grows, he expects to be able to acquire additional vacant property for parking as there is a lot of vacant land in the area; and

WHEREAS, in response to further questions by the Board, Pastor Cotton further testified that the church's general hours of operation would be: Wednesday, 7:30 – 9:00 PM, Saturdays and Sundays, 9:30 AM to different hours; that he has spoken to people in the neighborhood about the proposed special use because he is constantly in the neighborhood; and

WHEREAS, Alderman Cochran testified in objection to the application; that there are four (4) other churches within a two (2) block radius of the subject property; that he has insisted that a community meeting be held; that Pastor Cotton has not cooperated with him; that he wishes this matter be continued so that the proposed special use can go through a community process; that he also has some reservations about the twenty-nine parking spaces; that the community is not in support; that he has some projects he is working on in the area; that if a church is built within 1000 feet, it would prohibit business from coming up; that he is trying to create commercial development in the area; that he would like the Applicant to delay for several months so he can move forward with the other plans and then revisit the proposed special use; and

WHEREAS, the Board stated it encouraged applicants to have community meetings with alderman as aldermen bring people together in the community; that the Board then inquired if the Applicant had community meetings on its own, without the Alderman; and

WHEREAS, Mr. Olabode Beckley, the Applicant's architect, testified that the Applicant had sent out its notice as required by this Zoning Ordinance; that Pastor Cotton had gone to the neighboring property owners and talked to them; that there had been no objection to the proposed special use; that the project the Alderman is referring to is on 59<sup>th</sup> Street; that the Applicant's proposed new location is on 57<sup>th</sup> Street; that this is a safe

distance from the business the Alderman is referring to; that said business will require a liquor license; that the Applicant did not see anyone in the surrounding community that objected to the special use; that no one responded to the Applicant's notice; and

WHEREAS, the Board stated that typically it did grant a request for a continuance by an alderman; that however, pursuant to Section 17-13-0908, if the Board granted the continuance without the Applicant's consent, the application would be automatically approved; that the Board then gave the Applicant the choice of agreeing to a continuance or to proceed with the hearing; and

WHEREAS, Mr. Musawwir testified that the Applicant wished to proceed with the hearing; and

WHEREAS, in response to questions by the Board, Pastor Cotton testified that the Applicant had outdoor services on the subject property a lot and neighbors and other pastors fellowship with the Applicant's congregation at that time; that he is in the neighborhood all the time and communicates with his neighbors; and

WHEREAS, the Department of Planning and Development recommended approval of the proposed special use; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, 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 this 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 community as it will provide new attraction to the subject property through landscaping and lighting.
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 it will be located in a one-story, twenty-two foot high all masonry building in a C1-1 zoning district.
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 because it will only be operating three days a week and will provide on-site parking for the traffic it generates.
5. The proposed special use is designed to promote pedestrian safety and comfort due to the aforementioned lighting and on-site parking.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use.

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

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

**APPLICANT:** McDonald's USA, LLC

**CAL NO.:** 225-16-S

**APPEARANCE FOR:** Timothy Hinchman

**MINUTES OF MEETING:**  
May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3154 W. Foster Avenue

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of a dual drive-through facility and to add an additional window to an existing restaurant.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		

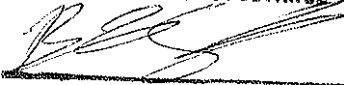
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a dual drive-through facility and to add an additional window to an existing restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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):the development is consistent with the design and layout in the geometric and landscape plans prepared by Watermark Engineering Resources, LTD, and dated May 4, 2016.

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN



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

**APPLICANT:** McDonald's USA, LLC **CAL NO.:** 226-16-S  
**APPEARANCE FOR:** Timothy Hinchman **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 4038 W. Belmont Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a dual drive-through lane to serve an existing restaurant.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		

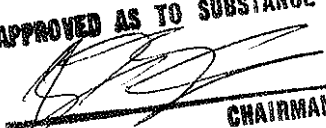
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a dual drive-through lane to serve an existing restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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):the development is consistent with the design and layout in the site plan dated May 12, 2016, and the landscape plan dated January 5, 2016, both of which were prepared by Watermark Engineering Resources, LTD.

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** McDonald's USA, LLC **CAL NO.:** 227-16-S  
**APPEARANCE FOR:** Timothy Hinchman **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2438 W. Cermak Road

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of a dual drive-through lane to serve an existing restaurant.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a dual drive-through lane to serve an existing restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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): the development is consistent with the design and layout in the site plan dated May 12, 2016, and the landscape plan dated September 24, 2015, both of which were prepared by Watermark Engineering Resources, LTD.

