

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

APPLICANT: Christ Community Church

CAL NO.: 377-08-S

PEARANCE FOR: Thomas Pikarski

MAP NO.: 26-E

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 743 E. 103rd Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a fellowship hall/community center in a B3-2 Community Shopping District. This case was previously approved on August 15, 2003 (ZBA 305-03-S).

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a fellowship hall/community center; this case had previously been heard and approved in Cal. No. 305-03-S. The testimony of the appraiser was that the use would not have a negative impact on the community and is in character with the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the of the fellowship hall/community center, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings prepared by Chris Heimsoth, dated September 18, 2008.

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

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Raji Ross **CAL NO.:** 378-08-S

PEARANCE FOR: Mark Kupiec **MAP NO.:** 16-I

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008

PREMISES AFFECTED: 2523 W. 63rd Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a tattoo parlor in a B3-1 Community Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development has no objection to the expansion of the existing tattoo parlor.

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

APPROVED AS TO SUBSTANCE

BAC

CHAIRMAN

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

APPLICANT: Veronica Garza **CAL NO.:** 379-08-S

APPEARANCE FOR: Same **MAP NO.:** 5-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008

PREMISES AFFECTED: 1735 N. Clybourn Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B1-2 Neighborhood Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

Bd C

CHAIRMAN

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

APPLICANT: My-Ai, Troung Thi

CAL NO.: 380-08-S

PEARANCE FOR:

MAP NO.: 11-M

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 4354 N. Central Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a nail salon within 1,000 linear feet of another nail salon, barber shop, beauty salon or similar use in a B3-1 Community Shopping District.

ACTION OF BOARD--
CASE CONTINUED TO NOVEMBER 21, 2008

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Matthew Stevens **CAL NO.:** 381-08-A

APPEARANCE FOR: Richard Zulkey **MAP NO.:** 15-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008

PREMISES AFFECTED: 1284-86 W. Early Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the 1st floor dwelling units to be duplexed into the existing basement in an RT-3.5 Residential Two-Flat, Townhouse and Multi-Unit District. This is an expansion of a non-conforming use.

ACTION OF BOARD--
THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

OCT 20 2008
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19; and

WHEREAS, the district maps show that the premises is located in an RT-3.5 Residential Two-Flat, Townhouse and Multi-Unit District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The building contains 12 dwelling units. The applicant will duplex the first floor units into the existing basement. No additional dwelling units will be added. The existing storage will be turned into habitable space. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE

BLC

CHAIRMAN

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

APPLICANT: Matthew Stevens **CAL NO.:** 382-08-Z

PEARANCE FOR: Richard Zulkey **MAP NO.:** 15-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008

PREMISES AFFECTED: 1284-86 W. Early Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-3.5 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed rear porch system whose east side yard shall be zero instead of 3' and a 8.5' west yard.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

OCT 20 2008

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant was granted an appeal in Cal. No. 381-08-A. The applicant shall now be permitted to construct a rear porch system whose east side yard shall be zero and a 8.5' west yard; 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

Bac

CHAIRMAN

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

APPLICANT: T. Salon and Callery LLC

CAL NO.: 383-08-S

PEARANCE FOR: Gary Wigoda

MAP NO.: 11-H

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 4705 N. Damen Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-2 Community Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: SBS, LLC **CAL NO.:** 384-08-S
PEARANCE FOR: Roland Burris II **MAP NO.:** 10-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 4639-41 S. Langley Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 16 private passenger vehicles, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, to serve the commercial use at 708 E. 47th Street.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 REVEREND WILFREDO DEJESUS
 JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site accessory parking lot for 16 private passenger vehicles to serve the commercial use at 708 E. 47th Street. The testimony of the appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed off-site parking, provided the applicant installs the fencing and landscaping in compliance with the Chicago Landscape Ordinance.

