

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

**APPLICANT:** Chinatown Market Inc. **CAL NO.:** 419-08-S  
**APPEARANCE FOR:** Mark Kupiec **MAP NO.:** 4-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 2101-15 S. Archer Avenue/2100-08 S. Wentworth 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 accessory off-site parking lot, in a M1-3 Limited Manufacturing/Business Park District, to service the grocery store at 2121 S. Archer Avenue.

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

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

MAR 25 2010

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 October 17, 2008 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 accessory off-site parking lot to serve the grocery store at 2121 S. Archer, 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 parking lot.

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:** Chinatown Market Inc.

**CAL NO.:** 419-08-S

**APPEARANCE FOR:**

**MAP NO.:** 4-F

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 2101-15 S. Archer Avenue/2100-08 S. Wentworth 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 accessory off-site parking lot, in a M1-3 Limited Manufacturing/Business Park District, to service the grocery store at 2121 S. Archer Avenue.

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

**THE VOTE**

**RECEIVED**

**NOV 24 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**  
*DJL*  
**CHAIRMAN**

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

**APPLICANT:** Steven Arculeo

**CAL NO.:** 420-08-A

**APPEARANCE FOR:** Warren Silver

**MAP NO.:** 17-M

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 6139 W. Touhy

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow two dwelling units, in a B1-1 Neighborhood Shopping District, to be established on the 2nd floor. A certification of zoning compliance was issued for 2 dwelling units. A subsequent inspection has determined the dwelling units were not established with a permit nor more than 50 years ago. The Zoning Administrator revoked the certification.

**ACTION OF BOARD--**

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

**THE VOTE**

**RECEIVED**

NOV 24 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 October 17; and

WHEREAS, the district maps show that the premises is located in an B1-1 Neighborhood Shopping District 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 he was issued a certificate of zoning compliance that verified that there were 2 units on the second floor of the property. The appellant tried to obtain a permit to perform renovations on the commercial unit on the first floor but was denied. The appellant stated that he purchased the building with 2 dwelling units and relied on the zoning certification that verified that there were 2 legal dwelling units that existed within the building. The Department of Zoning had the property inspected and determined the second floor dwelling units were constructed some time after the first floor. There is no permit to determine this construction. The city is bound to correct a Certification of Zoning Compliance which believes was issued in error. The appellant stated that his opinion was the additional units were non-conforming and in lawful existence for at least 50 years prior to the effective date of this ordinance. The Board will accept that conclusion and finds the two second floor dwelling

APPROVED AS TO SUBSTANCE  
*DAL*  
CHAIRMAN

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

**MINUTES OF MEETING:**

October 17, 2008

**CAL NO.:** 420-08-A

units to be lawful non - conforming. A permit shall be issued to memorialize this decision. The Board will permit the establishment of 2 dwelling units on the 2<sup>nd</sup> floor and the decision of the Zoning Administrator is reversed.

**RECEIVED**

NOV 24 2008

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**APPROVED AS TO SUBSTANCE**

*BjL*

**CHAIRMAN**

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

**APPLICANT:** Christopher Battaglia **CAL NO.:** 421-08-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 9-P  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 3400 N. Pioneer 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 2nd floor addition and connecting structure (a breezeway) between the house and garage whose rear yard shall be 3.8' instead of 33.56'.

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

**THE VOTE**

**RECEIVED**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 2nd floor addition and connecting structure (a breezeway) between the house and garage whose rear yard shall be 3.8'; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

*[Signature]*  
 \_\_\_\_\_  
 CHAIRMAN

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

APPLICANT: Don Mancini

CAL NO.: 422-08-Z

APPEARANCE FOR:

MAP NO.: 7-I

APPEARANCES AGAINST:

MINUTES OF MEETING:  
October 17, 2008

PREMISES AFFECTED: 3024 N. Francisco 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 front porch whose front yard setback shall be 6' instead of 17.6'.

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

THE VOTE

**RECEIVED**  
NOV 24 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

*BSC*

CHAIRMAN

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

**APPLICANT:** William Kowal **CAL NO.:** 423-08-Z  
**APPEARANCE FOR:** Same **MAP NO.:** 24-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008  
**PREMISES AFFECTED:** 2632 W. 103rd Street  
**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 2nd floor addition whose north rear yard shall be 10.6' instead of 35' and the east side yard shall be zero instead of 5'.

**ACTION OF BOARD--  
VARIATION GRANTED**

**THE VOTE**

**RECEIVED**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 2nd floor addition whose north rear yard shall be 10.6' and the east 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**

DJC

\_\_\_\_\_  
CHAIRMAN

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

**APPLICANT:** 707 W. Gordon Terrace, LLC **CAL NO.:** 424-08-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 11-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 707 W. Gordon Terrace  
**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 single family residence whose combined side yards shall be 3' (2' on the west and 1' on the east) instead of 5'.