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

**APPROVED AS TO SUBSTANCE**

  
CHAIRMAN

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

**APPLICANT:** 1903 Schiller, LLC **CAL NO.:** 228-16-Z

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

**APPEARANCE AGAINST:** None May 20, 2016

**PREMISES AFFECTED:** 1907 W. Schiller Street

**NATURE OF REQUEST:** Application for a variation to reduce the west side setback from the required 10% of the lot width to zero, reduce the required setback from the south property line to prevent obstruction of the sidewalk by parked cars off of W. Evergreen from 20' to 1.06' for Lot C (parcel 1 & 2) at 1907 W. Schiller Street with a lot area of 3,189 square feet to sub-divide one zoning lot into three separate zoning lots and allow the conversion of an existing church to two dwelling units with two indoor parking spaces.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUN 22 2016**  
CITY OF CHICAGO  
DEPARTMENT OF PLANNING AND DEVELOPMENT

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west side setback from the required 10% of the lot width to zero, reduce the required setback from the south property line to prevent obstruction of the sidewalk by parked cars off of W. Evergreen to 1.06' for Lot C (parcel 1 & 2) at 1907 W. Schiller Street with a lot area of 3,189 square feet to sub-divide one zoning lot into three separate zoning lots and allow the conversion of an existing church to two dwelling units with two indoor 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

**APPROVED AS TO SUBSTANCE**  
  
CHAIRMAN

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

**APPLICANT:** 1903 Schiller LLC **CAL NO.:** 229-16-Z

**APPEARANCE FOR:** Paul Kolpak **MINUTES OF MEETING:**  
May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1909 W. Schiller Street

**NATURE OF REQUEST:** Application for a variation to reduce the unobstructed open space along the west side property line of a through lot from 5' to 1.77' (east side to provide 5'), reduce the front setback from 20' to 4.47', also to reduce the required setback of 20' from the south property line to prevent obstruction of the sidewalk by parked cars off of W. Evergreen to 4.47' for lot B at 1909 W. Schiller with a lot area of 2,998 square feet to sub-divide one zoning lot into three separate zoning lots and allow the conversion of an existing school to a single-family residence with an attached garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 unobstructed open space along the west side property line of a through lot to 1.77' (east side to provide 5'), reduce the front setback to 4.47', also to reduce the required setback of 20' from the south property line to prevent obstruction of the sidewalk by parked cars off of W. Evergreen to 4.47' for lot B at 1909 W. Schiller with a lot area of 2,998 square feet to sub-divide one zoning lot into three separate zoning lots and allow the conversion of an existing school to a single-family residence with an attached garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

**APPLICANT:** 1903 Schiller LLC **CAL NO.:** 230-16-Z  
**APPEARANCE FOR:** Paul Kolpak **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1911 W. Schiller Street

**NATURE OF REQUEST:** Application for a variation to reduce the unobstructed open space along the west side property line of a through lot from 5' to zero, reduce the east side to 1.75', the front yard setback from the required 20' to 12.64' and to reduce the required 20' setback from the south property line to prevent obstruction of the sidewalk by parked cars off W. Evergreen Avenue to 12.64' for lot A at 1911 W. Schiller Street with a lot area of 3,380 square feet in order to sub-divide one zoning lot in to three separate zoning lots and allow the conversion of an existing school to a single-family residence with an attached garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 unobstructed open space along the west side property line of a through lot from 5' to zero, reduce the east side to 1.75', the front yard setback from the required 20' to 12.64' and to reduce the required 20' setback from the south property line to prevent obstruction of the sidewalk by parked cars off W. Evergreen Avenue to 12.64' for lot A at 1911 W. Schiller Street with a lot area of 3,380 square feet in order to sub-divide one zoning lot in to three separate zoning lots and allow the conversion of an existing school to a single-family residence with an attached garage the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

APPLICANT: Hibernian Development, LLC

CAL NO.: 234-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:  
May 20, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1926 North Cleveland Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from 35.56' to 17.78', the north setback from 2' to 0.08' (south setback to be 0.08'), reduce the combined side setback combination from 5' to 0.16' for a new, three-story, single-family residence, with a roof top elevator enclosure, a raised rear patio and an attached one-car garage with a roof deck and an open stair to access the deck.

ACTION OF BOARD-  
CASE CONTINUED TO JUNE 17, 2016

THE VOTE

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT

BLAKE SERCYE  
SOL FLORES  
SHEILA OGRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:** Vietnamese Unified Buddhist Association of Illinois **CAL NO.:** 236-16-Z

**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**

May 20, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1521 W. Wilson Avenue

**NATURE OF REQUEST:** Application for a variation for the approval to reduce the south setback from the required 16.70' to zero for front second floor addition and a two-story open porch with roof covers to an existing two-story religious assembly.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JUN 22 2016

CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 south setback to zero for front second floor addition and a two-story open porch with roof covers to an existing two-story religious assembly; 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 aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Mike Slobodan Pavlovic

**CAL NO.:** 65-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

May 20, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 3949 N. Whipple Street

**NATURE OF REQUEST:** Application for a special use for the approval to expand an existing tavern.


**ACTION OF BOARD-**  
WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAMTOIA  
AMANDA WILLIAMS

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:** Lloyd W. Holder **CAL NO.:** 116-16-S  
**APPEARANCE FOR:** Same **MINUTES OF MEETING:**  
March 18 , 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 4314 W. Irving Park Road

**NATURE OF REQUEST:** Application for a special use for the approval of the establishment of a barber shop.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016

CITY OF CHICAGO

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JUN 22 2016  
CITY OF CHICAGO

**Adrian Sanchez/DBA Prefer Value Parking,  
Inc.**

APPLICANT

**124-16-S**

CALENDAR NUMBER

**2814-38 W. 26<sup>th</sup> Street**

PREMISES AFFECTED

**May 20, 2016**

HEARING DATE

**Resheda Jackson**

APPEARANCE FOR APPLICANT

**Simone Alexander**

OBJECTOR

**NATURE OF REQUEST**

Application for a special use to permit the establishment of a non-accessory parking lot.

