

ZBA

RESOLUTIONS

APRIL <sup>27</sup>~~28~~, 2018

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

**APPLICANT:** Dan White and Jennifer Haro

**CAL NO.:** 168-18-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1909 W. Wabansia Avenue

**NATURE OF REQUEST:** Application for a variation to relocate the required 125.84 square feet of rear yard open space to a proposed garage rood deck that will serve a proposed three- story, single family residence with an attached garage.

**ACTION OF BOARD-**  
**Continued to May 18, 2018 at 9:00 a.m.**

**THE VOTE**



**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X           |          |        |
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**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Alfred A. Garza dba Triune Logistics, LLC

**CAL NO.:** 169-18-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3354-58 W. 25<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a special use to establish a day laborer employment agency.

**ACTION OF BOARD-**  
Continued to May 18, 2018 at 9:00 a.m.

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** Irene Sofil  
**APPEARANCE FOR:** Thomas Moore  
**APPEARANCE AGAINST:** None

**CAL NO.:** 170-18-Z

**MINUTES OF MEETING:**  
 April 27, 2018

**PREMISES AFFECTED:** 1746 W. Newport Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 16' to 10.31', west setback from 2' to 1.23', (east to be 3.19') combined side setback from 5' to 4.42' for a proposed third story addition at an existing two story single family residence.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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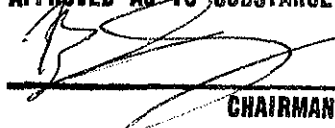
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 10.31', west setback to 1.23', (east to be 3.19') combined side setback to 4.42' for a proposed third story addition at an existing two story single family residence; an additional variation was granted to the subject property in Cal. No. 171-18-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:** Irene Sofil  
**APPEARANCE FOR:** Thomas Moore  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1746 W. Newport Avenue

**CAL NO.:** 171-18-Z

**MINUTES OF MEETING:**  
 April 27, 2018

**NATURE OF REQUEST:** Application for a variation to increase in height from the maximum 30' by no more than 10% to 32.67' for a proposed third floor addition to an existing two story, single family residence.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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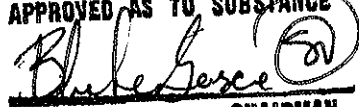
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase in height from the maximum 30' by no more than 10% to 32.67' for a proposed third floor addition to an existing two story, single family residence; an additional variation was granted to the subject property in Cal. 170-18-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:** TM-1, Inc.

**CAL NO.:** 172-18-S

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1810 S. Racine Avenue

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for a proposed three-story, three dwelling unit building with rooftop stair way enclosure and detached three-car garage.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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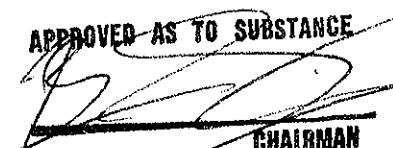
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated December 21, 2017, prepared by Hanna Architects, Inc.

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

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

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

**APPLICANT:** TM-1, Inc.

**CAL NO.:** 173-18-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1810 S. Racine Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard setback on floors containing dwelling units from the required 30' to 2' for a proposed three-story, three dwelling unit building with rooftop stair enclosure and detached three-car garage.

**ACTION OF BOARD-  
VARIATION WITHDRAWN**

**THE VOTE**



**MAY 21 2018**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** Sonia Dua

**CAL NO.:** 174-18-S

**APPEARANCE FOR:** Not applicable

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5053 N. Clark Street

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

**ACTION OF BOARD-  
APPLICATION WITHDRAWN**

**THE VOTE**

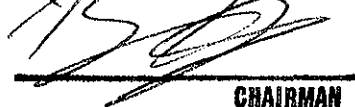
**MAY 21 2018**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**



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

**APPLICANT:** The Drake Tower Apartments, Inc. **CAL NO.:** 175-18-S  
**APPEARANCE FOR:** Kate Duncan **MINUTES OF MEETING:**  
 April 27, 2018  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 174 E. Walton Place

**NATURE OF REQUEST:** Application for a special use to establish a non-accessory public parking garage in an existing four-story, parking garage.

**ACTION OF BOARD-  
 APPLICATION APPROVED**

**THE VOTE**

\* \*

**MAY 21 2018**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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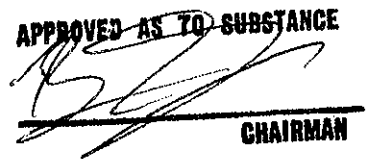
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-accessory public parking garage in an existing four-story, parking garage; an additional special use was granted to the subject property in Cal. No. 176-18-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, The Drake Tower Apartments, Inc.

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

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

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

**APPLICANT:** The Drake Tower Apartments, Inc.

**CAL NO.:** 176-18-S

**APPEARANCE FOR:** Kate Duncan

**MINUTES OF MEETING:**

April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 174 E. Walton Place

**NATURE OF REQUEST:** Application for a special use to allow up to 45% (or fifteen parking spaces) of the thirty-four required parking spaces in an existing garage to be leased on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees or guests of the principal thirty-two story, sixty-two dwelling unit building with one hundred and eight parking spaces.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**MAY 21 2018**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
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 April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to allow up to 45% (or fifteen parking spaces) of the thirty-four required parking spaces in an existing garage to be leased on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees or guests of the principal thirty-two story, sixty-two dwelling unit building with one hundred and eight parking spaces; an additional special use was granted to the subject property in Cal. No. 175-18-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, The Drake Tower Apartments, Inc.

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:** Skyriver Archer Development, LLC

**CAL NO.:** 177-18-Z

**APPEARANCE FOR:** Richard Toth

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3172-78 S. Archer Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard setback from the required 30' to 10' on floor containing dwelling units for a proposed four-story building with general retail sales and twenty-four dwelling units.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**MAY 21 2018**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
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 April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the 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:** 1966 N. Milwaukee, LLC

**CAL NO.:** 178-18-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1966-68 N. Milwaukee Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard setback from the required 30' to 13' on floors containing dwelling units for a proposed five story, sixteen dwelling unit building with ground floor retail, rooftop stairway and elevator enclosure.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

  
  
**MAY 21 2018**  
  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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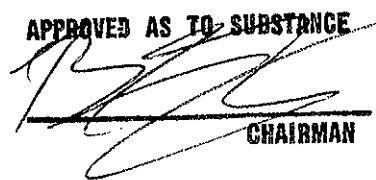
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 13' on floors containing dwelling units for a proposed five story, sixteen dwelling unit building with ground floor retail, rooftop stairway and elevator enclosure; 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: Confluent Development, LLC

CAL NO.: 179-18-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:  
April 27, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8345 W. Irving Park Road

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

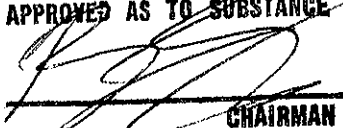
ACTION OF BOARD-  
Continued to May 18, 2018 at 9:00 a.m.