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

APPROVED AS TO SUBSTANCE

DSC

CHAIRMAN

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

APPLICANT: SBS, LLC **CAL NO.:** 385-08-Z

PEARANCE FOR: Roland Burris II **MAP NO.:** 10-E

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008

PREMISES AFFECTED: 4639-41 S. Langley Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, an off-site accessory parking lot whose front yard shall be 7' instead of 20' and to reduce the north and south side yard to zero instead of 5' each instead of a combined 10'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site accessory parking lot whose front yard shall be 7' and to reduce the north and south side yard to zero; 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

DL

COURTNEY

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

APPLICANT: Sheila Kelley's Factory, LLC

CAL NO.: 386-08-A

APPEARANCE FOR:

MAP NO.: 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 1400 W. Hubbard Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the retail sales of dance clothing as an accessory to a dance studio in a PMD-4 Planned Manufacturing District. The dance studio is permitted as a personal service. Retail sales of goods are not permitted unless the goods are produced on site.

ACTION OF BOARD--
DISMISSED FOR WANT OF PROSECUTION

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

BjC

CHAIRMAN

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

APPLICANT: Ava Barrett

CAL NO.: 387-08-S

PEARANCE FOR:

MAP NO.: 19-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 7208 N. California Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B1-1 Neighborhood Shopping District.

ACTION OF BOARD--
CASE CONTINUED TO NOVEMBER 21, 2008

THE VOTE

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

Bac

CHAIRMAN

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

APPLICANT: 4245 Milwaukee Corp.

CAL NO.: 388-08-S

PEARANCE FOR:

MAP NO.: 11-L

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 4245 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a fast food restaurant with drive thru facility in a B3-1 Community Shopping District.

ACTION OF BOARD--
CASE CONTINUED TO DECEMBER 19, 2008

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

APPRIMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

DSC

CHAIRMAN

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

APPLICANT: East Village Youth Program

CAL NO.: 389-08-S

PEARANCE FOR: Mark Nora

MAP NO.: 7-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 3641-43 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a community center in a B3-1 Community Shopping District. The building will be de-converted from an office and 1 dwelling unit into the community center and one dwelling unit.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a community center in building that has been de-converted from an office building; the testimony of the appraiser was that the use is compatible with community and would not have a negative impact on the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed community center.

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

APPROVED AS TO SUBSTANCE

DSL

CHAIRMAN

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

APPLICANT: J. S. Huron, LLC

CAL NO.: 391-08-A

PEARANCE FOR:

MAP NO.: 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 1345-47 W. Huron Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the subdivision of an improved zoning lot in an RM-5.5 Residential Multi-Unit District. The existing building has 8 dwelling units; there are 2 parking spaces and there is no rear yard open space.

ACTION OF BOARD--
CASE CONTINUED TO NOVEMBER 21, 2008

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

Bac
CHAIRMAN

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

APPLICANT: J. S. Huron, LLC

CAL NO.: 392-08-Z

PEARANCE FOR:

MAP NO.: 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 1345-47 W. Huron Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-5.5 Residential Multi-Unit District, the proposed division of an improved zoning lot. The existing 3-story 8 dwelling unit building shall have a zero east side yard instead of 3.84', the total combined side yard shall be 1.6' instead of 4.8'. An easement has been created to provide for means of egress and ingress. The case was previously before the Board as one connected building. The board denied the project on February 2008 (58-08-A).

ACTION OF BOARD--
CASE CONTINUED TO NOVEMBER 21, 2008

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

OCT 20 2008
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

BSC

CHAIRMAN

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

APPLICANT: James Sumoski **CAL NO.:** 394-08-Z

PEARANCE FOR: Thomas Pikarski **MAP NO.:** 7-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**

PREMISES AFFECTED: 1223 W. Nelson Street September 19, 2008

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a single family home whose west side yard shall be 6" instead of 2' and to reduce the combined side yards to 3'-6" instead of 5' for an existing single family residence.*

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a single family home whose west side yard shall be 6' and to reduce the combined side yards to 3'-6"; 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

JJC

CHAIRMAN

* Amended at Hearing

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

APPLICANT: James Hampton **CAL NO.:** 395-08-Z
PEARANCE FOR: Sabrina Herrell **MAP NO.:** 26-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 11026 S. Vernon Avenue/433-37 E. 111th Street
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, an off-site private parking lot for 46 private passenger vehicles to serve the church at 433-37 E. 111th Street.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

OCT 20 2008
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 REVEREND WILFREDO DEJESUS
 JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site private parking lot for 46 private passenger vehicles to serve the church at 433-37 E. 111th Street. 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: R. Phillip Swajkun **CAL NO.:** 396-08-Z
PEARANCE FOR: James J. Banks **MAP NO.:** 3-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 2252 W. Chicago Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an C1-3 Neighborhood Commercial District, a proposed 4-story 6 dwelling unit and commercial space building whose rear yard set back shall be zero instead of 30'. This case was previously heard in 2007 (145-07-Z) at that time the rear yard was 5'-10".