**ACTION OF BOARD**

**THE VOTE**

The application for a special use is approved subject to the condition specified in this decision.

Blake Sercye, Chair  
Sol Flores  
Sheila O'Grady  
Sam Toia  
Amanda Williams

**APPROVE**

**DENY**

**ABSENT**

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*, and as continued without additional notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

WHEREAS, Ms. Rasheda Jackson, counsel for the Applicant, explained the history of the subject property and the underlying nature of the relief sought; and

WHEREAS, the Board stated it was its understanding that the Applicant was only seeking a special use for a part of the subject property; and

WHEREAS, Ms. Jackson stated that was correct; and

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

WHEREAS, the Board stated that should the special use be granted, one of its concerns was to ensure that the Applicant only used the portion of the subject property for which the special use was granted as a parking lot rather than the whole of the subject property; and

WHEREAS, Ms. Jackson stated that she understood; and

WHEREAS, Mr. Adrian Sanchez, the Applicant, testified that he was lessee of the subject property; that he has eleven years of experience in the valet industry; that he proposed to establish self-park and valet parking on a portion of the subject property; that there was a need for parking services in the area, especially for those people visiting Cook County Jail and the neighboring courthouse; that he plans to operate the self-park and valet parking during the day, seven days a week; that he plans to employ two valet attendants at all times the parking lot is in operation; that said valet attendants will be on duty until every car has left the parking lot; that the price of the proposed valet and self-park will be comparable to other valet services in the area; that the parking lot will contain roughly ninety-seven spaces; and

WHEREAS, Mr. Kareem Muawwir testified on behalf of the Applicant; that his credentials as an expert in land planning were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that he then orally testified that the proposed special use: (1) if granted, will comply with all applicable standards of this Zoning Ordinance; (2) is in the interest of public convenience as the subject property is located across the street from the Cook County Jail and Detention Center and will help with the overflow of people visiting the facility as many people in a hurry to get to court park in unapproved spaces and have their cars towed; (3) is compatible with the surrounding area in terms of site planning, building scale and project design as surrounding the Cook County Jail and Detention Center are a number of parking facilities; (4) is compatible with the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; (5) is designed to promote pedestrian safety and comfort as the Applicant's design has been thoroughly vetted by the City's Department of Transportation ("CDOT") and the City's landscape ordinance review; and

WHEREAS, Ms. Simone Alexander, of 2925 W. 25<sup>th</sup> Street, testified in objection to the application; that she wished the property owner would maintain the other part of the subject property; that the sidewalk is in bad condition; that she is concerned about the price of the parking; that she is also concerned about how long-term the proposed special use would be; and

WHEREAS, the Board stated the question of price of parking is not part of the special use; that the Board then inquired of the Applicant how the Applicant would be improving the subject property; and

WHEREAS, in response to questions by the Board, the Applicant stated he would hire a paving company for the west portion of the subject property; and

WHEREAS, in response to questions by the Board, Ms. Jackson reminded the Board that the Applicant was only leasing a portion of the subject property; that such portion would be where the special use would be, should the Board grant said special use; that the lease for the portion of the subject property would be for one (1) year with a renewal clause; that there was a fence that would divide the portion of the subject property used for the Applicant's business and the remainder of the property; and

WHEREAS, in response to further questions by the Board, Mr. Jorge Fajardo, the Applicant's architect, testified that as part of the Applicant's program of development, all the existing driveways on the western portion of the subject property will be removed; that the sidewalks will be improved; that the trees will remain; and

WHEREAS, Mr. Steven Valenziano, of the Department of Planning and Development ("Department") testified on behalf of the Department; that the Applicant's site plan showed that there will be a new fence erected along the vacant portion of the subject property; that this is very important; that as part of the Department's recommendation of approval, the Department recommends that a condition be placed on the application that the Applicant fence off the property as shown on the site plans provided to the Department; that the site plans showed not only a fence dividing the parking area from the vacant area of the subject property but also fence off the subject property to prevent vehicles or others from entering the subject property; and

WHEREAS, Ms. Jackson explained that the owner of the lot is fine with the fencing; that the plans the Applicant submitted showed the fencing; that fencing the subject property has been agreed to and is not an issue; and

WHEREAS, the Department of Planning and Development recommended approval of the proposed special use subject to the aforementioned condition; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, 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 this Zoning Ordinance.
2. The proposed special use in the interest of the public convenience as the subject property is located across the street from the Cook County Jail and Detention Center and will help with the overflow of people visiting the facility as many people in a hurry to get to court park in unapproved spaces and have their cars towed and will not have a significant adverse impact on the general welfare of the community as the Applicant has agreed to fence off the subject property as depicted on its site plans.