THE VOTE

MAY 21 2018  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Vagabond Properties, LLC

**CAL NO.:** 180-18-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1128 W. Fry Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to zero on floors containing dwelling units; east setback from 1.84' to 0.12' for a proposed rear two story addition with roof deck and rear enclosed stair way to the existing three story building to be converted from three dwelling units to four dwelling units.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

24 \*

**MAY 21 2018**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**THE RESOLUTION:**

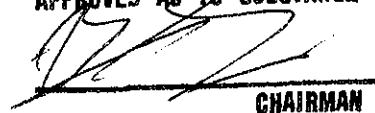
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero on floors containing dwelling units; east setback to 0.12' for a proposed rear two story addition with roof deck and rear enclosed stair way to the existing three story building to be converted from three dwelling units to four dwelling units; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the 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: Dolyva Development, LLC

CAL NO.: 181-18-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:

April 27, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6115 N. Elston Avenue

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

**ACTION OF BOARD-**

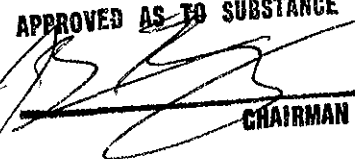
**Continued to May 18, 2018 at 9:00 a.m.**

**THE VOTE**

MAY 21 2018  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
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| X           |          |        |
| X           |          |        |
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APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

APPLICANT: Dolyva Development, LLC

CAL NO.: 182-18-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:  
April 27, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6109 N. Elston Avenue

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

**ACTION OF BOARD-**

Continued to May 18, 2018 at 9:00 a.m.

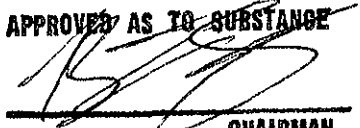
**THE VOTE**

• \*

MAY 21 2018  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X           |          |        |
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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 18 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**1205 West Webster, LLC**  
APPLICANT

**183-18-Z**  
CALENDAR NUMBER

**1211 W. Webster Avenue**  
PREMISES AFFECTED

**April 27, 2018**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the variation is approved.

AFFIRMATIVE    NEGATIVE    ABSENT

|                 |                                     |                          |                                     |
|-----------------|-------------------------------------|--------------------------|-------------------------------------|
| Blake Sercye    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Shaina Doar     | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sol Flores      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Sam Toia        | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Amanda Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 1211 W.  
WEBSTER AVENUE BY 1205 WEST WEBSTER, LLC**

**I. BACKGROUND**

1205 West Webster, LLC (the "Applicant") submitted a variation application for 1211 W. Webster Avenue (the "subject property"). The subject property is currently zoned B2-3 and is improved with an existing one-story building. The Applicant proposed to take down the existing building and redevelop the subject property with a four-story mixed-use building. To permit this, the Applicant sought a variation to reduce the rear setback from: (1) the required 30' to 7' at the residential level; and (2) 5' to 3' at the ground floor level.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on April 27, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing member Mr. Thaddeus Wong and its attorney Mr. Nick Ftikas were present. The Applicant's architect Mr. Branyo Dvorak was also present. Testifying in opposition to the application were Mr. Jeff Foster and Mr. George

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

Blakemore. With the exception of Mr. Blakemore, the statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Mr. Nick Ftikas explained that while the subject property measured 44.93' wide it was only 50' deep, making the subject property 75' shorter than a standard City lot. He stated that the existing building on the subject property was currently built lot line to lot line. He explained that the Applicant proposed to develop the subject property with a new four-story mixed-use building ("proposed building"). He stated that the proposed building would contain retail space at-grade and three residential units above. He stated that there would be on-site parking for three cars at the rear of the proposed building and that access to said on-site parking would be from the public alley. He explained that the Applicant's request to reduce the rear setback was due to the sub-standard lot depth of the subject property. He further explained that the Applicant's proposed plan of development had been previously subject to a Type 1 zoning map amendment as set forth in Section 17-13-300 of the Chicago Zoning Ordinance (Application No. 19455T1; Ordinance No. 2017-8411). He stated that prior to the map amendment, the proposed plan of development had been subject to a community review process with both the Sheffield Neighborhood Community Organization and Alderman Hopkins ("Alderman"). He submitted and the ZONING BOARD OF APPEALS accepted into the record the Alderman's letters of approval for the map amendment.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Ftikas briefly explained the community process with respect to the Type 1 zoning map amendment as well as the history of the Type 1 zoning map amendment.

The Applicant presented the testimony of its managing member Mr. Thaddeus Wong. Mr. Wong testified as to his familiarity with the subject property's dimensions, the Applicant's request to reduce the rear setback, and the Applicant's proposed plan of development for the subject property. He testified that he had nearly twenty years in the real estate industry and it was his opinion that the request to reduce the rear setback was necessary because the subject property only had a 50' lot depth.

The Applicant presented the testimony of its architect Mr. Branyo Dvorak. Mr. Dvorak testified that he was a licensed architect in the State of Illinois and was familiar with the subject property. He then testified as to the Applicant's proposed program of development on the subject property, including its location on the subject property and how its façade would take advantage of the nearby architecture in the neighborhood. In particular, he testified that the request to reduce the rear setback on the residential floors was to allow a functional floor plan for the three apartments as otherwise the residential floors could only be 20' deep. He then testified that the request to reduce the rear setback on the ground floor was so that the Applicant could fit three enclosed parking spaces behind the proposed retail space. He then testified that the request to reduce the rear setback on the residential floor was so that the Applicant could fit three enclosed parking spaces behind the ground floor retail space. Additionally, he testified that even with the

requested reductions, the Applicant's proposed plan of development would leave 15' of setback at the southeast corner of the subject property.

Mr. Ftikas explained that this 15' setback would not be improved with a building. He stated that instead this 15' setback would be improved with an open deck for a second means of ingress and egress to the proposed building. He stated that this open deck was a permitted obstruction in that space.

Mr. Dvorak further testified that the 15' setback mitigated any impact that the Applicant's proposed development might have on neighboring properties. He testified that the 15' setback would also maintain adequate light and air for the Applicant's proposed building and the neighboring structure. He testified that in his opinion the granting of the variation would not: (1) be detrimental to the public welfare of injurious to other property or improvements in the area; (2) impair an adequate supply of light and air to adjacent properties; (3) increase the danger of fire or endanger the public safety; (4) substantially increase congestion in the public streets in the immediate area; (4) substantially diminish or impair property values; and (5) substantially alter the essential character of the neighborhood. He then testified that based on his survey of the neighborhood, there were other four-story multi-unit buildings in the area. He testified that based on this survey, it was his opinion that the Applicant's proposed development was compatible with the other buildings and improvements in the area.

Mr. Jeff Foster, owner of 2156 N. Racine, testified in opposition to the application. He submitted and the ZONING BOARD OF APPEALS accepted into the record a print-out of a google map showing the location of 2156 N. Racine to the subject property. He first testified that the existing building on the subject property had been renovated only seven years ago and that this renovation was part of a zoning change for which he did not receive notice, just as he did not receive notice for the Applicant's map amendment. He then testified that he had been promised the renovation would not lead to a food establishment but this promise had been violated.