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 4-story 6 dwelling unit and commercial space building whose rear yard set back shall be zero. This case was previously heard in 2007 (145-07-Z) at that time the rear yard was 5'-10"; 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

BLC

JONATHAN SWAIN

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

APPLICANT: Mops Beauty Shop, LLC

CAL NO.: 397-08-S

PEARANCE FOR: Mary Lopez

MAP NO.: 7-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 2500 N. California Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: FNC, Inc. El Concordia

CAL NO.: 399-08-Z

PEARANCE FOR: Mark Kupiec

MAP NO.: 6-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 3801 W. 26th Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-2 Community Shopping District, a public place of amusement within 125 feet of an RS-3 zoning district.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a public place of amusement within an existing restaurant; 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

BOL

CHAIRMAN

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

APPLICANT: 2508-12 West Diversey LLC

CAL NO.: 400-08-Z

PEARANCE FOR: John Fritchey

MAP NO.: 7-1

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 2514-20 W. Diversey Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B2-3 Neighborhood Mixed-Use District, a proposed 5-story 16 dwelling unit building whose north rear yard shall be 12' instead of 30', the front yard shall be 2'-6" instead of 10', the east yard shall be zero and the west shall be 3' instead of the a combined 7.2' and to eliminate the one required loading berth.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWÉ
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 5-story 16 dwelling unit building whose north rear yard shall be 12', the front yard shall be 2'-6", the east yard shall be zero and the west shall be 3' and to eliminate the one required loading berth; 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

B2C

CHAIRMAN

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

MINUTES OF MEETING:

September 19, 2008

CAL NO.: 400-08-Z

pursuant to Section 17-10-0500 of the Chicago Zoning Ordinance, the Board hereby makes and sets the following restriction(s) on the applicant and project herein. The developer is hereby prohibited from selling the parking spaces within the subject building to anyone other than a purchaser of one of the condominium units. It is further required that the Condominium Declaration provide, or be amended to provide, that a sale by the developer of a condominium unit is to be the sale of a condominium unit and, at least, one parking space. The Condominium Declaration shall further provide that all subsequent sales of a condominium unit and the parking space(s) included at the initial sale. The condominium unit owners may lease their parking space to persons who are not owners of the condominium units but are prohibited from selling the parking space to anyone other than a subsequent purchaser of their condominium unit. Where there are parking spaces in excess of the number of parking spaces required under the Chicago Zoning ordinance for the number of units within the building, those excess parking spaces shall be designated for use by guests, delivery vehicles and vehicles parking for maintenance or service to the building or its owners. Those spaces shall not be designated as limited common elements, but rather, common elements owned and managed by the condominium association for benefit of all the unit owners. This restriction is intended to be a covenant running with the land. Additionally, the applicant is hereby required to record this order before the Variations contained herein becomes effective;

OCT 20 2008

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

B2C

CHAIRMAN

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

APPLICANT: 2508-12 West Diversey LLC

CAL NO.: 401-08-Z

APPEARANCE FOR: John Fritchey

MAP NO.: 7-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 2508-12 W. Diversey Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B2-3 Neighborhood Mixed-Use District, a proposed 5-story 16 dwelling unit with commercial units building whose north rear yard shall be 12' instead of 30', the front yard shall be 2'-6" instead of 10', the east side yard shall be zero and the west side yard shall be 3' instead of a combined 7.2' and to eliminate the one required loading berth.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 5-story 16 dwelling unit with commercial units building whose north rear yard shall be 12' instead of 30', the front yard shall be 2'-6", the east side yard shall be zero and the west side yard shall be 3' and to eliminate the one required loading berth; 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