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

**THE VOTE**

**RECEIVED**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 single family residence whose combined side yards shall be 3' (2' on the west and 1' 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**  
 BCU

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

**APPLICANT:** 707 W. Gordon Terrace, LLC **CAL NO.:** 425-08-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 11-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 709 W. Gordon Terrace  
**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 single family residence whose combined side yards shall be 3' (1' on the west and 2' on the east) instead of 5'.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 single family residence whose combined side yards shall be 3' (1' on the west and 2' 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**

*Bac*

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

**APPLICANT:** 1743 W. Roscoe, LLC **CAL NO.:** 426-08-A  
**APPEARANCE FOR:** Timothy Fitting **MAP NO.:** 9-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 1743 W. Roscoe Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the conversion of a building to 5 dwelling units in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. There are only 2 parking spaces instead of 5 parking spaces and to exceed the floor area to 4,098 sq. ft. instead of 3,752 sq. ft..

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

**THE VOTE**

NOV 24 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 October 17; and

WHEREAS, the district maps show that the premises is located in an RT-4 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 appellant in this matter stated that he wishes to convert his building to a five dwelling unit building and wishes to provide only 2 parking spaces. The appellant stated that his neighbors building had damaged his building after a thunderstorm. The appellant has been before the Board previously for yard variations and was approved. The Board will permit the appellant to establish a 5 dwelling unit building and to provide only 2 parking spaces. The appellant shall also be permitted to exceed the floor area to 4,098 square feet. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

**APPROVED AS TO SUBSTANCE**

BCL

CHAIRMAN

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

**APPLICANT:** Bacchus 2242, LLC **CAL NO.:** 427-08-A  
**PEARANCE FOR:** James J. Banks **MAP NO.:** 5-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 2242 N. Lincoln Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a tavern (use of liquor) on the 3rd floor of an existing tavern. The Zoning Administrator believes the expansion of the tavern would require a special use in a B3-2 Community Shopping District and not an appeal.

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

**THE VOTE**

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

NOV 24 2008

**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

**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 October 17; and

WHEREAS, the district maps show that the premises is located in an B3-2 Community Shopping 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 they have been operating at this location for over 20 years. The appellant stated that in October of 2007 he began minor renovations which did not require permits. The Department of Revenue required the applicant to acquire new occupancy placards. The appellant stated that he did not expand the existing use. He stated that the 3<sup>rd</sup> floor has always been used as part of the tavern and the seating on the 3<sup>rd</sup> floor was re-designed and the old seating was replaced. The Board finds that the appellant did not expand the use and the use of the 3<sup>rd</sup> floor shall be permitted. The decision of the Zoning Administrator is reversed.

**APPROVED AS TO SUBSTANCE**

*ASL*  
 \_\_\_\_\_  
 CHAIRMAN

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

**APPLICANT:** Pullman Waste Processing, Inc.

**CAL NO.:** 428-08-S

**PEARANCE FOR:**

**MAP NO.:** 26-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 10823 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 a waste related transfer station, a re-processable construction/demolition material station and resource recovery facility in a M3-3 Heavy Industry District.

**ACTION OF BOARD--**  
CASE CONTINUED TO JANUARY 16, 2009

**THE VOTE**

**NOV 24 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		

**APPROVED AS TO SUBSTANCE**

*DL*  
\_\_\_\_\_  
CHAIRMAN

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

**APPLICANT:** Catholic Bishop of Chicago, a corporation sole **CAL NO.:** 429-08-S

**APPEARANCE FOR:** Bridget O'Keefe **MAP NO.:** 17-M

**APPEARANCES AGAINST:** Janet Rourke, Michael Moore, Jody Halle **MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 7032-34 N. Moselle Avenue/7001-11 N Sioux 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 accessory of site parking lot for 13 private passenger vehicles, in a RS-2 Residential Single-Unit (Detached House) District, to serve the church/school at 7000 N. Sioux/7001 N. Hiawatha Avenue.

**ACTION OF BOARD--**  
APPLICATION APPROVED

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 objectors in this matter stated that they are opposed to this project because it would have a negative impact on their property. Concern was also expressed about the removal of trees and the decrease of shade in the area. There was also concern about drainage from the parking lot spilling over into the street. The objectors are also opposed to the parking lot being established at this location because they feel that it would increase congestion on a street that is already narrow. The applicant shall be permitted to establish an accessory off site parking lot for 13 private passenger vehicles, to serve the church/school at 7000 N. Sioux/7001 N. Hiawatha Avenue. Testimony was offered that the use would not have a negative impact on the community and is in character with the surrounding neighborhood. The applicant has entered to an agreement with the neighbor and is as follows:

1. St. Mary of the Woods ( herein after SMOW) agrees to work with the City to take steps needed to protect the existing tree that will be located immediately adjacent to the east of the proposed alley prior to construction beginning. In addition, prior to construction beginning SMOW agrees to take comparable steps for the tree located in the back yard of the house at 7040 N. Moselle Avenue. This tree is located immediately adjacent to the off-site parking lot across the property line. In the event either tree dies within two years after construction is completed, SMOW agree to provide a replacement tree, which shall be deciduous and a minimum of 2.5 inch caliper in size.