Mr. Ftikas objected to this testimony as the Applicant did not own the subject property when this prior renovation occurred. He further objected because the testimony had nothing to do with the Applicant's request to the ZONING BOARD OF APPEALS.

The ZONING BOARD OF APPEALS overruled the objection but reminded Mr. Foster that the ZONING BOARD OF APPEALS was looking to see how the Applicant's request met or did not meet the standards for a variation.

Mr. Foster testified that he understood and that his point had been that the existing building on the subject property was not an older building. He testified that the building to the other side of his property received a zoning variation to build a five-story building. He testified that in response to this, he installed windows at the rear of the building on his property. He testified that he relied upon the rent received from this building to live on and that light to this building drastically affects the rent he receives. He testified that it

was his belief that the Applicant's request to reduce the rear setback would completely eliminate the light and air the windows at rear of his building currently receive.

Mr. Ftikas responded to this testimony by reminding the ZONING BOARD OF APPEALS that the Applicant would be providing a 15' setback. He explained that this 15' setback would be a continuation of the open space where Mr. Foster had put in his windows.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Foster testified that he had installed three 7'x4' windows at the rear of his building. He further testified that it was his belief that the Applicant's proposed plan of development would absolutely block those windows.

After all parties agreed where the windows were located, the ZONING BOARD OF APPEALS observed that light and air would still be received by said windows. The ZONING BOARD OF APPEALS further observed that if the Applicant's proposed plan of development was built, the light received by said windows would not be the same extent as the light currently received.

The ZONING BOARD OF APPEALS then asked Mr. Foster if Mr. Foster's argument against the Applicant's proposed plan of development was as follows: the proposed plan of development would make it so the quality of light received by said windows would not be to the standard at which Mr. Foster could rent the units in his building at a reasonable rate.

Mr. Foster testified that this was indeed his argument. He further testified that he agreed that ambient light would still enter the windows but that he was concerned about the quality of the light.

Mr. Ftikas then stated the standard the ZONING BOARD OF APPEALS had to consider was whether or not the proposed variation would impair an adequate supply of light and air to adjacent properties. He reminded that as adequate is not defined in the Chicago Zoning Ordinance, the definition to be used is the one set forth in Merriam-Webster's dictionary<sup>1</sup>, that is: "of a quality that is acceptable but not better than acceptable." He submitted and the ZONING BOARD OF APPEALS accepted into the record this definition.

Mr. Foster again testified that if the Applicant was allowed to continue with its proposed plan of development, he believed it would be detrimental to his building, especially in his attempt to rent out the units in his building.

In response to comments by the ZONING BOARD OF APPEALS, Mr. Ftikas stated that subject property sits to the west of Mr. Foster's property. He stated that because of this during the length of the day, an adequate supply of light and air would make it to Mr. Foster's property and the rear of the Applicant's property because both properties are

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<sup>1</sup> As set forth in Section 17-1-0602 of the Chicago Zoning Ordinance.

located in the northern hemisphere and the sun rises in the east and sets in the west. He stated that if the application were denied, the Applicant could erect a three or four story commercial building on the subject property that could extend lot line to lot line. He stated that the Applicant had instead designed a program of development with a 15' setback to preserve light and air not only for its proposed building but also for adjacent properties. He stated that said program of development also allows the Applicant to provide for a secondary means of egress and ingress into the proposed building. He reiterated that there will be 15' between the Applicant's proposed building and adjacent structures on Racine. He stated that there are four or five story buildings built on Racine that have only 3' between them and yet there is adequate light and air between said buildings.

Mr. Foster testified that all of those buildings had not only gangways but also alleys. He testified that his building did not have alley access. He further testified he did not have the option to allow light into his building from the gangways. He testified that the Applicant purchased the subject property in 2016 and never attempted to speak with him about the Applicant's intentions.

The ZONING BOARD OF APPEALS then asked if Mr. Foster could give the ZONING BOARD OF APPEALS a sense of what rents were like before Mr. Foster added the windows in question to his building, what rents Mr. Foster currently received now, and what depreciation of rents Mr. Foster anticipated should the proposed plan of development be built.

Mr. Foster testified that he believed the proposed plan of development would be more than a rent decrease and instead would be so detrimental as to inhibit the renting the units in his building at all.

Mr. Ftikas submitted and the ZONING BOARD OF APPEALS accepted into the record an additional photograph. Mr. Ftikas stated that as shown by the photograph, Mr. Foster's building is a four-story residential building that is located between two four-story multi-unit buildings. He stated that these are existing conditions. He stated that the Applicant's proposed plan of development for the subject property should not have any real impact on the marketability of Mr. Foster's building.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Ftikas stated that the Applicant would not be blocking the windows of Mr. Foster's building. He stated that Mr. Foster was making the assumption or drawing the conclusion that there would be a wall right next to his windows. Mr. Ftikas stated that as shown by the Applicant's proposed plan of development, there would be a 15' setback between the Applicant's proposed building and the east side of the subject property.

Mr. Foster testified that it was his belief that such 15' setback would not help his building as it would be on the wrong side. He further testified that he had been in the real estate industry for 30 years and knew the effect of light when renting or selling property.

Mr. George Blakemore, address unknown, then made several irrelevant and immaterial remarks unrelated to the application.

B. Criteria for a Variation

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

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

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

III. FINDINGS OF FACT.

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

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

As testified to by both Mr. Wong and Mr. Dvorak, the subject property is only 50' deep. This is, as noted by Mr. Ftkas, 75' shorter than a standard City lot. This short lot depth creates practical difficulties or particular hardships for the subject property because if the Applicant were to strictly comply with the regulations and standards of the Chicago Zoning Ordinance, the Applicant would: (1) not be able to provide its required on-site parking; and (2) would only be able to provide residential units that were 20' in width.

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

As set forth in the Applicant's proposed Findings of Fact, the requested variation maintains orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance, maintains a range of housing choices and options pursuant to Section 17-1-0512 and accommodates growth and development pursuant to Section 17-1-0513.

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

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

Due to the extremely substandard lot depth of the subject property, the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance. Mr. Dvorek very credibly testified that without the requested reductions to the rear setback, the Applicant could provide neither a functional floor plan for the proposed residential units nor provide all required on-site parking.

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

The 50' lot depth is a unique circumstance and not generally applicable to other mixed-use property.

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

As Mr. Dvorek very credibly testified, the Applicant's proposed plan of development is consistent with the architecture of the neighborhood in both its façade and in its size.

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

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

As noted above, the subject property is only 50' deep. This – as shown by Mr. Dvorek's testimony with respect to the Applicant's proposed plan of development – results in particular hardship upon the Applicant as it very much inhibits what may be built on the subject property if the strict letter of the regulations were carried out.