B J C

CHAIRMAN

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

MINUTES OF MEETING:

September 19, 2008

CAL NO.: 401-08-Z

pursuant to Section 17-10-0500 of the Chicago Zoning Ordinance, the Board hereby makes and sets the following restriction(s) on the applicant and project herein. The developer is hereby prohibited from selling the parking spaces within the subject building to anyone other than a purchaser of one of the condominium units. It is further required that the Condominium Declaration provide, or be amended to provide, that a sale by the developer of a condominium unit is to be the sale of a condominium unit and, at least, one parking space. The Condominium Declaration shall further provide that all subsequent sales of a condominium unit and the parking space(s) included at the initial sale. The condominium unit owners may lease their parking space to persons who are not owners of the condominium units but are prohibited from selling the parking space to anyone other than a subsequent purchaser of their condominium unit. Where there are parking spaces in excess of the number of parking spaces required under the Chicago Zoning ordinance for the number of units within the building, those excess parking spaces shall be designated for use by guests, delivery vehicles and vehicles parking for maintenance or service to the building or its owners. Those spaces shall not be designated as limited common elements, but rather, common elements owned and managed by the condominium association for benefit of all the unit owners. This restriction is intended to be a covenant running with the land. Additionally, the applicant is hereby required to record this order before the Variations contained herein becomes effective;

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

BSC

CHAIRMAN

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

APPLICANT: Dominick Geraci

CAL NO.: 402-08-Z

PEARANCE FOR: Stuart Spiegel

MAP NO.: 4-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 2144-50 S. Lawndale Avenue/3704 W. Cermak Road

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed on-site parking lot for 7 private passenger vehicles for the residential building whose rear yard open space shall be zero instead of 1,560 sq. ft. and the west side yard shall be zero instead of 5'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an on-site parking lot for 7 private passenger vehicles for the residential building whose rear yard open space shall be zero and the west side yard shall be zero; 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: Dominick Geraci **CAL NO.:** 403-08-Z
PEARANCE FOR: Stuart Spiegel **MAP NO.:** 4-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 2136 S. Lawndale Avenue
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, an off-site accessory parking lot whose front yard shall be 7' instead of 20', the north side yard shall be zero instead of 5'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 REVEREND WILFREDO DEJESUS
 JONATHAN SWAIN

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site accessory parking lot whose front yard shall be 7' instead of 20', the north side yard shall be zero; 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

Bac
CHAIRMAN

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

APPLICANT: Dominick Geraci **CAL NO.:** 404-08-S
APPEARANCE FOR: Stuart Spiegel **MAP NO.:** 4-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 2136 S. Lawndale Avenue
NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed off-site accessory parking lot for private passenger vehicles to serve the residential building at 2144-50 S. Lawndale in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

**ACTION OF BOARD--
APPLICATION APPROVED**

THE VOTE

OCT 20 2008

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site accessory parking lot for private passenger vehicles to serve the residential building at 2144-50 S. Lawndale; the testimony of the appraiser was that the use would not have a negative impact on the community and is in character with the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed off-site parking, provided the applicant installs the fencing and landscaping in compliance with the Chicago Landscape Ordinance.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued, **APPROVED AS TO SUBSTANCE**

BJC

CHAIRMAN

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

APPLICANT: Corzel D. Coles **CAL NO.:** 405-08-S
APPEARANCE FOR: Same **MAP NO.:** 14-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 2609 W. 59th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

THE RESOLUTION:

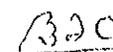
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed beauty salon.

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: Tina Hickman **CAL NO.:** 406-08-Z

PEARANCE FOR: Same **MAP NO.:** 20-A

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008

PREMISES AFFECTED: 8331 S. Burley Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed open front porch whose front yard shall be 3'-1" instead of 14.88'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct an open front porch whose front yard shall be 3'-1"; 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

BSC

CHAIRMAN

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

APPLICANT: New Progressive MB Church **CAL NO.:** 407-08-Z
APPEARANCE FOR: Rivanda Doss **MAP NO.:** 22-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 9401-25 S. Perry Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 500 seat church facility whose front yard shall be 7' instead of 20' (for a landscaping in the parking lot) the south side yard shall be 8' instead of 17'7" and the rear yard shall be 10.72' instead of 36'-10".