3. The proposed special use is compatible with the surrounding area in terms of site planning, building scale and project design as surrounding the Cook County Jail and Detention Center are a number of parking facilities.
4. The proposed special use is compatible with the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation as again, surrounding the Cook County Jail and Detention Center are a number of parking lots.
5. The proposed special use is designed to promote pedestrian safety and comfort as the Applicant's design has been thoroughly vetted by CDOT and the City's landscape ordinance review.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use subject to the following condition, pursuant to the authority granted by Section 17-13-906 of this Zoning Ordinance:

1. The Applicant shall fence the subject property as depicted on the site plans submitted to the Board.

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

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JUN 22 2016  
CITY OF CHICAGO

**317-321 W. Evergreen Acquisitions, LLC**  
APPLICANT

**138-16-S & 139-16-S**  
CALENDAR NUMBERS

**315 W. & 317 W. Evergreen**  
PREMISES AFFECTED

**May 20, 2016**  
HEARING DATE

**Nick Ftikas**  
APPEARANCE FOR APPLICANT

**Jeff Rehkemper & Others**  
OBJECTORS

**NATURE OF REQUESTS**

Application for a special use at 315 W. Evergreen to permit the establishment of eight required off-site parking spaces that will serve a proposed residential building at 317 W. Evergreen.

Application for a variation at 317 W. Evergreen to reduce the west setback from 5' to 4.13' for a required 10' total combined side setback with neither less than 5' (with a 6.05' east setback) and to reduce the rear setback from 45' to 21.59' for a proposed four-story, fifteen dwelling unit building with seven on-site parking spaces.

**ACTION OF BOARD**

**THE VOTE**

The application for the special use is approved. The application for the variation is approved.

	APPROVE	DENY	ABSENT
Blake Sercye, Chairmain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on May 20, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*, and as continued without additional notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

WHEREAS, Mr. Nick Ftikas, counsel for the Applicant, explained the history of the affected properties and the underlying nature of the relief sought; and

**APPROVED AS TO SUBSTANCE**  
  
CHAIRMAN

WHEREAS, Mr. Todd Mullen testified on behalf of the Applicant; that he is the Applicant's project manager; that the Applicant currently owns the property at 317 W. Evergreen; that 317 W. Evergreen is currently improved with a total of four (4) two-story residential buildings; that two of the buildings are principal buildings and two of the buildings are coach houses; that there is currently no on-site parking; that the Applicant intends to tear down the four buildings and redevelop 317 W. Evergreen with a new four-story, fifteen unit residential building; that there will be three units on the first floor and four units on each of the floors above; that the Applicant will be providing seven on-site parking spaces that will be built into the basement of the proposed building; that the issue and practical hardship with respect to 317 W. Evergreen is that the subject property is very uniquely shaped; that although there is a 51' frontage on Evergreen, the subject property actually narrows to 26' at the rear; that there is also a 24' x 26' "bump-out" of the property at 317 W. Evergreen at the south portion of the lot; that there is also another 25' x 25' "bump-out" of the property at 317 W. Evergreen at the west portion of the lot; that these conditions are reflected in the survey given to the Board; that these dimensions ultimately impacted the setback requirements of the Applicant's proposed building; that, additionally, there is no alley access to 317 W. Evergreen as the existing drive behind the property is actually a private alley controlled by a neighboring residential association; that 317 W. Evergreen is located up against the Chicago Transit Authority ("CTA") L tracks to the east; that these are all hardships with respect to 317 W. Evergreen; that to overcome these hardships, the Applicant is requesting to reduce the west side setback from 5' to 4.13' and to reduce the rear setback from 45' to 21.59'; that the reduction to the west side setback will allow the Applicant to slightly favor the west side of 317 W. Evergreen which will allow for a 6' separation between the proposed building and the CTA L tracks; that because the building on the lot next west is set back about 5' from the shared property line, there will still be about 9' of total separation between the Applicant's proposed building and the building next west; that this will mitigate any impact the new construction might have on the neighbor next west; and

WHEREAS, Mr. Mullen further testified that with respect to the rear setback reduction, the reduction will allow the Applicant to provide a one-story base to the proposed building; that the base is only 5.5' above grade and is only 5.5' above grade on the west side of the "bump-out"; that this portion of the base is critical to the Applicant's project as four of the on-site parking spots will be located in the basement of that portion of the building; that the garage as designed spans the depth and width of the first floor; that even with the requested rear reduction, the four-story portion of the proposed building will be set back 45' from the rear property line; that the 5.5' above grade one-story base will also be set back about 26' from the rear property line; that this is an improvement to the existing conditions on 317 W. Evergreen today; that there will be 680 feet of open space at grade at the rear of 317 W. Evergreen; that the unique lot shape and lack of an alley prevent the Applicant from providing additional on-site parking; that therefore in order to meet the Applicant's parking requirement, the Applicant is seeking a special use to locate and establish eight off-site parking spaces at 315 W. Evergreen; that 315 W. Evergreen is owned by the CTA and is immediately adjacent to 317 W. Evergreen; that the Applicant has entered into a licensing agreement with the CTA with respect to the eight off-site parking spaces; that the licensing agreement is indefinitely