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

The short lot depth of only 50' is not applicable, generally, to other property within the B3-2 zoning classification.

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

As set forth in the Applicant's proposed Findings of Fact, the purpose of the variation is to overcome the difficulty of the subject property's short lot depth of 50' to create a functional four-story mixed-use building in a neighborhood full of four-story mixed-use buildings. It is therefore not based exclusively upon a desire to make more money out of the subject property.

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

The Applicant did not create the subject property's substandard lot depth of 50'.

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



Despite Mr. Foster's protestations to the contrary, the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. As shown by the Applicant's proposed plan of development and as very credibly testified to by Mr. Dvorek, the Applicant will be providing a 15' setback on the southeast corner of the subject property. This 15' setback will ensure that the rear of Mr. Foster's building receives an adequate supply of light and air. Further, the ZONING BOARD OF APPEALS finds Mr. Foster to be not credible. In particular, Mr. Foster's testimony that he had 30 years of experience in the real estate industry cannot be reconciled with his refusal to answer direct questions regarding prior depreciation of rent in a building he has owned since 1988. This inability to answer these basic questions casts severe doubt on the veracity of his other representations to the ZONING BOARD OF APPEALS.

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

As noted above, the variation will not impair an adequate supply of light and air to adjacent property. Further, and as very credibly testified to by Mr. Dvorek, the variation will not 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.

#### IV. CONCLUSION

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

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

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

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

**APPLICANT:** Saxony George, LLC

**CAL NO.:** 184-18-Z

**APPEARANCE FOR:** C. Harrison Cooper

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1503-05 W. George Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from 14.916' to 8.45', west from 2' to zero, east from 2' to zero, combined side setback from 5' to zero for the existing three-story building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
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| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

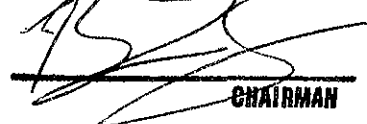
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 8.45', west to zero, east to zero, combined side setback to zero for the existing three-story 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**

  
**CHAIRMAN**

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JUN 18 2018  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

185-18-S  
184-18-S  
CALENDAR NUMBER

**Winterfell Castle, LLC**  
APPLICANT

**1809 W. Division Street**  
PREMISES AFFECTED

**April 27, 2018**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

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

Blake Sercye  
Shaina Doar  
Sol Flores  
Sam Toia  
Amanda Williams

| AFFIRMATIVE                         | NEGATIVE                 | ABSENT                              |
|-------------------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1809 W.  
DIVISION STREET BY WINTERFELL CASTLE, LLC**

**I. BACKGROUND**

Winterfell Castle, LLC (the "Applicant") submitted a special use application for 1809 W. Division Street (the "subject property"). The subject property is currently zoned B3-3 and is improved with a three-story multi-use building (the "building"). The Applicant proposed to lease the ground floor commercial space in the building and to use such space to establish a hair salon. To establish said hair salon, the Applicant sought a special use to establish a hair salon on the subject property. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed special use, provided the special use was issued solely to the Applicant.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on April 27, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

Fact. The Applicant's manager Mr. Benjamin Dekker and its attorney Mr. Zubin Kammula were present. The Applicant's land planner Mr. Paul Woznicki was also present. Ms. Megan Praner, of 1322 N. Damen Avenue, and Mr. George Blakemore, address unknown, opposed the application. With the exception of Mr. Blakemore's testimony, the statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The ZONING BOARD OF APPEALS reminded all parties that pursuant to Illinois law, it would not consider any arguments based upon competition.

The Applicant presented the testimony of its manager Mr. Benjamin Dekker. Mr. Dekker testified that he intended to operate a hair salon at the subject property. He testified that said hair salon would be full-service in that it would offer haircuts and hair coloring services for both men and women. He testified the hair salon would also offer shampooing, blow-dry services, beard trims, neck trims, and other related services. He testified that the proposed hair salon would be a franchise. He testified that the franchise originated in Portland, Oregon, and was called Bishops Cuts/Color. He testified that the Applicant would be the first franchise of Bishops Cuts/Color in Illinois. He testified that Bishops Cuts/Color is an on-trend, modern and gender neutral franchise and that he believed the Wicker Park neighborhood in general and this portion of Division Street in particular matched the vibe of Bishops Cuts/Color. He testified that he believed that the area was also an attractive place to start a business because it appeared to be an affluent area and was growing in population.

The Applicant presented the testimony of its land planner Mr. Paul Woznicki. The ZONING BOARD OF APPEALS recognized Mr. Woznicki as an expert in land planning. Mr. Woznicki first testified as to the nature of the subject property and its surrounding environment. He then testified as to how the Applicant's application met all criteria for a special use.

Ms. Megan Praner, of 1322 N. Damen, testified in opposition to the application. She testified that she is a member of Chamber of Commerce of Wicker Park-Bucktown, West Town ("Chamber of Commerce"). She testified that she is a business owner in the neighborhood. She testified that she opposed the application because Bishops Cuts/Color was a national chain and that it was her belief that big box national chains would ruin the character of the Wicker Park neighborhood. She further testified that she also opposed the application due to oversaturation of hair salons in the neighborhood.

The ZONING BOARD OF APPEALS asked why having more hair salons in the neighborhood was a problem.

Ms. Praner testified that oversaturation was a concern because she believed it interfered with the cultural diversity of the neighborhood. She testified that Division Street, between Ashland and Western Avenues, currently had twenty-four (24) hair salons.

The ZONING BOARD OF APPEALS stated that based on Ms. Praner's testimony, one could draw the conclusion that hair salons were the character of the neighborhood.

Ms. Praner testified that it was her belief that the character of the neighborhood was cultural and economic diversity. She then continued to testify as to her belief that big box chains and franchises destroyed this cultural and economic diversity as such chains and franchises raised prices and pushed independent businesses out of neighborhoods. She testified that this was the Chamber of Commerce's belief as well.

The ZONING BOARD OF APPEALS asked Ms. Praner if the Chamber of Commerce had any reports or studies that showed that big box chains and franchises were destroying cultural and economic diversity of this particular neighborhood.

Ms. Praner testified that she was not aware of any such studies. She then testified that she wanted to make sure that the Applicant's status as a franchise was entered into the record as she believed the Applicant was attempting to state it was not a franchise.

The ZONING BOARD OF APPEALS stated that the Applicant's representatives had been very clear that the Applicant was a franchise.

Mr. George Blakemore, address unknown, testified in objection to the application.

Ms. Praner then testified that she believed the 1000 foot restriction set forth Section 17-9-0112 of the Chicago Zoning Ordinance was so the community could make decision regarding oversaturation and diversity.

In response to Ms. Praner's testimony, the ZONING BOARD OF APPEALS asked Mr. Woznicki if, based on his tenure as the City's Zoning Administrator, he had any knowledge of the reasoning behind the 1000 foot restriction set forth in Section 17-9-0112 of the Chicago Zoning Ordinance.