2. SMOW will commit to quarterly meetings with the community, if so desired, to discuss operation of the off-site parking lot and surrounding streets.

**APPROVED AS TO SUBSTANCE**

  
 \_\_\_\_\_  
 CHAIRMAN

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

**MINUTES OF MEETING:**  
October 17, 2008

NOV 24 2008

**CAL NO.:** 429-08-S

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

3. SMOW commits not to dump snow into the alley and shall contain all snow within the off-site parking lot. This does not apply to the snow that will be plowed from the adjacent alley, which shall be deposited onto Sioux Avenue.
4. SMOW agrees to work with the owner of the property located at 7040 N. Moselle Avenue to identify appropriate fencing to be located along the eastern boundary of the parking lot and to the western boundary of their property. In the event a decision is reached to not provide wood fence required by the Chicago Landscape Ordinance, SMOW will be responsible for obtaining the necessary administrative adjustment to allow an ornamental fence.
5. The hours of operation of the off- site parking lot shall be limited to 7:00a.m.- 9.p.m daily, with an agreement to have further discussion with the adjacent neighbors on limitations on summer use.
6. SMOW agree to implement a landscape maintenance plan that includes bi-annual pruning of bushes and annual pruning of trees.

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 proposed off-site parking lot, provided construction is consistent with the layout and design as illustrated on the landscape plan prepared by JNA Architects, dated October 14, 2008.

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

**APPROVED AS TO SUBSTANCE**

D26

11/17/08

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

**APPLICANT:** Catholic Bishop of Chicago, a corporation sole **CAL NO.:** 430-08-Z

**PEARANCE FOR:** Bridget O'Keefe **MAP NO.:** 17-M

**APPEARANCES AGAINST:** Janet Rourke, Michael Moore, Jody Halle **MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 7032-34 N. Moselle Avenue/7001-11 N Sioux 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 off-site accessory parking for private passenger vehicles to serve a church at 7000 N. Sioux whose front yard shall be 1' instead of 20', the east and west side yards shall be 9" instead of 5', the combined side yards shall be 8' instead of 15'.

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

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 objectors in this matter stated that they are opposed to this project because it would have a negative impact on their property. Concern was also expressed about the removal of trees and the decrease of shade in the area. There was also concern about drainage from the parking lot spilling over into the street. The objectors are also opposed to the parking lot being established at this location because they feel that it would increase congestion on a street that is already narrow. The applicant shall be permitted to establish an accessory off-site parking lot for 13 private passenger vehicles, to serve the church/school at 7000 N. Sioux/7001 N. Hiawatha Avenue. The applicant has entered to an agreement with the neighbor and is as follows:

1. St. Mary of the Woods ( herein after SMOW) agrees to work with the City to take steps needed to protect the existing tree that will be located immediately adjacent to the east of the proposed alley prior to construction beginning. In addition, prior to construction beginning SMOW agrees to take comparable steps for the tree located in the back yard of the house at 7040 N. Moselle Avenue. This tree is located immediately adjacent to the off-site parking lot across the property line. In the event either tree dies within two years after construction is completed, SMOW agree to provide a replacement tree, which shall be deciduous and a minimum of 2.5 inch caliper in size.

SMOW will commit to quarterly meetings with the community, if so desired, to discuss operation of the off-site parking lot and surrounding streets.

**APPROVED AS TO SUBSTANCE**

*BSW*

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

NOV 24 2008

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**MINUTES OF MEETING:**

October 17, 2008

**CAL NO.:** 430-08-Z

3. SMOW commits not to dump snow into the alley and shall contain all snow within the off-site parking lot. This does not apply to the snow that will be plowed from the adjacent alley, which shall be deposited onto Sioux Avenue.

4. SMOW agrees to work with the owner of the property located at 7040 N. Moselle Avenue to identify appropriate fencing to be located along the eastern boundary of the parking lot and to the western boundary of their property. In the event a decision is reached to not provide wood fence required by the Chicago Landscape Ordinance, SMOW will be responsible for obtaining the necessary administrative adjustment to allow an ornamental fence.

5. The hours of operation of the off- site parking lot shall be limited to 7:00a.m.- 9.p.m daily, with an agreement to have further discussion with the adjacent neighbors on limitations on summer use.

SMOW agree to implement a landscape maintenance plan that includes bi-annual pruning of bushes and annual pruning of trees. 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**

*DSC*

\_\_\_\_\_

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

**APPLICANT:** Catholic Bishop of Chicago, a corporation sole **CAL NO.:** 431-08-Z

**PEARANCE FOR:** Bridget O'Keefe **MAP NO.:** 17-M

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 7000 N Sioux Avenue/7001 N. Hiawatha 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 2-story addition to a school whose front yard shall be 6' instead of 20' (facing Sioux and Moselle Streets) and to reduce the front yard (facing Hiawatha) to 5' instead of 20' and the south side yard shall be zero instead of 13.54'.