renewable on a monthly basis; that the Applicant has already made 12 consecutive monthly payments to the CTA; that over the course of these 12 months, the Applicant has been able to renew the license every 30 days; that as part of the CTA's parking initiative, which is a City-wide program, the Applicant will need to provide the CTA with the license plate information for the authorized vehicles parking on the 315 W. Evergreen property; that the CTA will be issued a hang tag that must be displayed on each of the vehicles parked underneath the L; that the Applicant has budgeted nearly \$4 million to develop 317 W. Evergreen; that the once the proposed building is complete, the Applicant will rent out the residential units between \$1800 and \$3000 per unit; that the Applicant believes these are reasonable rents and in line with other rental units in the area; and

WHEREAS, Mr. Mark Michonski testified on behalf of the Applicant; that Mr. Michonski's credentials as an expert in architecture were acknowledged by the Board; that the property at 317 W. Evergreen is a very unusual lot due to the dog-like shape on the west half and the longer section that pops out from the rear; that in addition, 317 W. Evergreen backs up against a private alley; that parking is normally located off of the alley at grade; that due to the lack of the alley, the program of development at 317 W. Evergreen requires a curb cut onto Evergreen; that due to the curb cut and the ramp, there is a limit to what parking can be provided on-site; that Mr. Mullen has met with some of the neighbors and due to this meeting, the Applicant has reduced the height of the base of the building to 5.5'; that the 5.5' base of the building is shorter than most fences (as most fences are 6') and is set back approximately 10' from the west property line; that the Applicant has also reduced the footprint of the roof-deck that sits above the 5.5' base of the building; that the practical hardship with respect to 317 W. Evergreen is the unique shape of 317 W. Evergreen, the lack of an alley at the rear of the property, and the fact that 317 W. Evergreen is up against the CTA L tracks; that the requested variation will not be detrimental to the public welfare or injurious to other property or improvements in the immediate area; that the requested variation will not impair an adequate supply of light and air to adjacent properties; that the requested variation will not increase the danger of fire or endanger public safety; that the requested variation will not substantially increase congestion in the public streets in the area; that the requested variation will not substantially diminish or impair property values in the area; that the requested variation will not alter the essential character of the neighborhood; that 317 W. Evergreen is currently zoned RM-5; that 317 W. Evergreen would actually support 19 units; that the Applicant is only providing 14 units and so is not maximizing its unit count; that the Applicant is slightly under the maximum allowable floor area ratio ("FAR"); and

WHEREAS, Mr. Mike Wolin testified on behalf of the Applicant; that Mr. Wolin's credentials as an expert in appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that he then testified that the proposed special use: (1) complies with all applicable standards of this Zoning Ordinance; (2) is in the interest of the public convenience and will not have an adverse impact on the general welfare of the



neighborhood or the community as it is not uncommon to have parking under the CTA L tracks in the area; (3) is compatible with the character of the surrounding area in terms of site planning, building scale and project design as it is a retrofitting of the existing space under the L track; (4) is compatible with the character of the surrounding area in terms of operating characteristics such as outdoor lighting, noise and traffic generation; (5) is designed to promote pedestrian safety and comfort; and

WHEREAS, Mr. Ftikas then submitted and the Board accepted into the record a CTA handout about the CTA's new parking initiative; that Mr. Ftikas then explained how the Applicant worked with the CTA; that he understood that the City had issues with the month-to-month nature of the license from the CTA; that he agrees that if it were a month-to-month license between individuals there would be uncertainty, but the CTA is a government agency; that the L tracks are not going anywhere; that nowhere in the Zoning Ordinance is it mandated that there must be a long-term lease for off-site parking; that the 5 year terms requirement is nothing more than policy; that the Applicant is therefore asking the Board to reconsider its policy in the very specific context of a licensing agreement with the CTA for off-street parking requirements; and

WHEREAS, Mr. Al Giudice, counsel for Mr. Jeff Rehkemper, stated that under Section 17-10-604 of this Zoning Ordinance, any agreement for off-site parking must be "long-term"; that he then asked Mr. Ftikas how the month-to-month licensing agreement with the CTA could qualify as "long-term"; and

WHEREAS, Mr. Ftikas stated that a the month-to-month licensing agreement with the CTA qualified because the Applicant had been able to renew the license for the past consecutive 12 months; that a year is arguably a long-term agreement; and

WHEREAS, Mr. Giudice further stated that the Applicant was taking advantage of the space of 317 W. Evergreen; that due to the shape of 317 W. Evergreen, the proposed building will not actually be set back 45' from the rear property line; and