Mr. Woznicki testified that he had been responsible for drafting Section 17-9-0112 of the Chicago Zoning Ordinance. He testified that the legislative intent behind the provision had nothing to do with what was being discussed at the hearing. He testified that the legislative intent had been that as hair salons and other personal service uses are primarily cash businesses, the former Chairman of the City Council's Zoning Committee former Alderman Banks had wanted to ensure that an entity or individual wishing to open such a service would be heavily scrutinized to ensure said entity or individual was not using the personal service as a means to launder money.

#### B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of

the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

### III. FINDINGS OF FACT

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

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

As noted by Mr. Woznicki in his report, the subject property complies with all bulk requirements such as building height, setbacks, floor area ration, parking and loading of the zoning district. Therefore, with the exception of the special use itself, the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance. Since the ZONING BOARD OF APPEALS has determined to grant the proposed special use, the ZONING BOARD OF APPEALS find that the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

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

As Mr. Woznicki very credibly testified, the proposed special use is in the interest of the public convenience because it will allow the Applicant to provide an alternative option to the other hair salons in the East Ukrainian Village neighborhood and in the larger West Town community area. As Mr. Woznicki also very credibly testified, the neighborhood in question – particularly West Division Street at this location – is highly trafficked ensuring that an additional personal service use in the neighborhood will not have a significant adverse impact on the general welfare of the neighborhood. Although Ms. Paner argued the proposed special would lead to “oversaturation,” she could not articulate how “oversaturation” created a significant adverse impact other than to say it would reduce the economic and cultural diversity of the neighborhood. With respect to economic and cultural diversity of the neighborhood, Ms. Paner's testimony regarding independent stores versus big box chains and franchises shows a

preference for a certain *type* of hair salon or personal service use. This is not a proper or lawful zoning objective and is, in fact, an attempt to control or restrict competition against existing businesses in the neighborhood. *Lazarus v. Village of Northbrook*, 31 Ill.2d 146, 152 (1964) (“The fact that there may be a preference for a hospital that is publicly owned and financed, where the proposed hospital will be privately owned, is not a proper concern for zoning officials”); *see also Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87, 91 (1st Dist. 1983) (“The control or restriction of competition is not a proper or lawful zoning objective”).

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 Mr. Woznicki very credibly testified, the proposed special use will be located within existing commercial tenant space in the 134 year old building on the subject property. The proposed special use will therefore be harmonious and compatible with the character of the area in terms of site planning and building scale and project design.

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

As noted above, the special use will be located within existing commercial tenant space in the 134 year old building on the subject property. As also noted above, the neighborhood in question – particularly West Division Street at this location – is highly trafficked. In fact, as Mr. Woznicki noted, West Division Street is designated a Pedestrian Street (as set forth in Section 17-3-0500 of the Chicago Zoning Ordinance) at this location. Both Mr. Woznicki and Mr. Dekker very credibly testified as to the Applicant’s operating characteristics and such characteristics are compatible with the character of the surrounding area, such as hours of operating, outdoor lighting, noise and traffic generation.

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

As noted above, the proposed special use will be located within commercial tenant space in the building on the subject property. The special use will therefore not require any curb cuts. Further, as the subject property is located on a Pedestrian Street, the building on the subject property as well as the proposed special use will need to comply with all regulations of Section 17-3-500 of the Chicago Zoning Ordinance, especially those that promote pedestrian safety and comfort.

#### IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following condition:

1. The special use shall be nontransferable and limited solely to Winterfell Castle, LLC. In the event that another entity seeks to operate a hair salon on the subject property, a new special use shall be needed.

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:** Americash Loan, LLC **CAL NO.:** 186-18-S  
**APPEARANCE FOR:** Michael Roth **MINUTES OF MEETING:**  
April 27, 2018  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 149 N. Western Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a pay day loan facility.

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

**THE VOTE**

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**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

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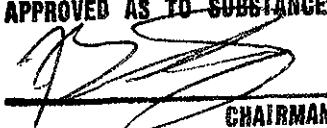
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Americash Loans, LLC.

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

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

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

**APPLICANT:** EZMB, LLC

**CAL NO.:** 187-18-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2404 W. Moffat Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard setback on floors containing dwelling units from the required 30' to 4.33' for a proposed four-story building with ground floor retail and seven dwelling units above.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

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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 April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback on floors containing dwelling units to 4.33' for a proposed four-story building with ground floor retail and seven dwelling units above; 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:** 843 W. Agatite, LLC

**CAL NO.:** 188-18-Z

**APPEARANCE FOR:** Adam Penkhus

**MINUTES OF MEETING:**

April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 839 W. Agatite Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from 14.88' to 1.33', the east and west setback from 5' each to zero, combined side setback from 10' to zero at the parking area and a 3.5' east and 5.16' west and combined 8.66' at the building for a proposed four-story, twenty unit building with rear on-site parking.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

  
  
**MAY 21 2018**  
  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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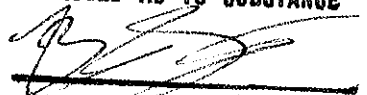
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 1.33', the east and west setback to zero, combined side setback to zero at the parking area and a 3.5' east and 5.16' west and combined 8.66' at the building for a proposed four-story, twenty unit building with rear on-site parking; two additional variations were granted to the subject property in Cal. Nos. 189-18-Z and 190-18-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:** 843 W. Agatite, LLC

**CAL NO.:** 189-18-Z

**APPEARANCE FOR:** Adam Penkhus

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 839 W. Agatite Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 700 square feet to zero for a proposed four-story, twenty unit building with rear on-site parking.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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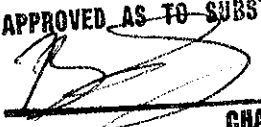
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to zero for a proposed four-story, twenty unit building with rear on-site parking; two additional variations were granted to the subject property in Cal. Nos. 188-18-Z and 190-18-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:** 843 W. Agatite, LLC

**CAL NO.:** 190-18-Z

**APPEARANCE FOR:** Adam Penkhus

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 839 W. Agatite Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the required parking from twenty spaces to nineteen spaces for a proposed four-story, twenty dwelling unit building with rear on-site parking.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
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SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

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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 April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required parking to nineteen spaces for a proposed four-story, twenty dwelling unit building with rear on-site parking; two additional variations were granted to the subject property in Cal. Nos. 188-18-Z and 189-18-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:** Shop 47<sup>th</sup>, LLC **CAL NO.:** 191-18-S

**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4107 W. 47<sup>th</sup> Street 1<sup>st</sup> Floor

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

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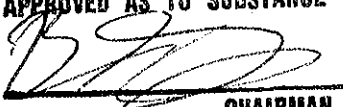
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Shop 47<sup>th</sup>, LLC.

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

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

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

**APPLICANT:** Roy B. Farmer **CAL NO.:** 192-18-S

**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 401 E. 71<sup>st</sup> Street

**NATURE OF REQUEST:** Application for a special use to establish a personal service.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
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AMANDA WILLIAMS

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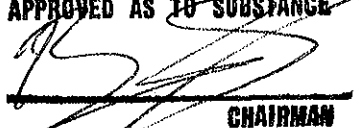
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Roy B. Farmer.