**ACTION OF BOARD--  
VARIATION GRANTED**

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 addition to a school whose front yard shall be 6' instead of 20' (facing Sioux and Moselle Streets) and to reduce the front yard (facing Hiawatha) to 5' and the south 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

*BSC*

\_\_\_\_\_  
CHAIRMAN

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

**APPLICANT:** Raffin Properties Inc. **CAL NO.:** 432-08-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 28-D  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 839- 875 E. 112th 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 224 private passenger motor vehicles to serve the property at 11201 S. Ellis in a M3-3 Heavy Industry District.

**ACTION OF BOARD--**  
 APPLICATION APPROVED

**THE VOTE**

NOV 24 2008

**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

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

APFIRMATIVE	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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 parking lot for 224 private passenger motor vehicles to serve the property at 11201 S. Ellis; the testimony of the planner 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; the applicant will use porous concrete in the pavement 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 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**

*BSC*

\_\_\_\_\_  
 CHAIRMAN

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

**APPLICANT:** Gwendolyn D. Thompson

**CAL NO.:** 433-08-Z

**APPEARANCE FOR:** Same

**MAP NO.:** 18-H

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 7221 S. 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 2nd floor dormer addition, whose combined side yards shall be 4.08' (.9" on the north and 3'-4" on the south) instead of 5' with neither yard less than 2'.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 2nd floor dormer addition, whose combined side yards shall be 4.08' (.9" on the north and 3'-4" on the south); 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.L.  
\_\_\_\_\_  
CHAIRMAN

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

**APPLICANT:** Megan Praner **CAL NO.:** 434-08-S  
**PEARANCE FOR:** Mark Kupiec **MAP NO.:** 3-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008  
**PREMISES AFFECTED:** 1657 W. Division 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/barber shop 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**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 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 beauty salon.

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

**APPROVED AS TO SUBSTANCE**

614  
\_\_\_\_\_  
CHAIRMAN

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

**APPLICANT:** Meghan Clarke **CAL NO.:** 435-08-S  
**APPEARANCE FOR:** Same **MAP NO.:** 9-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008  
**PREMISES AFFECTED:** 3535 N. Western 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**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 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 beauty salon.

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

**APPROVED AS TO SUBSTANCE**

*BSC*  
 \_\_\_\_\_

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

**APPLICANT:** Divine Dwellings Inc. **CAL NO.:** 436-08-Z  
**PEARANCE FOR:** James J. Banks **MAP NO.:** 1-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 642 N. Rockwell 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 single family residence whose front set back shall be 5.8' instead of 8.04', the combined side yards shall be 4.8' (1" on the north and 3.8' on the south) instead of 5' with neither yard less than 2' and to eliminate the rear yard open space instead of 109 sq. ft.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 single family residence whose front set back shall be 5.8', the combined side yards shall be 4.8' (1" on the north and 3.8' on the south) and to eliminate the rear yard open space ; 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**

*Bal*

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

**APPLICANT:** Divine Dwellings Inc. **CAL NO.:** 437-08-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 1-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 644 N. Rockwell 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 single family residence whose front set back shall be 5.8' instead of 8.04', the combined side yards shall be 4.8' (1" on the north and 3.8' on the south) instead of 5' with neither yard less than 2' and to eliminate the rear yard open space instead of 109 sq. ft.

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

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 single family residence whose front set back shall be 5.8', the combined side yards shall be 4.8' (1" on the north and 3.8' on the south) and to eliminate the rear yard open space ; 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**

\_\_\_\_\_  
 BML  
 CHAIRMAN

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

**APPLICANT:** Richard Wetzel

**CAL NO.:** 438-08-Z

**APPEARANCE FOR:** Thomas Moore

**MAP NO.:** 5-F

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 1715-19 N. Mohawk Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-5 Residential Multi-Unit District, the division of an improved zoning lot. The property at 1717-19 N. Mohawk acquired 209 sq. ft. (11' wide x 19' deep) from the adjacent parcel in order to create a parking space for the town homes. This sale of land made the property at 1715 N. Mohawk (north side yard of rear building) non-conforming. The south side yard of 1717-19 N. Mohawk shall be zero instead of 5.76'.

**ACTION OF BOARD--  
VARIATION GRANTED**

**THE VOTE**

**NOV 24 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:**

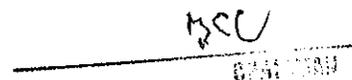
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 2008 and

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 divide an improved zoning lot. A portion of the lot at 1715 N. Mohawk was sold to 1717-19 N. Mohawk. The south side yard of 1717-19 N. Mohawk shall now 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**



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

**APPLICANT:** Mark Church **CAL NO.:** 439-08-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 9-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008  
**PREMISES AFFECTED:** 1131 W. Patterson 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 patio pit whose front yard shall be 7'-4" instead of 15'.