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

10/20/08

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 500 seat church facility whose front yard shall be 7' (for a landscaping in the parking lot) the south side yard shall be 8' and the rear yard shall be 10.72'; 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.

* Scribbner's Error 6-1-09

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

APPLICANT: New Progressive MB Church

CAL NO.: 407-08-Z

PEARANCE FOR: Rivanda Doss

MAP NO.: 22-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 9401-25 S. Perry Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 500 seat church facility whose front yard shall be 7' instead of 20' (for a landscaping in the parking lot) the south side yard shall be 8' instead of 17'7" and the rear yard shall be 36'-10".

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 500 seat church facility whose front yard shall be 7' (for a landscaping in the parking lot) the south side yard shall be 8' and the rear yard shall be 36'-10"; 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

BOC
CHAIRMAN

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

APPLICANT: New Progressive MB Church

CAL NO.: 409-08-S

APPEARANCE FOR: Rivanda Doss

MAP NO.: 22-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 9415 S. LaSalle Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 12 private passenger vehicles in an RS-2 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a an off-site parking lot for 12 private passenger vehicles to serve a religious facility; the testimony of the appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed off-site parking, provided construction is consistent with the layout as illustrated on the site plan prepared by Thomas Draus, Architect, dated September 16, 2008.

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

APPROVED AS TO SUBSTANCE

BCC

CHAIRMAN

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

APPLICANT: James Glover

CAL NO.: 410-08-Z

PEARANCE FOR: Same

MAP NO.: 18-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 7739 S. Union Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 3-story rear addition to an existing 2 dwelling unit building whose north side yard shall be 2.57' instead of 3.2', the required combined yards shall be 8', the rear yard shall be 35.35' instead of 37.68' and to exceed the exiting floor area by 665 sq. ft. which is less than 15% of the floor area which existed prior to the passage of this ordinance.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 3-story rear addition to an existing 2 dwelling unit building whose north side yard shall be 2.57', the required combined yards shall be 8', the rear yard shall be 35.35' and to exceed the exiting floor area by 665 sq. ft. which is less than 15% of the floor area which existed prior to the passage of this ordinance; 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 hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: Filiberto Bautista **CAL NO.:** 412-08-Z
PEARANCE FOR: Same **MAP NO.:** 7-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 2421 W. Fletcher Street
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed rear 3-story addition whose combined side yards shall be 4'-2" instead of 5' (10" on the west and 3'-4" on the east).

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 REVEREND WILFREDO DEJESUS
 JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a rear 3-story addition whose combined side yards shall be 4'-2" (10" on the west and 3'-4" on the east); 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

BDC

CHAIRMAN

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

APPLICANT: Chicago Board of Education

CAL NO.: 413-08-A

PEARANCE FOR: John Fritchey

MAP NO.: 10-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 4600 S. Kedzie Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a public elementary school to be established without required parking. The applicant claims the existing elementary school which is not on the same zoning lot has sufficient parking for the total school in a C1-2 Neighborhood Commercial District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

OCT 20 2008

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19; and

WHEREAS, the district maps show that the premises is located in an C1-2 Neighborhood Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The appellant in this matter stated that the existing school building has sufficient parking for the proposed addition and the existing school. The appellant stated that the addition is needed to ease overcrowding at the existing school. There will be no increase in the amount of staff. The proposed building will be utilized by existing staff and existing students. The appellant shall be permitted to establish an elementary school with out providing additional parking. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE

Bdc

CHAIRMAN

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

APPLICANT: Chicago Board of Education

CAL NO.: 414-08-S

PEARANCE FOR: John Fritchey

MAP NO.: 10-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 4600 S. Kedzie Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposal off-site addition to a Chicago elementary school in a C1-2 Neighborhood Commercial District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site addition to a Chicago elementary school; the testimony of the appraiser was that the use is in character with the community and would not have a negative impact on the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):The Department of Planning and Development recommends approval of the proposed off-site school addition.