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:** Leroy Silva DBA Leroy Avenue Barber Shop

**CAL NO.:** 193-18-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6136-38 W. Belmont Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

• •

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**THE RESOLUTION:**

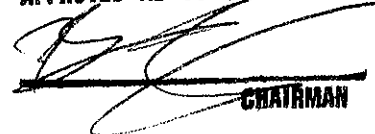
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Leroy Silva.

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: Tommie Rijos dba Tommiz Hair Place

CAL NO.: 194-18-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:  
April 27, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2448 N. Laramie Avenue

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

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE



MAY 21 2018

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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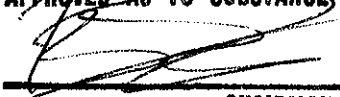
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Tommie Rijos.

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:** Esperanza Community Services

**CAL NO.:** 195-18-S

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1620 W. Grand Avenue

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

**ACTION OF BOARD-**

**Continued to June 15, 2018 at 9:00 a.m.**

**THE VOTE**

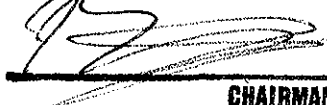
**MAY 21 2018**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Esperanza Community Services  
**APPEARANCE FOR:** Nicholas Ftikas  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1620 W. Grand Avenue

**CAL NO.:** 196-18-Z

**MINUTES OF MEETING:**  
April 27, 2018

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area from the required 8,000 square feet to 7,350 square feet for a proposed four-story, eight dwelling unit building and a detached eight car garage.

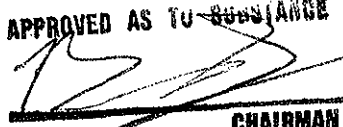
**ACTION OF BOARD-**  
Continued to June 15, 2018 at 9:00 a.m.

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Esperanza Community Services

**CAL NO.:** 197-18-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**

April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1620 W. Grand Avenue

**NATURE OF REQUEST:** Application for a variation to increase the permitted building height from the maximum 45' to 48.7' for a proposed four-story, eight dwelling unit building with a detached eight car garage.

**ACTION OF BOARD-**

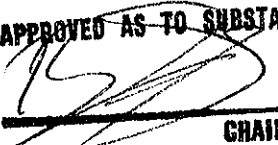
Continued to June 15, 2018 at 9:00 a.m.

**THE VOTE**

**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Esperanza Community Services

**CAL NO.:** 198-18-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1620 W. Grand Avenue

**NATURE OF REQUEST:** Application for a variation to increase the area occupied by an accessory building in the rear setback from 1,323.0 square feet to 1,442.4 square feet for a proposed eight car detached garage that will serve a proposed four-story eight dwelling unit building.

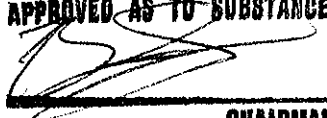
**ACTION OF BOARD-**  
**Continued to June 15, 2018 at 9:00 a.m.**

**THE VOTE**

**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** RDG 1302 Hoyne, LLC

**CAL NO.:** 199-18-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**

April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1302 N. Hoyne Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the north setback from 2.56' to zero, south setback from 2.56' to zero, combined side setback from 6.4' to zero, rear setback from 35.39' to zero and the required rear property line to a detached garage from 2' to zero for a proposed detached two car garage with new at grade courtyard area with a 14.17' tall masonry walls at perimeter and partial roof above accessory to an existing two-story, single family residence.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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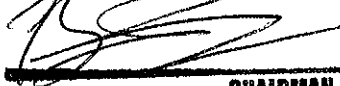
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north setback to zero, south setback to zero, combined side setback to zero, rear setback to zero and the required rear property line to a detached garage to zero for a proposed detached two car garage with new at grade courtyard area with a 14.17' tall masonry walls at perimeter and partial roof above accessory to an existing two-story, single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the 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:** Stingray Auto Spa, Inc.

**CAL NO.:** 200-18-S

**APPEARANCE FOR:** Dean Maragos

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4710-12 W. Chicago Avenue

**NATURE OF REQUEST:** Application for a special use to establish a car wash.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| 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 April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Stingray Auto Space, Inc., and the development is consistent with the design and layout of the plans and drawings dated November 24, 2017, prepared by Beron Design Group.

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

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

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

**APPLICANT:** 1417-19 S. Wabash Avenue

**CAL NO.:** 201-18-Z

**APPEARANCE FOR:** Katriina McGuire

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1417-19 S. Wabash Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 15' for a proposed ten-story, retail and sixty-two dwelling unit building (twenty- four efficiency units and thirty-eight dwelling units).

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
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 April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 15' for a proposed ten-story, retail and sixty-two dwelling unit building (twenty- four efficiency units and thirty-eight dwelling units); the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the 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:** 51 E. 14<sup>th</sup> Street Development Corporation

**CAL NO.:** 202-18-S

**APPEARANCE FOR:** Katriina McGuire

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 45-59 E. 14<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a special use to establish thirty-six required accessory off-site parking spaces to serve a proposed building at 1419 S. Wabash Avenue.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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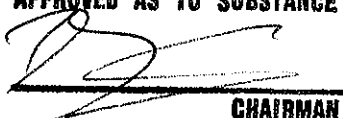
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish thirty-six required accessory off-site parking spaces to serve a proposed building at 1419 S. Wabash Avenue; an additional special use and a variation were granted to the subject property in Cal. No. 203-18-S and 204-18-Z; George Blakemore of Chicago, Illinois, testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, 51 E 14<sup>th</sup> Street Development Corporation, and the development is consistent with the design and layout of the plans and drawings dated March 28, 2018, prepared by Pappageorge Haymes Partners.

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:** 51 E. 14<sup>th</sup> Street Development Corporation

**CAL NO.:** 203-18-S

**APPEARANCE FOR:** Katriina McGuire

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 45-59 E. 14<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a special use to lease out thirty-six spaces (41%) of the eighty-eight accessory parking to the proposed development located at 1419 S. Wabash Avenue.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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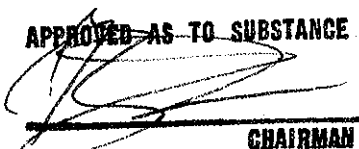
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to lease out thirty-six spaces (41%) of the eighty-eight accessory parking to the proposed development located at 1419 S. Wabash Avenue; an additional special use and a variation were granted to the subject property in Cal. No. 202-18-S and 204-18-Z; George Blakemore of Chicago, Illinois, testified in opposition; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, 51 E 14<sup>th</sup> Street Development Corporation, and the development is consistent with the design and layout of the plans and drawings dated March 28, 2018, prepared by Pappageorge Haymes Partners.