**ACTION OF BOARD--  
VARIATION GRANTED**

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 patio pit whose front yard shall be 7'-4"; 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:** Lucio Cuellar

**CAL NO.:** 440-08-S

**APPEARANCE FOR:**

**MAP NO.:** 14-N

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 6605 W. Archer 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/barber shop 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--**  
CASE CONTINUED TO NOVEMBER 21, 2008

**THE VOTE**

NOV 24 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**

BCL

**CHAIRMAN**

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

**APPLICANT:** 1253 N. Rockwell LLC **CAL NO.:** 441-08-A  
**APPEARANCE FOR:** Thomas Moore **MAP NO.:** 3-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 1253 N. Rockwell Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a 7th dwelling unit to be established in the basement in an RS-3 Residential Single-Unit (Detached House) District. Department Public Works- Water Records stated there was a "SHOP" in the basement in 1949 and only 6 dwelling units in the building.

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

**THE VOTE**

**NOV 24 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 October 17; 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 stated that he began work on this building without a permit. He was issued a stop work order. The appellant stated that he purchased the building as an 8 unit building. The appellant wishes to re-hab the building and establish 7 dwelling units. The Board takes notice that he Department of Water records reflect a "Shop" existed in the basement. The Board will permit the appellant to establish 7 dwelling units. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

**APPROVED AS TO SUBSTANCE**  
 \_\_\_\_\_  
 326  
**CHAIRMAN**

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

**APPLICANT:** Janice McNeal DBA Studio B **CAL NO.:** 442-08-A  
**APPEARANCE FOR:** Same **MAP NO.:** 4-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 2113 S. Pulaski Road  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to reinstate a business license for a beauty salon in a B3-2 Community Shopping District. The last business license expired August 14, 2004. If no license is issued within 18 months, the lawful use expires.

**ACTION OF BOARD--**

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

**THE VOTE**

**NOV 24 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 October 17; and

WHEREAS, the district maps show that the premises is located in an B3-2 Community Shopping 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 she has never ceased to operate a beauty salon at this location. She did state that her business license did expire because she was letting another person handle her business affairs. The appellant did provide documentation that her business has been continuous and that she has never ceased to operate. The Board will permit the appellant to re-establish her business. The decision of the Zoning Administrator is reversed. The appellant shall obtain a business license to memorialize this decision.

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

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

**APPLICANT:** Spanish Coalition for Housing **CAL NO.:** 443-08-Z

**PEARANCE FOR:** Seth Kaplan **MAP NO.:** 5-K

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 1922-26 N. Pulaski Road

**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 2nd floor office addition. The total square footage of this office requires 7 parking spaces. The applicant will provide 6 parking spaces and requests a waiver of the one parking space. The front yard shall be 3' instead of 9'. A front yard is required because of the residential neighbor. The North and South side yards shall be zero.\*

**ACTION OF BOARD--  
VARIATION GRANTED**

**THE VOTE**

*CORRECTED*

**AUG 28 2009**

**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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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<sup>nd</sup> floor addition. the applicant shall also be permitted to waive one required parking space. The front yard shall also be 3'; the North and South side yards 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.

\* Scribblers Error 

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

**APPLICANT:** Spanish Coalition for Housing **CAL NO.:** 443-08-Z  
**APPEARANCE FOR:** Seth Kaplan **MAP NO.:** 5-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 1922-26 N. Pulaski Road

**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 2nd floor office addition. The total square footage of this office requires 7 parking spaces. The applicant will provide 6 parking spaces and requests a waiver of the one parking space. The front yard shall be 3' instead of 9'. A front yard is required because of the residential neighbor.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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<sup>nd</sup> floor addition. the applicant shall also be permitted to waive one required parking space. The front yard shall also be 3' ; 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**

*BCC*

\_\_\_\_\_  
**CHAIRMAN**

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

**APPLICANT:** 2834 Albany LLC **CAL NO.:** 444-08-Z  
**APPEARANCE FOR:** Rolando Acosta **MAP NO.:** 7-1  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 2834 N. Albany 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, 8 parking spaces in the rear and side yards. The north and south side yards shall be zero instead of 3.84' each and to eliminate 800 sq. ft. of rear yard open space.

**ACTION OF BOARD--  
 VARIATION GRANTED**

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 8 parking spaces in the rear and side yards. The north and south side yards shall be zero; the applicant shall also be permitted to eliminate 800 sq. ft. of rear yard open space; 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:** SDO Development, LLC **CAL NO.:** 445-08-S  
**APPEARANCE FOR:** Rolando Acosta **MAP NO.:** 6-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 2345-55 S. Pulaski 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 fast food restaurant (southeast corner) with drive-thru facility in a C1-1 Neighborhood Commercial District.

**ACTION OF BOARD--  
 APPLICATION APPROVED**

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 fast food restaurant. 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 drive-through facility, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings for outlot No.1, dated October 16, 2008, prepared by Amstadter Architects; and provided the applicant receive final review and approval for the remainder of the strip center, in accordance Sec. 17-13-0800, prior to the issuance of a building permit.