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

APPROVED AS TO SUBSTANCE

Brc

CHAIRMAN

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

APPLICANT: Wylanne D. Strafford **CAL NO.:** 415-08-Z
PEARANCE FOR: Same **MAP NO.:** 18-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 September 19, 2008
PREMISES AFFECTED: 7653 S. Bishop Street
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, the duplexing of the 2nd floor dwelling unit into the attic. To increase the area of this site by no more than 15% of the area that existed prior to the passage of the ordinance (not more an 730 sq. ft.).

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

OCT 20 2008
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 REVEREND WILFREDO DEJESUS
 JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to duplex a 2nd floor dwelling unit into the attic and to increase the area of this site by no more than 15% of the area that existed prior to the passage of the ordinance (not more than 730 sq. ft.); 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

Bac

 CHAIRMAN

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

APPLICANT: Muhammad's Holy Temple of Islam Inc. **CAL NO.:** 416-08-A

PEARANCE FOR: **MAP NO.:** 18-C

APPEARANCES AGAINST: **MINUTES OF MEETING:**
September 19, 2008

PREMISES AFFECTED: 7351 S. Stony Island Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the appellant to establish a monument sign measuring 9 feet in height in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. The RT-4 zoning designation allows a business identification sign to be 6 feet in height.

ACTION OF BOARD--
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

OCT 20 2008
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

Bjc
CHAIRMAN

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

APPLICANT: Muhammad's Holy Temple of Islam Inc.

CAL NO.: 417-08-A

PEARANCE FOR:

MAP NO.: 18-C

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 7351 S. Stony Island Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the appellant to establish a freestanding pole sign with 120 sq. ft. and which will be 24 feet in height in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. The RT-4 zoning designation allows a business identification sign to be 6 feet in height.

ACTION OF BOARD--
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

OCT 20 2008
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE
B2C
CHAIRMAN

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

APPLICANT: Kris Doliwa

CAL NO.: 418-08-Z

PEARANCE FOR: James J. Banks

MAP NO.: 3-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 1217 N. Cleaver Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3-story 3 dwelling unit building whose front yard shall be 5.9' instead of 15', the combined side yards shall be 1.4' (1.4' on the north and zero on the south) instead of 4.7', to reduce the open space to 76* sq. ft. instead of 191 sq. ft. and to reduce the minimum lot area to 2,937 sq. ft. instead of 3,000 sq. ft.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on August 27, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 3-story 3 dwelling unit building whose front yard shall be 5.9' instead of 15', the combined side yards shall be 1.4' (1.4' on the north and zero on the south) instead of 4.7', to reduce the open space to 76* sq. ft. instead of 191 sq. ft. and to reduce the minimum lot area to 2,937 sq. ft. instead of 3,000 sq. ft. 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

Boc

CHAIRMAN

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

APPLICANT: Molidor Venture Capital, LLC **CAL NO.:** 228-08-S
APPEARANCE FOR: Michael Hill **MAP NO.:** 16-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 September 19, 2008
PREMISES AFFECTED: 749 W. 69th Street/740 W. 70th Street/
 6900-58 S. Emerald Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed town home development for 50 units with residential use below the 2nd floor in a C1-2 Neighborhood Commercial District.

ACTION OF BOARD--
 APPLICATION APPROVED

THE VOTE

OCT 2 11 2008
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 REVEREND WILFREDO DEJESUS
 JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 23, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a town home development for 50 units with residential use below the 2nd floor; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development has no objection to the proposed ground-floor residential use provided construction complies with townhouse and landscape provisions of the zoning code. *The Department notes that in the site plans submitted with the special use application, there is a deficit of approximately 3,300 square feet in the amount of required common open space.*

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

APPROVED AS TO SUBSTANCE

BSC

 CHAIRMAN

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

APPLICANT: Charles Sanders **CAL NO.:** 237-08-S
PEARANCE FOR: Same **MAP NO.:** 2-M
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 19, 2008
PREMISES AFFECTED: 5944 W. Roosevelt Road

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a barber shop within 1,000 linear feet of another barber shop, beauty salon, nail salon or similar use in a B3-2 Community Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 REVEREND WILFREDO DEJESUS
 JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed barber shop.