WHEREAS, Mr. Rehkemper, of 323 W. Evergreen, testified in opposition to the applications; that he has lived in the neighborhood for 18 years; that the Applicant has not been maintaining 315 W. Evergreen despite paying for the parking spaces for 12 months; that there have been squatters living in the existing improvements on 317 W. Evergreen; that this is a huge problem; that opening up parking underneath the CTA will be an ongoing problem in the neighborhood; that currently, he has the only curbcut on Evergreen and it is very dangerous backing out and watching for pedestrians; that the proposed development will be adding two more curbcuts; that the proposed development will dwarf the other residences in the neighborhood; that the proposed building will allow people to see into his yard; that the parapet for the proposed building's deck will be 8'; that without the proposed variation, the Applicant can only get 4 parking spaces and the building will need to be smaller; that the proposed development will ruin the value of his home; and

WHEREAS, in response to concerns raised by Mr. Rehkemper, Mr. Mullen testified that the improvements at 317 W. Evergreen are currently vacant and the Applicant does have to keep removing squatters; that the CTA has informed the Applicant that there is only a certain amount of things the Applicant can do under the L tracks; that the CTA has said the Applicant can put gravel down but cannot pave underneath the L; that there is already a curb cut to the CTA property; that the Applicant is happy to cut the grass and pick up trash on the property; and

WHEREAS, Mr. Ftikas explained that with respect to the portion of 317 W. Evergreen that is projects west into Mr. Rehkemper's property, the Applicant is removing a two-story coach house and is replacing it with a portion of the proposed building that will be 5.5' tall; that the Applicant has agreed to cut off the proposed rear deck and limit it the space directly behind the building; that the four-story portion of the proposed building will remain set back 45' from the rear property line as determined by the Department of Planning and Development during zoning review; that this is consistent with the Applicant's zoning denial letter; and

WHEREAS, Ms. Natalie Sandstedt, of 336 W. Goethe, testified in objection to the applications; that she is the President of the Old Town Square Homeowner's Association ("Association"); that the Association is comprised of 30 single-family homes in the area; that the Association objects to the proposed development due to the fact that with a portion of the proposed building, there will only be a 1' setback to the Association's property; that once the Applicant erects the proposed rear deck, it will exceed the Association's fence height; that the Association is also concerned with the CTA parking and its longevity; and

WHEREAS, in response to questions by the Board, Mr. Mullen further testified that the whole area is zoned RM-5; that while this particular side of Evergreen is single-family homes, the same is not true across the street; that Evergreen from Sedgwick to the east to Wells Street on the north side is multi-family buildings; and

WHEREAS, in response to further questions by the Board, Mr. Ftikas stated that the Applicant's proposed building will serve as a buffer for the CTA: that due to the proximity to the CTA, a single-family home is going to have difficulty on the marketplace; that despite Section 17-10-0604 of this Zoning Ordinance requiring the approval of the Zoning Administrator for the form of agreement for off-site parking, this is a policy that the Applicant is asking the Board to reconsider; that if the off-site parking is lost, it is upon the Applicant to find other parking; that without the off-site parking and the variation, the Applicant would only be able to provide five units at the subject property; that a five unit building is not feasible; that a 15 unit building is within the rights of a RM-5 zoning district; that the bulk of the building is also permitted as of right within a RM-5 zoning district; and

WHEREAS, Mr. Giudice stated that the Applicant knew the condition of the lot when it purchased 317 W. Evergreen; that Mr. Rehkemper is not opposed to a multi-unit building at 317 W. Evergreen, just the design of the proposed development; and

WHEREAS, Ms. Sandstedt testified that 317 W. Evergreen had been purchased for \$500,000; that if the Applicant were to cut down on the size of the proposed building, the Applicant could still make a profit; and

WHEREAS, Mr. Ftikas stated that the existing lot configuration at 317 W. Evergreen was the hardship that justified the requested variation; and

WHEREAS, the Department of Planning and Development recommended denial of the proposed special use; and

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, 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 this Zoning Ordinance.
2. The proposed special use is in the interest of the public convenience as it will provide parking to serve the residential units at 317 W. Evergreen and will not have an adverse impact on the general welfare of the community as it is not uncommon to have parking under the CTA L tracks in the area.
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 because it is retrofitting the existing space under the L.
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 again, it is not uncommon to have parking under the CTA L tracks in the area.
5. The proposed special use is designed to promote pedestrian safety and comfort as provides off-street parking.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use.

WHEREAS, Section 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit the reduction of any setback; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to approve a variation application must be based solely on the approval criteria enumerated in Section 17-13-1107-A, B and C of the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant's application for variation:

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardship as the subject property is an irregularly shaped lot with no alley access. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.

2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance as strict compliance is not feasible for the RM-5 zoning district; (2) the practical difficulty or particular hardship of the property – namely, the fact that the property is an irregularly shaped lot with no alley access– is due to unique circumstances and is not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as Mr. Mullen very credibly testified that there are many multi-unit buildings in the neighborhood.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the irregularly shaped lot with no alley access – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the condition of the irregularly shaped lot with no alley access is not applicable, generally, to other property in the RM-5 zoning district; (3) the purpose of the variation is not based exclusively out of a desire to make more money out of the property as the subject property is zoned for multi-family housing; (4) the hardship of the irregularly shaped lot with no alley access has not been created by the Applicant; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property; 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.