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:** SDO Development, LLC

**CAL NO.:** 446-08-S

**APPEARANCE FOR:**

**MAP NO.:** 6-J

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 2345-55 S. Pulaski 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 proposed drive-thru facility in a mall containing a 2nd drive-thru for a fast food restaurant in a C1-1 Neighborhood Commercial District.

**ACTION OF BOARD--**  
CASE CONTINUED TO JANUARY 16 2008

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

NOV 24 2008

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

Doc  
CHAIRMAN

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

**APPLICANT:** North Side Federal Savings and Loan Association of Chicago **CAL NO.:** 447-08-S

**APPEARANCE FOR:** Gary Wigoda **MAP NO.:** 13-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** October 17, 2008

**PREMISES AFFECTED:** 1475 W. Foster 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 accessory off-site parking lot for private passenger vehicles, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, to serve the financial institution at 5159 N. Clark.

**ACTION OF BOARD--**  
APPLICATION APPROVED

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 parking lot which will serve the financial institution at 5159 N. Clark; the testimony offered stated 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 drive-through facility, provided construction is consistent with the layout and design as illustrated on the parking plan prepared by Greene & Proppe Design, and dated March 3, 2008; and provided the applicant install 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 **APPROVED AS TO SUBSTANCE**

*BSE*



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

**APPLICANT:** Las Vegas Nite Club, Inc.

**CAL NO.:** 449-08-Z

**PEARANCE FOR:** Mark Kupiec

**MAP NO.:** 5-J

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 3702 W. Armitage Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in a C1-1 Neighborhood Commercial District, a proposed public place of amusement license within 125' of RS-3 residential district.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 license. An appeal for this location was granted in Cal. No. 448-08-A; 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:** Spathies Construction Corp. **CAL NO.:** 451-08-Z  
**APPEARANCE FOR:** William Spathies **MAP NO.:** 30-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 12032 S. Parnell 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 2-story single family residence whose front yard shall be 15.69' instead of 20'.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 single family residence whose front yard shall be 15.69'; the Board takes notice that the builder constructed the building contrary to the permitted plans. The Modification appears to be minor and the Board will allow the variation. The Board will caution the builder not to modify the building without obtaining a permit; 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**

BCC  
 CHAIRMAN

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

**APPLICANT:** Muhammad Islamic Corporation **CAL NO.:** 452-08-Z  
**APPEARANCE FOR:** John Pikarski **MAP NO.:** 10-D  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 1200 E. 47th Street  
**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in a C1-2 Neighborhood Commercial District, the establishment of a handicap restroom facility in a building whose rear yard shall be 3'-10" instead of 37.5'.

**ACTION OF BOARD--  
 VARIATION GRANTED**

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 handicap restroom facility in a building whose rear yard shall be 3'-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**

*Asc*

\_\_\_\_\_  
 CHAIRMAN



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

**APPLICANT:** Hampton Leong **CAL NO.:** 454-08-Z  
**APPEARANCE FOR:** Mark Kupiec **MAP NO.:** 11-M  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008  
**PREMISES AFFECTED:** 4024 N. Menard 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 2nd floor open staircase whose combined side yards shall be zero on the north and 2.5' on the south instead of a combined 9' and the front yard shall be 19' instead of 20'.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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; an appeal for this location permitting the applicant to establish 2 dwelling units was granted in Cal. No. 453-08-A; the applicant shall be permitted to construct a 2nd floor open staircase whose combined side yards shall be zero on the north and 2.5' on the south 9' and the front yard shall be 19'; 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*

CHAIRMAN

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

**APPLICANT:** Vixen Beauty Consultants, Inc. **CAL NO.:** 455-08-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 3-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 2640 W. Division 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 B1-1 Neighborhood Shopping District.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 29, 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 surrounding 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**  
*B2C*  
 \_\_\_\_\_  
**CHAIRMAN**

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

**APPLICANT:** 509 W Roscoe Condominium Assoc. - **CAL NO.:** 456-08-Z  
 Nick Kluding (Treasurer)

**APPEARANCE FOR:** Thomas Moore **MAP NO.:** 9-F

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008

**PREMISES AFFECTED:** 509-11 W. Roscoe Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-5 Residential Multi-Unit District, parking spaces in the side yard and a proposed steel porch system and whose east and west side yards shall be zero instead of 5' each and to reduce the rear yard open space to zero.

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

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 steel porch system and whose east and west side yards shall be zero and to reduce the rear yard open space 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**

*BJC*

**CHAIRMAN**

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

**APPLICANT:** Keltan Aly **CAL NO.:** 457-08-Z

**APPEARANCE FOR:** Same **MAP NO.:** 12-I

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 5221 S. Sacramento 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 3rd floor addition whose rear yard shall be zero instead of 37.6' and whose north yard shall be zero instead of 2.4'.

**ACTION OF BOARD--**  
VARIATION GRANTED

**THE VOTE**

NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 3rd floor addition whose rear yard shall be zero and whose north 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**

*B2C*

\_\_\_\_\_  
CHAIRMAN

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

APPLICANT: Anita Heil  
APPEARANCE FOR: James J. Banks

CAL NO.: 458-08-Z

MAP NO.: 9-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:  
October 17, 2008

PREMISES AFFECTED: 3454 W. Addison Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-1 Community Shopping District, a proposed restaurant/tavern with a public place of amusement license.