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

APPROVED AS TO SUBSTANCE

B2C

CHAIRMAN

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

APPLICANT: Colleen R. Daly

CAL NO.: 292-08-Z

APPEARANCE FOR: Same

MAP NO.: 15-K

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 5601 N. Kenton Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-1 Residential Single-Unit (Detached House) District, a proposed 2-story rear addition to a side and front porch whose front yard shall be 13'-1- 3/4" instead 20', the combined side yards shall be (3'-1/2" on the east and 8'-3 1/8" on the west) instead of 12.14' and to increase the floor area by not more than 10% (635 sq. ft.*) of the area that existed prior to the passage of this ordinance.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

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 September 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 1, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 2-story rear addition to a side and front porch whose front yard shall be 13'-1- 3/4", the combined side yards shall be (3'-1/2" on the east and 8'-3 1/8" on the west) and to increase the floor area by not more than 10% (635 sq. ft.*) of the area that existed prior to the passage of this ordinance; 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 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

BRL
CHAIRMAN

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

APPLICANT: Brian Lindstrom

CAL NO.: 307-08-Z

PEARANCE FOR: Thomas Moore

MAP NO.: 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 3428 N. Damen Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed rear 3-story addition to an existing 2 dwelling unit building whose north side yard shall be .3" instead of 2' and to exceed the existing floor area by not more than 15% (452 sq. ft.) on a building which has been existence prior to the passage of this ordinance.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 18, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 1, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the decision of the Zoning Administrator was reversed in Cal. No. 306-08-A. The applicant shall now be permitted to construct a 3-story addition to an existing 2 dwelling unit building whose north side yard shall be .3" and to exceed the existing floor area by not more than 15% (452 sq. ft.) on a building which has existed prior to the passage of this ordinance; 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: Bruce P. Golden

CAL NO.: 326-08-A

PEARANCE FOR: Same

MAP NO.: 11-H

APPEARANCES AGAINST: James J. Banks

MINUTES OF MEETING:
September 19, 2008

PREMISES AFFECTED: 4141 N. Hermitage Avenue

NATURE OF REQUEST: Objector's Appeal from the decision of the Office of the Zoning Administrator which granted an Administrative Adjustment to allow the increase in the height of a proposed building to 33' instead of 30' and to reduce the combined side yards to 6' instead of 7'6" in an RS-3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS AFFIRMED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE		X	
DEMETRI KONSTANTELOS	X		
REVEREND WILFREDO DEJESUS	X		
JONATHAN SWAIN			X

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**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

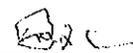
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 19, 2008; and

WHEREAS, the district maps show that the premises is located in an RS-3 Residential Single-Unit (Detached House) District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The appellant in this matter is Bruce P. Golden and he has filed this appeal to object to the Zoning Administrator's decision to grant an Administrative Adjustment to increase the building height of a new 2 ½ story single family residence from 30' to 33' and to reduce the combined side yards of 6' instead 7'-6" for the building at 4141 N. Hermitage. Mr. Golden is the next door neighbor at 4137 N. Hermitage. Mr. Golden stated an administrative adjustment may not be approved if the increase in height would result in a building that is taller than the buildings on abutting lots. He claims that the building at 4143 N. Hermitage is not more than 30' in height.

The Appellant claims that section 17-13-1003-L (Building Height- General) controls on when all conditions of three paragraphs are met. In this case sub-section 3 (a) states " such an increase would not result in a building that was taller than buildings on abutting lots". Mr. Golden maintains this condition was not met and therefore the Administrative Adjustment was improperly granted. Mr. Golden offered three exhibits; A, B, and C which propoort to be September 15, 2008 photographs of 4143, 4141, and 4137 N. Hermitage. Exhibit A shows the appellant's house and the new house at 4137 N. Hermitage.