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:** 51 E. 14<sup>th</sup> Street Development Corporation

**CAL NO.:** 204-18-Z

**APPEARANCE FOR:** Katriina McGuire

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 45-59 E. 14<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to zero for a proposed fifteen-story retail and one hundred ninety-nine residential units (sixty-eight efficiency units and one hundred thirty-one dwelling units).

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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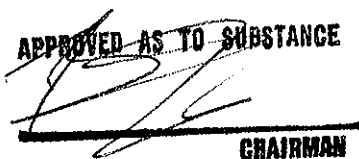
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 13, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero for a proposed fifteen-story retail and one hundred ninety-nine residential units (sixty-eight efficiency units and one hundred thirty-one dwelling units); two special uses were granted to the subject property in Cal. Nos. 202-18-S and 203-18-S; George Blakemore of Chicago, Illinois, testified in opposition; 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:** Foster Shell Mart, Inc.

**CAL NO.:** 50-18-S

**APPEARANCE FOR:** Richard Kruse

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5147-49 N. Kimball Avenue / 5149-57 W. Foster Avenue

**NATURE OF REQUEST:** Application for a special use to establish a new one-story retail building with a one lane car wash to serve the existing gas station facility.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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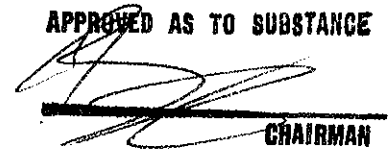
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Foster Shell Mart, Inc., and the development is consistent with the design and layout of the landscape plan dated January of 2018, prepared by R. Donald Johnson Architects.

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

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

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

**APPLICANT:** The Renslow, LLC

**CAL NO.:** 110-18-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5015-23 N. Clark Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 5' to zero, the rear north east setback from 16' to zero for a proposed four-story retail and nine dwelling unit addition to an existing two-story, retail building.

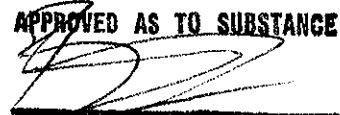
**ACTION OF BOARD-  
APPLICATION WITHDRAWN**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** K K Court Investment, Inc. **CAL NO.:** 111-18-Z

**APPEARANCE FOR:** Alfred Quijano **MINUTES OF MEETING:**

April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2430 W. Moffat Street

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area per unit from 3,000 square feet to 2,991.84 square feet for a proposed three-story, three dwelling unit building with a rooftop stairway.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

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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 April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 2, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area per unit to 2,991.84 square feet for a proposed three-story, three dwelling unit building with a rooftop stairway; George Blakemore of Chicago, Illinois, testified in opposition; 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  
121 North LaSalle Street  
Chicago, Illinois 60602  
TEL: (312) 744-3888



**JUN 18 2018**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**Alex Veitsman**  
APPLICANT

**123-18-Z**  
CALENDAR NUMBER

**618 W. 129th Place**  
PREMISES AFFECTED

**April 27, 2018**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the variation is approved.

AFFIRMATIVE    NEGATIVE    ABSENT

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| Blake Sercye    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Shaina Doar     | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sol Flores      | <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 type="checkbox"/> | <input checked="" type="checkbox"/> |

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 618 W. 129TH  
PLACE BY ALEX VEITSMAN**

**I. BACKGROUND**

Mr. Alex Veitsman (the "Applicant") submitted a variation application for 618 W. 129th Place (the "subject property"). The subject property is currently zoned RS-2 and is improved with a single family home (the "home") with an existing one story addition to the front of the home (the "front addition"). The front addition had been built without a building permit. To obtain a building permit and therefore legalize the front addition, the Applicant sought a variation to reduce the front setback from the required 22.82' to 14.12'.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on April 27, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice pursuant to Section 17-13-0108 of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted his proposed Findings of Fact. The Applicant Mr. Alex Veitsman and his attorney Mr. John Pikarski were present. The Applicant's architect Mr. George Simoulis was also

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

present. Testifying in opposition to the application were Ms. Tracey Murray, of 34 E. 112th Place, a Legislative Aide for 9th Ward Alderman Anthony A. Beale (the "Alderman") and Mr. George Blakemore, address unknown (collectively, the "Objectors"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Mr. John Pikarski explained to the ZONING BOARD OF APPEALS that he had requested a continuance at the previous hearing in order for the Applicant, a permanent resident of Israel, to fly in to Chicago to attend the hearing in person.

Mr. Pikarski then stated to the ZONING BOARD OF APPEALS that the first he heard of Aldermanic interest in the matter was at the current hearing, not before.

Mr. Pikarski went on to explain to the ZONING BOARD OF APPEALS that the subject property was an irregularly shaped lot due to 129th Place which is an angular street. He stated that the subject property had 40 frontage feet on 129th Place with 130 feet of depth.

Mr. Pikarski explained that the subject property is zoned RS-2 and is improved with a home that was built decades ago. He explained that approximately 20 years ago, the front addition was constructed onto the front of the home without first obtaining a building permit.

Mr. Pikarski explained that the Applicant is in the business of purchasing, rehabilitating and renting properties. He stated that the Applicant proposed to rehabilitate the subject property. He stated the Applicant was trying to bring the front addition to the home into compliance with the Chicago Zoning Ordinance. He stated that without the requested variation, the Applicant could not obtain a building permit to perform said renovation.

The Applicant presented the testimony of his architect Mr. George Simoulis. Mr. Simoulis testified that 129th Street was an angular street at the location of the subject property. He testified that the subject property contained 5285 square feet and that the home was built 40-50 years ago. He testified that there were three different additions to the home, but that it was the front addition that encroached into the front yard setback. He testified that the front addition was built more than 20 years ago and was built without a building permit. He testified that the Applicant is seeking the variation to obtain a building permit to legalize this front addition. He testified that the variation would not alter the essential character of the neighborhood. He further testified that the variation would not be injurious to other properties, would not be detrimental to the welfare of the neighborhood, and would not create an inadequate supply of light and air to surrounding properties. He testified that the variation would not increase street congestion, would not increase the danger of fire or endanger public safety and will not diminish property values.



Ms. Tracey Murray, a Legislative Aide to the Alderman, testified that the Alderman wanted an inspection of the subject property to be completed first to determine if the front addition complied with the City's Building Code.

The ZONING BOARD OF APPEALS stated that its purview was zoning, not inspection issues.

Mr. Victor Resa, of the City's Department of Planning and Development, explained that if the Applicant obtained a building permit for the subject property, the Applicant would have to comply with the City's Building Code.

Mr. Pikarski agreed with Mr. Resa and stated that the Applicant had applied for a building permit in order to legalize the front addition. He stated that the front addition not only met all standards of the Chicago Zoning Ordinance but also the City's Building Code.

Ms. Murray testified that she believed the City's Department of Buildings had performed an inspection of the subject property but that the Alderman's office had not received the paperwork from that inspection.

The ZONING BOARD OF APPEALS asked the Applicant to state his name and address for the record. Mr. Veitsman testified that he lives in a suburb of Jerusalem, Israel, and that he is a Bible Scholar.