ACTION OF BOARD--  
VARIATION GRANTED

THE VOTE

NOV 24 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		

RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 license for 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

B J C  
CHAIRMAN

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

**APPLICANT:** Candido J. and Amelia Sorto **CAL NO.:** 459-08-A  
**APPEARANCE FOR:** Same **MAP NO.:** 13-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 1610 W. Summerdale Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the re-construction of a building which partially collapsed. The Department of Zoning maintains destruction of a building which under the control of the owner requires compliance as any new dwelling unit, in this case to add parking in an RS-3 Residential Single-Unit (Detached House) District.

**ACTION OF BOARD--**

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

**THE VOTE**

NOV 24 2008

**CITY OF CHICAGO  
 ZONING BOARD OF APPEALS**

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

APPROVED AS TO SUBSTANCE	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 October 17; 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 had appeared before the board before and was granted variations for the property. While the house was under construction, the foundation gave way and one wall of the home collapsed. The Board finds that the collapse was not the fault of the appellant and will permit the re-construction of the home. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE

320  
 CHAIRMAN

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

**APPLICANT:** Candido J. and Amelia Sorto **CAL NO.:** 460-08-Z  
**APPEARANCE FOR:** Same **MAP NO.:** 13-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 1610 W. Summerdale 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 2nd floor addition whose rear shall be 2' instead of 15.96', the west side yard facing the alley shall be 1'-4" instead of 2.9', the front yard shall be 2'-1" instead of 9.12' and to waive 2 parking spaces.

**ACTION OF BOARD--  
 VARIATION GRANTED**

**THE VOTE**

**NOV 24 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 October 17, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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 on Cal. No. 459-08-A. The applicant shall now be permitted to construct a 2nd floor addition whose rear shall be 2'; the west side yard facing the alley shall be 1'-4" , the front yard shall be 2'-1" and to waive 2 parking spaces. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

*B2C*  
 \_\_\_\_\_  
 OCT 20 2008

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

APPLICANT: Senan Nugent

CAL NO.: 160-08-A

APPEARANCE FOR:

MAP NO.: 2-I

APPEARANCES AGAINST:

MINUTES OF MEETING:  
October 17, 2008

PREMISES AFFECTED: 2550 W. Lexington Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to a motor vehicle repair business and taxi cab service to be substituted for a warehouse use in an RM-5 Residential Multi-Unit District. The applicant has changed the prior M1 zoning to the current RM-5.

ACTION OF BOARD--  
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

NOV 24 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

*Boc*  
SNA: [unclear]

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

**APPLICANT:** Freviletti & Roach, Inc.

**CAL NO.:** 229-08-S

**APPEARANCE FOR:**

**MAP NO.:** 2-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 1133 W. Madison 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 proposed wine store in a DX-3 Downtown Mixed-Use District.

**ACTION OF BOARD-**  
DISMISSED FOR WANT OF PROSECUTION

**THE VOTE**

NOV 24 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:** BNC Builders, Inc.

**CAL NO.:** 296-08-A

**APPEARANCE FOR:**

**MAP NO.:** 5-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 1857-59 W. Armitage Avenue/1955 N. Wolcott Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a barber shop to be established in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. There has not been a licensed business at this address for at least the last 18 months. The applicant wishes to step into an un-licensed prior use (artist).

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

**THE VOTE**

NOV 24 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**

BLC  
**CHAIRMAN**

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

**APPLICANT:** BNC Builders, Inc.

**CAL NO.:** 297-08-Z

**APPEARANCE FOR:**

**MAP NO.:** 5-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
October 17, 2008

**PREMISES AFFECTED:** 1857-59 W. Armitage Avenue/1955 N. Wolcott 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 3-story addition to an existing 3-story 4 dwelling unit building whose east set back shall be 2' instead of 4.8. There will be a total of 5 dwelling units and 4 parking spaces.

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

**THE VOTE**

**NOV 24 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*

*CHIEF CLERK*

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

**APPLICANT:** Jerry's Home Construction & Builders, Inc. **CAL NO.:** 298-08-A

**APPEARANCE FOR:** **MAP NO.:** 3-H

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
OCTOBER 17, 2008

**PREMISES AFFECTED:** 1420 N. Hoyne Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the applicant to construct a proposed 3-story 5 dwelling unit building. To change an existing rear dwelling unit to provide for a 4 car garage which will exceed the 15 feet height limitation. The rear accessory structure will remove an existing 2nd floor (dwelling unit/storage) in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

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

**THE VOTE**

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

NOV 24 2008  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

*Asc*

CHAIRMAN

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

**APPLICANT:** Standard Parking **CAL NO.:** 309-08-A  
**APPEARANCE FOR:** John George **MAP NO.:** 3-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
OCTOBER 17, 2008  
**PREMISES AFFECTED:** 253 E. Delaware Place

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow 25% of required accessory (residential) parking spaces to be leased on a daily, weekly or monthly basis to persons who are not residents of the building. There are 164 non-conforming dwelling units. The original parking should have been 98 parking spaces but only 64 spaces exist. The Zoning Administrator believes this lease out would make the current use more non-conforming (less parking available for tenants) and thus should not be permitted in a DR-7 Downtown Residential District.