APPROVED AS TO SUBSTANCE



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CITY OF CHICAGO
ZONING BOARD OF APPEALS

MINUTES OF MEETING:
September 19, 2008

CAL NO.: 326-08-A

It appears that the building at 4141 is several feet higher than his home. Exhibit B shows two new buildings at 4141 and 4147 N. Hermitage to be the same height. The attorney for the property at 4141 N. Hermitage argued that section 17-13-1003-L should be read in its entirety and that the general character of the neighbors not violated. The Zoning Board of Appeals starts with the presumption that the Zoning Administrator's decision to grant the administrative adjustment was not an abuse of her discretion. The Board must determine that this decision was in error. The Notice of Decision simply states that the administrative adjustment is hereby granted. There are no reasons stated in the decision.

The Board hereby makes the following findings in this case. First, the Board has been asked to determine if the Zoning Administrator's decision in granting a height increase was an error. Neither party called the Zoning Administrator to explain her decision. The decision itself merely states the height increase has been granted. Both parties have argued that the Zoning Administrator was wrong or the Zoning Administrator was right. The Board will review what evidence has been placed before it.

§ 17-13-1003-L **Building Height — General.**

1. The Zoning Administrator is authorized to approve an *administrative adjustment* to allow an increase of up to 10% in the height of a building that does not comply with applicable zoning district height limits.

2. Such an *administrative adjustment* may be approved for an existing building only when the Zoning Administrator determines that:

- (a) such an increase would be consistent with the general character of development on the *block* and
- (b) the proposed adjustment meets the general approval criteria of Sec. 17-13-1007-B.

3. Such an *administrative adjustment* may be approved for a new building only when the Zoning Administrator determines that:

- (a) such an increase would not result in a building that was taller than buildings on abutting lots;
- (b) such an increase would be consistent with the general character of development on the block; and
- (c) the proposed adjustment meets the general approval criteria of Sec. 17-13-1007

Mr. Golden's exhibits A, B and C show full frontal views of his house, the house granted the height increase and a recently constructed house to the South. The Board finds Mr. Golden's house to be lower in height than 4141 N. Hermitage. The Board finds that the houses at 4141 and 4143 are the same height. The Board finds that the building at 4141 N. Hermitage is not higher than both of its abutting neighbors.

Section 17-13-1003 L-3 allows an increase of 10% from 30 feet to 33 feet for a new building if the increase is taller than the abutting buildings and the increase would be consistent with the general character of development on the block and it will have no appreciable adverse impact on health, safety, or general welfare of surrounding property.

APPROVED AS TO SUBSTANCE
BY
BJE

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

OCT 20 2008

CITY OF CHICAGO
ZONING BOARD OF APPEALS

MINUTES OF MEETING:
September 19, 2008

CAL NO.: 326-08-A

surrounding property owners or the general public. The adverse impact resulting from the Administrative Adjustment will be mitigated to the maximum extent feasible.

The Board finds that the Zoning Administrator did consider all sections of Section 17-13-1003-L when she granted the increase in height. The Board finds that the new house at 4141 N. Hermitage is the same height as the neighbor to the south but is taller than Mr. Golden's home. The Board determines that it is not taller than both abutting neighbor and is within the general character of the neighborhood. The building at 4141 N. Hermitage does not tower over Mr. Golden's building and would not have an adverse impact upon his property. The decision of the Zoning Administrator has not been shown to be in error and is therefore affirmed. The appellant's appeal is denied.

APPROVED AS TO SUBSTANCE

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CHAIRMAN

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

MINUTES OF MEETING

Date: October 17, 2008

Cal. No. 455-07-S

Scott Borstein, attorney for the applicant, presented a written request for an extension of time in which to establish a religious facility on premises located at approved by the Zoning Board of Appeals on October 19, 2007 in Cal. No. 455-07-S.

Mr. Borstein stated the project has been in the process of obtaining the necessary permits. An extension of time is requested because the special use granted by the Board will soon exceed the the one- year validity period.

Brian Crowe moved the request be granted and the time for obtaining the necessary permit be extended to November 19, 2009. The motion prevailed by yeas and nays as follows:

Yeas- Crowe, Konstantelos, McCabe -Miele and Swain. Nays- None

OCT 20 2008

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

ARL

CHAIRMAN