RESOLVED, the Board finds that the Applicant has sufficiently established by testimony and other evidence covering the specific criteria for a variation to be granted pursuant to Sections 17-13-1107- A, B and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid variation application is hereby approved, and the Zoning Administrator is authorized to permit said variations.

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

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JUN 22 2016  
CITY OF CHICAGO

**1615 Burling LLC**

APPLICANT

**141-16-Z & 142-16-Z**

CALENDAR NUMBERS

**1615-27 N. Burling Street**

PREMISES AFFECTED

**May 20, 2016**

HEARING DATE

**Rolando Acosta**

APPEARANCE FOR APPLICANT

**Joanna London & Others**

OBJECTORS

**NATURE OF REQUESTS**

Application for a variation to reduce the rear setback from the required 36' to 8" for a proposed attached garage exceeding the maximum 60% of occupied space for a new four-story 15 dwelling unit residential building.

Application for a variation to increase the 2,592 square foot area within the rear setback (representing a maximum of 60% of said rear setback), which may be occupied by an accessory building, by no more than 10% (259.2 square feet) for a proposed rear 16 space garage with a roof top deck attached to a proposed four-story 15 unit residential building.

**ACTION OF BOARD**

**THE VOTE**

The applications for variations are approved.

	APPROVE	DENY	ABSENT
Blake Sercye, Chairmain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on April 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

WHEREAS, Mr. Rolando Acosta, counsel for the Applicant, explained the underlying nature of the relief sought; and

**APPROVED AS TO SUBSTANCE**  
*[Signature]*  
**CHAIRMAN**

WHEREAS, Mr. Michael Breheny, member of the Applicant, testified on behalf of the Applicant; that the Applicant wishes to construct a garage on the subject property to serve the proposed building on the subject property; that with the exception of the garage, the rest of the construction on the subject property is in conformance with the current RM-4.5 zoning district; that building permits for the rest of construction on the subject property have already been issued; that if the Applicant were not able to build the proposed garage, it would be a significant hardship to the Applicant's project; that the Applicant intends to develop large, luxury condominiums on the subject property and the market demands that there be garage parking for said condominiums; that when the proposed building went through permitting, the Chicago Storm Water Ordinance applied; that the Applicant was required to build an underground reservoir to retain storm water; that said underground reservoir was approved by the City and is sized in accordance with the Chicago Storm Water Ordinance; that the reservoir is intended to handle all the storm water from the property, including the proposed garage; that the Applicant is also proposing green roofs on top of the garage; that Concord Place is the southern boundary of the subject property; that though it functions as an alley, it is technically a street; that there is another north/south alley that runs midway through this block; that both Concord Place and the north/south alley are larger than a standard City alley, as Concord Place is 20' to 21' wide and the north/south alley is 24'; that the proposed garage is intended to be approximately 8" to 1' off of the north/south alley; that the proposed garage will be one-story with a roof-deck above; that one-story garages with roof-decks above are a common occurrence in this north/south alley; and

WHEREAS, Mr. Acosta submitted and the Board accepted two (2) photographs of the north/south alley to the Board; and

WHEREAS, Mr. Breheny further testified that the photographs depicted the alley; that the subject property previously had a multi-story brick building on it that has since been demolished; that the brick building had a garage on its ground floor that went right to the alley lot line; that virtually every property has a garage at or near the alley property line on this north/south alley; that this is the common condition of the alley; that if the proposed garage is not built, it would significantly impair the Applicant's ability to market the units so that the proposed development would no longer yield a reasonable return; and

WHEREAS, Ms. Laura Sargent testified on behalf of the Applicant; that she is a licensed architect in the State of Illinois and is the senior project architect for the proposed development; that the subject property is a short lot as it is only 120' deep and the standard City lot is 125' deep; that the subject property also has a clipped corner at the intersection of the north/south alley and Concord Place; that based on the conditions of the alley, the proposed construction of the garage along the north/south alley is consistent with the character of this block and neighborhood; that the proposed variations will not have a detrimental effect on surrounding properties or the neighborhood; and

WHEREAS, Ms. Joanna London, of 1624 N. Burling, testified in objection the applications; that she is the President of the 1624-32 N. Burling Condo Association; that the community is vehemently opposed to the variations; that she is concerned about safety, traffic congestion, and flooding; that the neighborhood wants green space at grade level and wants the parking pads, not a garage; that the Applicant's sole motivation is to make money; and

WHEREAS, in response to concerns raised by Ms. London, Mr. Acosta explained that the Applicant will have either a garage or concrete pads at the rear of the subject property; that if the proposed garage is not built, then there is no green roof and the green roof will help reabsorb the water; that the proposed garage will be further from the alley edge than the building that was previously on the subject property; and

WHEREAS, Mr. Carlos Peccioti, of 1644 N. Orchard Street, testified in objection to the applications; and

WHEREAS, Mr. David DeBruin, of 1712 N. Burling, testified in objection to the applications; and