**ACTION OF BOARD--**  
**THE DECISION OF THE ZONING ADMINISTRATOR**

**THE VOTE**

NOV 24 2008  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

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

APFIRMATIVE	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 July 18, 2008; and

WHEREAS, the district maps show that the premises is located in an DR-7 Downtown Residential 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: This building was constructed some time in the 1950's. A permit search has not disclosed the number of permitted or required parking spaces. It appears that 94 spaces were required but only 64 were built in the building. The applicant now wishes to rent out daily 25% of the existing spaces. The building is a condominium and the association maintains control of the parking. Testimony presented shows this daily rental will not adversely affect the use of the building. The Board will allow 16 parking spaces to be rented on a daily basis.

**APPROVED AS TO SUBSTANCE**

B2C

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

**APPLICANT:** Standard Parking **CAL NO.:** 310-08-S  
**APPEARANCE FOR:** John George **MAP NO.:** 3-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 17, 2008  
**PREMISES AFFECTED:** 253 E. Delaware Place

**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 non-accessory parking spaces. The applicant wishes to lease out 45% of the existing 64 parking spaces to persons other than tenants of the residential building. There are 164 non-conforming dwelling units (98 required parking spaces should have been provided at the time of construction), in a DR-7 Downtown Residential District.

**ACTION OF BOARD--**  
APPLICATION APPROVED

**THE VOTE**

NOV 24 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 17-13-0107B 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 lease out 45% of the existing 64 parking spaces to individuals other than tenants of the building. There was insufficient parking for the dwelling units at the time of construction; the applicant shall be permitted to lease out 45% of the existing 64 parking space to persons other than the tenants of the residential building; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

*B2C*

\_\_\_\_\_  
CHAIRMAN

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

**APPLICANT:** 1600 North Inc. **CAL NO.:** 390-08-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** Edward Varndell, Joe Lake, Paul Dickman **MINUTES OF MEETING:** October 17, 2008  
**PREMISES AFFECTED:** 1600-08 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 proposed 90 room hotel in an existing 12 story commercial building in a B2-3 Neighborhood Mixed-Use District.

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

**THE VOTE**

**NOV 24 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		

**RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 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 objectors in this matter stated that they are opposed to this project because they feel that have not received enough information or have had sufficient input into the project; the alderman for the area is also opposed to the project because he feels that a feasibility study should have been done regarding this type of business at this location. The objectors do not believe the applicant will be able to make the project an asset to the neighborhood. The applicant stated that he had purchased the building and after renovation will have 10 to 15 million dollars invested in the project. It appears the building has not had more than 25% occupancy over the last few years. The Board will allow the hotel to be established. The Board will also require the applicant to return to it at the end of three years to advise the Board of the status of the use. The applicant and the Board will resend the notice to all the properties which are entitled to notice presently; the Board will permit the applicant to establish a 90 room hotel in an existing building; 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 also finds that although the special use is granted, the applicant must return in three years from the date of the time stamp on this resolution for review. The applicant must also comply with the notification requirements for a special use and inform the public of the review; 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

**APPROVED AS TO SUBSTANCE**

*BSC*

\_\_\_\_\_  
**CHAIRMAN**

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

MINUTES OF MEETING:

October 17, 2008

CAL NO.: 390-08-S

NOV 24 2008  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

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 hotel; because it is an appropriate and compatible use for this landmark building and the surrounding business district. However, given the community's concerns about the day- to day operation and the prominence of this building at this busy intersection, the Department recommends that the special use be granted for a three year period, at the expiration of which its operation can be reviewed and, if necessary, modified by the Board.

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:** William J. Ohayer **CAL NO.:** 301-08-Z  
**APPEARANCE FOR:** Lisa Marino **MAP NO.:** 7-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 17, 2008  
**PREMISES AFFECTED:** 2856 N. Hamlin Avenue

**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 construction a 4th floor addition measuring 25'-2 1/4" x 96'-11 1/2" for an existing 6 dwelling unit building to reduce the front yard to zero instead of 14.7', to reduce the south yard to 1' instead of 3'-4" and the rear yard to 26' instead of 36.75'.

**ACTION OF BOARD--  
 VARIATION GRANTED**

**THE VOTE**

**NOV 24 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 October 17, 2008 after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 29, 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; this matter was previously heard by the Board; the applicant however did not request yard reductions. The application has been amended from the original request; the applicant shall be permitted to construct a 4th floor addition measuring 25'-2 1/4" x 96'-11 1/2" for an existing 6 dwelling unit building to reduce the front yard to zero, to reduce the south yard to 1' and the rear yard to 26'; 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

*B20*