Mr. George Blakemore, address unknown, testified in opposition to the Applicant's application.

#### B. Criteria for a Variation

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

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

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

### III. FINDINGS OF FACT.

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

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

As Mr. Pikarski explained, the front addition to the home on the subject property was constructed without permits. The subject property has 40 frontage feet on 129th Place with 130 feet of depth. Due to the angle of 129th Street at this location, the subject property is irregularly shaped. Due to this irregular shape, the Applicant cannot obtain a building permit to legalize the front addition with the requested variation. Therefore, strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties and particular hardships.

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

The requested variation promotes the public health, safety and general welfare pursuant to Section 17-1-0501 of the Chicago Zoning Ordinance. The requested variation also maintains orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance and

ensures adequate light, air, privacy, and access to property pursuant to Section 17-1-0509 of the Chicago Zoning Ordinance.

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

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

As stated in the Applicant's proposed Findings of Fact, the front addition was built about 20 years ago. Removal of the front addition would be costly, would affect the subject property's appearance, would reduce interior space, and would reduce the value of the subject property. Therefore, the subject property cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.

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

The front addition to the home was in existence at the time the Applicant purchased the subject property. As noted in the Applicant's proposed Findings of Fact, the removal of the front addition would be costly and would cause a loss of valuable interior space. In addition to the front addition and as noted above, the irregularly shaped lot of the subject property due to the angular street are unique circumstances that are not generally applicable to other residential properties.

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

There will be no changes to the physical improvements on the subject property as the proposed variation is necessary to legalize the front addition to the home. Further, as noted in the Applicant's proposed Findings of Fact, there are several homes in the neighborhood that do not have meet the required setbacks for front or rear yards.

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

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

As noted above, because of the angular street, the subject property is irregularly shaped. Due to this irregular shape, the Applicant cannot obtain a building permit to legalize the front addition with the requested variation. This is a particular hardship upon the Applicant as distinguished from a mere inconvenience.

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

As noted above, the home was originally constructed 50-60 years ago and the front addition was constructed approximately 20 years prior to the Applicant's purchase. Further, due to the irregular shape of the subject property, the front addition is currently located within the subject property's front setback. Without the requested variation, the Applicant cannot obtain a building permit to rehabilitate the subject property unless the Applicant demolishes the front addition. These are not conditions that are applicable, generally, to other property within the RS-2 zoning district.

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

As Mr. Simoulis credibly testified, the purpose of the variation is to obtain the necessary building permit to rehabilitate the subject property. This rehabilitation will allow the addition of a quality rental property in the area. As noted above, the front addition already exists and provides valuable space. The variation sought will maintain the interior integrity of the home.

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

The front addition was constructed prior to the Applicant's purchase. The Applicant is seeking the variation to legalize the front addition so that he can obtain a building permit to rehabilitate the subject property.

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

The granting of the variation will allow the Applicant to rehabilitate the subject property for rental use. This will be beneficial to the public welfare and will not be injurious to other property or improvements in the neighborhood.

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

The variation will not impair an adequate supply of light and air to adjacent properties because the physical improvements on the subject property will not change. Further, the variation will not increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood because, again, the physical improvements on the subject property will not change.

#### IV. CONCLUSION

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

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

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

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

**APPLICANT: Chicago Title Land Trust Company under Trust Agreement CAL NO.: 124-18-Z  
dated October 17, 2017 Trust #8002376138**

**APPEARANCE FOR:** Rich Klawiter/Liz Butler  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1830 N. Mohawk Street

**MINUTES OF MEETING:**  
April 27, 2018

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 6.6' to zero, rear setback from 33.32' to zero, north setback from 2' to zero (south to be zero), combined side setback from 4.8' to zero for a proposed four-story, single family residence with roof deck, front stairs and landing, fences, and rear open patio.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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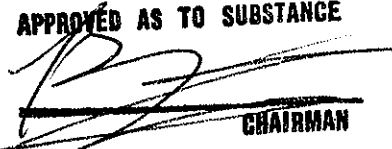
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 2, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to zero, rear setback to zero, north setback to zero (south to be zero), combined side setback to zero for a proposed four-story, single family residence with roof deck, front stairs and landing, fences, and rear open patio; an additional variation was granted to the subject property in Cal. No 125-18-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: Chicago Title Land Trust Company under Trust Agreement CAL NO.: 125-18-Z  
dated October 17, 2017 Trust #8002376138**

**APPEARANCE FOR:** Rich Klawiter/Liz Butler

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1830 N. Mohawk Street

**NATURE OF REQUEST:** Application for a variation to relocate the required rear yard open space on the garage roof deck which will serve a proposed four-story, single family residence with roof deck, front stairs and landing, fences, and rear open patio.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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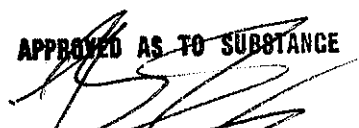
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 2, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to relocate the required rear yard open space on the garage roof deck which will serve a proposed four-story, single family residence with roof deck, front stairs and landing, fences, and rear open patio; an additional variation was granted to the subject property in Cal. No 124-18-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:** 2223 W. Madison, LLC

**CAL NO.:** 147-18-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2217-19 W. Madison Street

**NATURE OF REQUEST:** Application for a variation to reduce the west side setback from the required 5'\* to 2.66' for a proposed four-story, forty-two dwelling unit building with ground floor commercial use.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**MAY 21 2018**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
|             |          | X      |
| X           |          |        |
| X           |          |        |
|             |          | X      |

**THE RESOLUTION:**

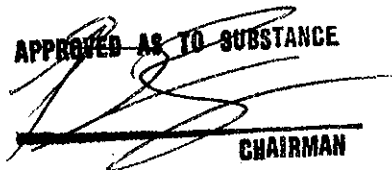
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-mes on March 2, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west side setback from the required 5'\* to 2.66' for a proposed four-story, forty-two dwelling unit building with ground floor commercial use; George Blakemore of Chicago, Illinois, testified in opposition; 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.

\*Amended at Hearing

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



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

**APPLICANT:** Rabbi Eliezer Dimarsky

**CAL NO.:** 150-18-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**

April 27, 2018

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2855 W. Touhy Avenue

**NATURE OF REQUEST:** Application for a special use to establish a religious assembly facility.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**MAY 21 2018  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
|             |          | X      |
| X           |          |        |
| X           |          |        |
|             |          | X      |

**THE RESOLUTION:**

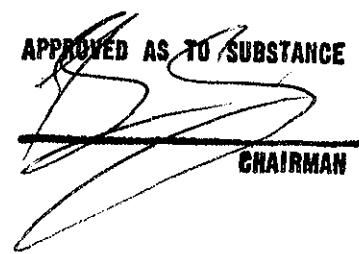
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 27, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 2, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated March 6, 2018, prepared by Nevin Hedlund Architects, Inc.

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**