WHEREAS, in response to Mr. DeBruin's objections and further questions by the Board, Mr. Acosta explained that the building permit was issued for the main building on the subject property; that initially, the garage had been shown on the permit set; that at the last minute, the Department of Planning and Development noticed that variations were needed to permit the garage; that the plans were modified at the last minute to remove the garage and substitute with pads; that some of the sub-contractors, picking up their portions of the building permits, saw the proposed garage and began building the proposed garage; that when noticed by the Applicant, the work was stopped; that there is, in fact, a half-built garage sitting along the rear of the property; that the hardship is not the fact the garage is half built but that the Applicant needs to provide a garage; that if the Applicant's variations are not granted, the Applicant will demolish the garage and either reconstruct parking pads or build a smaller garage; and

WHEREAS, in response to further questions by the Board, Mr. Breheny testified that this is a larger project for him; that at the last minute, the garage was pulled from the plans; that some of the proof set of plans still show the garage; that the structural drawings approved by the City show the garage but the architectural drawings do not; and

WHEREAS, in response to further questions by the Board, Mr. Acosta explained that this was originally a mistake during the permitting process; that after the mistake was discovered, not all of the sheets were rectified; that it is a mistake on top of a mistake; and

WHEREAS, Ms. Barbara Siebel, of 1640 N. Burling Street, inquired if there was a parking space for each unit; and

WHEREAS, Mr. Breheny testified that there was a parking space for each unit; and



WHEREAS, Ms. Anne Moore, Chair of the Lincoln Central Association Zoning and Planning Committee and Board Member of Lincoln Central Association (“Association”), testified in support of the application; that originally, the Applicant wished to upzone the subject property; that when the community voiced its opposition, the Applicant decided it would not proceed with the upzoning and instead build as of right; that the Applicant worked with the community; and

WHEREAS, Ms. Debra Dobbs, of 1945 N. Howe Street, testified in support of the application; that she is pleased the Applicant is providing a garage; that she would rather look at a green roof than a parking pad; that the fact the Applicant did not proceed with its upzoning of the subject property is to the Applicant’s favor; and

WHEREAS, in response to a question asked by Alderman Hopkins, Mr. Breheny further testified that it was probably five days from the time he learned of the mistake with respect to the garage to the time he issued the stop work order; that he was out of town for spring break and his wife encouraged him to disconnect; that when he returned, he saw the garage had been half-built in his absence; and

WHEREAS, Alderman Hopkins stated that this is an important point as to credibility of the Applicant; that Mr. Breheny’s testimony points to this being an honest mistake; that it is important for the record to reflect this; that the Association worked closely with the Applicant and came to decision to support the project; that neighborhood associations typically do not make decisions to support development decisions lightly; that the building itself is as of right; that all that is before the Board is the request to permit the garage; that he then stated what was being done about some of the concerns the objectors had raised with respect to traffic congestion and flooding in the area; and

WHEREAS, Seciton 17-13-1101-J of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation increasing the area occupied by an accessory building by not more than 10%; and

WHEREAS, Section 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit the reduction of any setback; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to approve a variation application must be based solely on the approval criteria enumerated in Section 17-13-1107-A, B and C of the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant’s applications for variations:

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular

hardships for the subject property due to its short lot depth and clipped corner. Further, the requested variations are consistent with the stated purpose and intent of this Zoning Ordinance as this Zoning Ordinance.

2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance because the market will not support luxury condominiums with no garage; (2) the practical difficulty or particular hardship of the property – namely, the short lot depth and clipped corner – is due to unique circumstances and is not generally applicable to other similarly situated property; and (3) the variations, if granted, will not alter the essential character of the neighborhood as the Applicant's proposed garage is similar to other garages on the north/south alley.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the short lot depth and the clipped corner – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the short lot depth and clipped corner are not applicable, generally, to other property in the RM-4.5 zoning district; (3) the purpose of the variations are not based exclusively upon a desire to make more money out of the property; (4) the short lot depth and clipped corner were not created by any person having an interest in the subject property; (5) the granting of the variations will not be detrimental to public welfare or injurious to other property due to the conditions imposed by the Board and agreed to by the Applicant; and (6) the proposed variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

RESOLVED, the Board finds that the Applicant has sufficiently established by testimony and other evidence covering the specific criteria for a variation to be granted pursuant to Sections 17-13-1107- A, B and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid variation applications are hereby approved, and the Zoning Administrator, is authorized to permit said variations.

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

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

**APPLICANT:** New Hope Bible Church **CAL NO.:** 145-16-S  
**APPEARANCE FOR:** Richard Baker **MINUTES OF MEETING:**  
May 20, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1801-11 N. Kostner Avenue

**NATURE OF REQUEST:** Application for a special use the approval of the establishment of a religious assembly with an accessory community room to located at 1801-11 North Kostner Avenue.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

JUN 22 2016  
CITY OF CHICAGO  
DEPARTMENT OF HOUSING AND

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

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 May 20, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, 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 religious assembly with an accessory community center at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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): The development is consistent with the design, layout, materials and plans prepared by Red Architects Ltd. and dated September 23, 2015.

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN