APPLICANT: Lorena Verdaguer-Torres

APPEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3444 W. Parker Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the appellant to build a proposed 4 car garage measuring 750 sq. ft.. The maximum area of a garage allowed on a 25' wide lot is 480 sq. ft. (60% of the rear yard) in an RS-3 Residential Single-Unit (Detached House) District.

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

THE VOTE

MAR 27 2009
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.”

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2009; 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 stated that she purchased the building to re-hab and ran out of money and was not able to complete the project that had been previously permitted. She stated that in the original project there was approval for a 4 car garage. The appellant will not be permitted to construct a garage. However, the Board will permit the appellant to provide a parking pad to meet her parking requirement. A permit shall be obtained to memorialize this decision.
APPLICANT: Lorena Verdaguer-Torres

PEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3444 W. Parker 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, to reduce the east side yard to zero instead of 2' and to reduce the rear yard open space to 71 sq. ft. instead of 900 sq. ft. to allow a rear 8' x 13'3" 3-story open metal porch with a 4 car garage.

ACTION OF BOARD-- VARIATION GRANTED

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 7, 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 was granted on Cal. No. 12-09-A. The applicant shall be permitted to establish a rear 3 story open metal porch and a 4 car garage. The east side yard shall be zero and the rear yard open space shall be reduced to 71 sq. feet; 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

PAGE 64 OF 64 MINUTES
APPLICANT: Millennium Haircuts & Styles, Inc.  CAL NO.: 18-09-S

PEARANCE FOR: John Pikarski  MAP NO.: 289-F

APPEARANCES AGAINST: None  MINUTES OF MEETING:

PREMISES AFFECTED: 11649 S. Halsted Street  February 20, 2009

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

ACTION OF BOARD-- APPLICATION APPROVED

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009; after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a beauty salon; the testimony of the appraiser was that the use would not have a negative impact on the community and it 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 Zoning and Land Use Planning 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;
APPLICANT: Mark Variano

PEARANCE FOR: Thomas Moore

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2037 N. Mohawk Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a proposed masonry wall measuring 8' in height. This wall may be treated as a masonry fence which runs the length of the property on its south side in an RM-5 Residential Multi-Unit District.

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

THE VOTE

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 February 20, 2009; and

WHEREAS, the district maps show that the premises is located in an RM-5 Residential 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 they wish to construct an eight foot high wall on the south side of the property. There is a building on this side of the property that has no windows. The Board finds that the appellant may only build a fence that may not exceed 6 feet in height. The code allows a 6 foot solid fence and the Board will not vary this limit. The decision of the Zoning Administrator is affirmed and the appeal is denied.

PAGE 1 OF 64 MINUTES
APPLICANT: Mark Variano

PEARMANCE FOR: Thomas Moore

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2037 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, a proposed, 2-story addition to an existing 3-story single family residence whose rear yard shall be zero instead of 34.77', the south side yard shall be zero instead of 4', in order to construct an 8 foot wall/fence runs the length of the property, the combined side yards shall be zero instead of 10'.

ACTION OF BOARD— VARIATION GRANTED

THE VOTE

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

AFFIRMATIVE   NEGATIVE   ABSENT
X             X           X

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009 after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant has been denied an appeal in Cal. No. 41-09-A. The applicant is not permitted to build a fence that exceeds 6' in height. The applicant shall be permitted to construct a 2-story addition to an existing 3-story single family residence whose rear yard shall be zero, the south side yard shall be zero, in order to construct a wall/fence (which may not exceed 6 feet in height) along the length of the property, the combined 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 is 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.
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Allan and Catherine Nicholas
CAL NO.: 43-09-A

PEARANCE FOR: Mark Kupiec
MAP NO.: 8-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
February 20, 2009

PREMISES AFFECTED: 3156 S. Aberdeen Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow only 2 parking spaces to be provided when the ordinance requires 3 space in the RS-3 District. The applicant also does not want to use the alley to enter the garage but wants to enter from the street. The ordinance also requires alley access unless the opening is blocked by a utility pole in an RS-3 Residential Single-Unit (Detached House) District.

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

THE VOTE

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

AFFIRMATIVE NEGATIVE ABSENT
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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 February 20, 2009; 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 wishes to construct a garage with a roof deck. There is an existing garage at this location. The appellant stated that they wish to remove the old garage and replace it with a new two car garage. The appellant stated that the building has always had 2 units and 2 parking spaces and they wish to maintain that ratio. The Board will permit the appellant to construct a garage and two provide two parking spaces. The Board will also permit the appellant to continue to use the existing drive way that permits access from the street. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

PAGE 3 OF 64 MINUTES

CHAIRMAN
APPLICANT: Allan and Catherine Nicholas

PEARANCE FOR: Mark Kupiec

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3156 S. Aberdeen Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, the conversion of a tavern and residential building into 2 dwelling units. A two dwelling unit building in an RS-3 zoning district requires 3 parking spaces. The lot is 24' wide and the may provide 3 parking space but the applicant wishes to build a garage which will provide only 2-parking spaces. The applicant wishes to build a roof deck and garage which shall have zero combined yards instead of 4.8' and to eliminate 115 sq. ft. of rear yard space.

ACTION OF BOARD—VARIATION GRANTED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009 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 property was granted in Cal. No. 44-09-Z; the applicant shall be permitted to convert a tavern and residential unit building into a 2 dwelling unit building; the applicant shall also be permitted to construct a roof deck and a garage which will have zero combined side yards and shall also be permitted to eliminate 115 sq. ft. of rear yard 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 hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before and after the construction of the above premises.

Approved as to Substance

PAGE 4 OF 64 MINUTES

CHAIRMAN
APPLICANT: Malgorzata Pacult

PEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 7309-15 S. East End Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to an 8 foot height wrought iron gate and fence to be established in the front yard of a 4-story multi-unit building in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

ACTION OF BOARD--
CASE CONTINUED TO APRIL 17, 2009

THE VOTE

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MAR 27 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

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

APPLICANT: Daneeta D. Pope

PEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 1821 N. Larrabee 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, a 3 dwelling unit building with a 2 car garage. The 2008 permit issued for this building shows a 24 foot 3 parking space pad. The applicant wants to eliminate one parking space and build a 2 parking space garage with a deck.

ACTION OF BOARD-- CASE CONTINUED TO APRIL 17, 2009

THE VOTE

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APPROVED AS TO SUBSTANCE

CHAIRMAN
APPLICANT: Harpo Studios, Inc.  

PEARANCE FOR: Dennis Aukstik  

APPEARANCES AGAINST: None  

PREMISES AFFECTED: 110 N. Carpenter 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 two (2) rooftop pole mounted satellite dish antennas in a DX-3 Downtown Mixed-Use District.  

ACTION OF BOARD--APPLICATION APPROVED  

THE VOTE  

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 two rooftop pole mounted satellite dish antennas; the testimony of the appraiser was that proposed use would not have a negative impact on surrounding property and because of the location of the dishes would not be out of 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 Zoning and Land Use Planning recommends approval of the proposed antennae.  

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

PEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2234 S. Sawyer Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the enclosure of a 3-story rear porch in the front building in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. There is no record of a rear porch being enclosed.

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

THE VOTE

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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 February 20, 2009; 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 the existing home has been damaged in a fire. He stated that when he purchased the property in 1998 the porch was enclosed. The Board will permit the appellant to legalize the enclosed porch. A permit shall be obtained to memorialize the Board's decision.

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 8 OF 64 MINUTES
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: McDonald's Corporation, a Delaware Corporation

APPEARANCE FOR: Tiffany Fordyce

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4946 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a fast food restaurant with a drive-thru facility in a B3-2 Community Shopping District.

ACTION OF BOARD--APPLICATION APPROVED

THE VOTE

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MAR 27 2009
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 February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 with a drive thru facility; 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 Zoning and Land Use Planning recommends approval of the proposed drive-through, provided construction is consistent with the layout and design as illustrated on the site plan drawing prepared by V3 Companies, dated February 18, 2009, and the elevation drawings, prepared by Infinity Dzines, Inc, dated August 15, 2008.

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

APPROVED AS TO SUBSTANCE

PAGE 9 OF 64 MINUTES
APPLICANT: Don Renner  
CAL NO.: 50-09-Z

PEARANCE FOR: Same  
MAP NO.: 17-G

APPEARANCES AGAINST: Sheila Tobin  
MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 1343 W. Loyola 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 8 foot wrought iron fence to be placed at the zero rear yard line instead at 42'.

ACTION OF BOARD-- VARIATION DENIED

THE VOTE

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009 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 objector in this matter stated that a portion of the fence has been erected on her property without her consent; the applicant stated that he was unaware that the fence was on the objectors property; the Board will deny the request for the fence; the Board finds that the objector has met the burden of proving that the fence is on her property by presenting surveys that show her property lines. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would not create practical difficulties or particular hardships for the subject property; 2) the requested variation is not consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question can 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 not due to unique circumstances and are generally applicable to other similarly situated property; and 5) the variation, if granted will 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 deny the variation.
APPLICANT: Tobacco For Less, Inc

CAL NO.: 51-09-A

PEACEANCE FOR: Bernard Citron

MAP NO.: 14-C

APPEARANCES AGAINST: None

MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 5503 ½ S. Hyde Park Boulevard

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the retail sale of tobacco in an RM-5 Residential Multi-Unit District. Retail sales are not permitted in an RM-5 district. There appears to be 7 retail uses in this building.

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

THE VOTE

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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 February 20, 2009; and

WHEREAS, the district maps show that the premises is located in an RM-5 Residential 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 wishes to establish retail sales of tobacco at this location. There is no previous business license for this location. However, there are other retail uses at this location. The Board will permit the appellant to establish retail tobacco sales. The Board also finds that this shop may not operate on Sundays. The decision of the Zoning Administrator is reversed. A license shall be obtained to memorialize the Board's decision.

APPROVED AS TO SUBSTANCE

CHAIRMAN
APPLICANT: Surambala Corp. d/b/a Dunkin Donuts

PEARANCE FOR: Mark Kupiec

APPEARANCES AGAINST: None

PREMISES AFFECTED: 6738 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 proposed fast food restaurant with drive-thru facility in a B3-1 Community Shopping District.

ACTION OF BOARD--APPLICATION APPROVED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 with a drive thru facility. 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 Zoning and Land Use Planning recommends approval of the proposed drive-through, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings, dated February 13, and February 20, 2009 respectively, prepared by Atul Karkhanis Architects, and provided landscaping and fencing are installed 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

PAGE 12 OF 64 MINUTES
APPLICANT: Sunshine Gospel Ministries

PEARANCE FOR: Mark Kupiec

APPEARANCES AGAINST: None

PREMISES AFFECTED: 500-10 W. 61st 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 religious facility with 91 seats in a B2-1 Neighborhood Mixed-Use District.

ACTION OF BOARD--APPLICATION APPROVED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 91 seat religious facility; the testimony of the appraiser was that the use would not have a negative impact on the community and is in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

Chairman

PAGE 13 OF 64 MINUTES
APPLICATION: Sunshine Gospel Ministries  CAL NO.: 54-09-S

APPEARANCE FOR: Mark Kupiec  MAP NO.: 14-E

APPEARANCES AGAINST: None  MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 6105 S. Vernon Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed off-site accessory parking lot for 11 private passenger automobiles in an RS-3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--

APPLICATION APPROVED

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to establish a an off site parking lot for 11 vehicles which will serve a religious facility; the testimony of the appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Zoning and Land Use Planning recommends approval of the proposed off-site parking, provided landscaping and fencing are installed 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;
APPLICANT: Exchange Urban Hang Suite, LLC

CAL NO.: 55-09-S

PEARANCE FOR:

MAP NO.: 18-B

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 20, 2009

PREMISES AFFECTED: 7149 S. Exchange Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for private passage automobiles, in a C1-3 Neighborhood Commercial District, to serve a restaurant located at 7200 S. Exchange Avenue.

ACTION OF BOARD—CASE CONTINUED TO MARCH 20, 2009

THE VOTE

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MAR 27 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN
APPLICANT: K. C. Custom Builders, Inc.  
CAL NO.: 56-09-Z  

MAP NO.: 22-E  

APPEARANCE FOR:  

APPEARANCES AGAINST:  

MINUTES OF MEETING:  
February 20, 2009  

PREMISES AFFECTED: 9425 S. Burnside 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, the proposed duplexing of the 1st floor dwelling unit into the basement with new front stairs whose south west side yard shall be zero, the north east side yard shall be 1.8' instead of 2.5' each, the front yard shall be 8.6' instead of 20'.  

ACTION OF BOARD--  
CASE CONTINUED TO MARCH 20, 2009  

THE VOTE  

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

CITY OF CHICAGO
ZONING BOARD OF APPEALS

MAR 27 2009  

APPROVED AS TO SUBSTANCE

PAGE 16 OF 64 MINUTES
APPLICANT: Castaways Limited

APPEARANCE FOR: Mark Kupiec

APPEARANCES AGAINST: None

PREMISES AFFECTED: 450 N. Sangamon 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, a proposed 4-story 4 dwelling unit building whose side yards (for parking spaces) shall be zero instead of a combined 6', whose rear yard shall be 34.9' and to eliminate the rear yard open space (183 sq. ft.).

ACTION OF BOARD--VARIATION GRANTED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 4-story 4 dwelling unit building whose side yards (for parking spaces) shall be zero, whose rear yard shall be 34.9' and to eliminate the rear yard open space (183 sq. ft.). The Board finds that the applicant must use permeable pavement for this project; 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.
APPLICANT: Tony Construction Corp.  
CAL NO.: 58-09-A
PEARANCE FOR: Mark Kupiec  
MAP NO.: 10-I
APPEARANCES AGAINST: None  
MINUTES OF MEETING: February 20, 2009
PREMISES AFFECTED: 4209-11 S. Rockwell Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the division of an improved zoning lot in an RS-3 Residential Single-Unit (Detached House) District. City records show the property at 4209-11 contains a 2 dwelling unit building and an accessory structure built across both lots. The division was not lawful because the remaining house did not meet bulk requirements nor north side yard (1.1') variation. The applicant requests a 1.1' north side yard for 4211 S. Rockwell and to divide the zoning lot.

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

THE VOTE

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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 February 20, 2009; 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 purchased the empty lot (4209) and not the existing home (4211). He stated that when he purchased the land he was not aware that lot was not properly divided. The current owner of the existing house (4211) has refused to participate in requesting any relief for the existing home. The Board will permit the lot to be divide and for the existing home (4211) to have a 1.1' north side yard. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE

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

APPLICANT: Leona Strokes

PEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 8006 S. 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 and massage therapist within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B1-1 Neighborhood Shopping.

ACTION OF BOARD--
CASE CONTINUED TO MARCH 20, 2009

THE VOTE

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APPROVED AS TO SUBSTANCE

PAGE 19 OF 64 MINUTES
APPLICANT: Jesse Green, Sinai Health Systems

APPEARANCE FOR: Shannon Kelly

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1401 S. Washtenaw Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed off-site non-accessory parking lot, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, to serve Mt. Sinai Hospital complex.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 27, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Zoning and Land Use Planning recommends approval of the proposed off-site parking, provided landscaping and fencing are installed 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;
APPLICANT: Jesse Green, Sinai Health Systems

PEACE FOR: Shannon Kelly

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1401 S. Washtenaw 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 non-accessory parking lot whose front yard on a thru-lot shall be 7' instead of 20', 7' for the front yard on Washtenaw (westside) and 7' on the Talman Avenue (east side).

ACTION OF BOARD—VARIATION GRANTED

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009 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 non-accessory parking lot whose front yard on a thru-lot shall be 7', 7' for the front yard on Washtenaw (westside) and 7' on the Talman Avenue (east side); 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

PAGE 21 OF 64 MINUTES
APPLICANT: Jesse Green, Sinai Health Systems  

PEARANCE FOR: Shannon Kelly  

APPEARANCES AGAINST: None  

PREMISES AFFECTED: 1321 S. Washenaw Avenue  

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed off-site non-accessory parking lot for private passenger automobiles, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, to serve the Sinai Hospital facility.

ACTION OF BOARD--APPLICATION APPROVED  

THE VOTE  

THE RESOLUTION:  

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 non-accessory parking lot for private passenger automobiles; 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 Zoning and Land Use Planning recommends approval of the proposed off-site parking, provided landscaping and fencing are installed 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;
APPLICANT: Jesse Green, Sinai Health Systems
PEARANCE FOR: Shannon Kelly
APPEARANCES AGAINST: None
PREMISES AFFECTED: 1321 S. Washenaw 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 off-site parking lot whose front yard (Washtenaw) on an thru-lot, shall be 7' instead of 20', 7' on Talman (east side).

ACTION OF BOARD-- VARIATION GRANTED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009 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 whose front yard (Washtenaw) on an thru-lot, shall be 7' and 7' on Talman (east side). 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

CHAIRMAN

PAGE 23 OF 64 MINUTES
APPLICANT: Charles Hemphill

APPEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1543 N. Artesian Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a 7' solid wooden fence which runs along the rear and north side of the property in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. The fence has already been constructed without permits.

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

THE VOTE

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 February 20, 2009; 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 the existing fence was constructed about 10 years ago. He also stated that he was not the person that constructed the fence. The Board finds that the appellant may only have a fence that does not exceed 6 feet in height. The appellant must come into compliance with the zoning code. The total height of the fence may not exceed 6’. The decision of the Zoning Administrator is affirmed.
APPLICANT: Gregory Nagel

PEARANCE FOR: Gary Wigoda

APPEARANCES AGAINST: None

PREMISES AFFECTED: 917 N. Damen Avenue (Front)

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a non-conforming 2 dwelling unit building which will duplex the 1st floor unit into the basement in an B3-2 Community Shopping District.

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

THE VOTE

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

APPROVED AS TO SUBSTANCE

CHAIRMAN
APPLICANT: Gregory Nagel

PEARANCE FOR: Gary Wigoda

APPEARANCES AGAINST: None

PREMISES AFFECTED: 917 N. Damen Avenue (Rear)

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a rear building with a 3rd floor dormer in a B3-2 Community Shopping District.

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

THE VOTE

MAR 27 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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 February 20, 2009; 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 wishes to expand the rear building on this property with a 3rd floor dormer. The increased space will be used for living space. The Board will permit the appellant to expand the rear building with 3rd floor dormers. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 26 OF 64 MINUTES
APPLICANT: Gregory Nagel
APPEARANCE FOR: Gary Wigoda
CAL NO.: 67-09-Z
MAP NO.: 3-H
MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 917 N. Damen Avenue (Rear)

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an B3-2 Community Shopping District, the expansion of a rear building with a 3rd floor dormer addition whose rear yard shall be 7' instead of 30' on floors containing residential use.

ACTION OF BOARD--VARIATION GRANTED

THE VOTE

BRIAN L. CROWE
GI GI McCABE-MIELE
DEMETRI KON STANTELOS
REVEREND WILFREDO DE JESUS
JONATHAN SWAIN

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009 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 a rear building with a 3rd floor dormer addition whose rear yard shall be 7' on floors containing residential use; an appeal was granted in Cal. No. 66-09-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

CHAIRMAN

PAGE 27 OF 64 MINUTES
APPLICATION: Salamat Sheikh

PEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 4600-28 S. Cicero 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 3-story hotel with parking in a B3-1 Community Shopping District.

ACTION OF BOARD--CASE CONTINUED TO APRIL 17, 2009

THE VOTE

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MAR 27 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS
APPLICANT: Bissell 12, LLC
CAL NO.: 69-09-Z

PEARANCE FOR: Mark Kupiec
MAP NO.: 5-G

APPEARANCES AGAINST: None
MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 2218-24* N. Bissell 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 rear addition whose rear yard shall be 14'-7" instead of 22.3', to increase the area by 483 sq. ft. which is not more than 15% of the area that existed prior to the passage of this ordinance and to reduce rear open space to 734 sq. ft. instead of 780 sq. ft.

ACTION OF BOARD—VARIATION GRANTED

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 7, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to construct a 3-story rear addition whose rear yard shall be 14'-7", to increase the area by 483 sq. ft. which is not more than 15% of the area that existed prior to the passage of this ordinance and to reduce rear open space to 734 sq. ft.; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

* Amended at Hearing
APPLICANT: Javier Lebron

PEARSEANCE FOR: Mark Kupiec

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4454-56 S. Western Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-1 Community Shopping District, a public place of amusement within the 1st and 2nd floor existing tavern which is located within 125' of a residential district. The Board previously allowed the expansion of the tavern (#320-08-S).

ACTION OF BOARD-- VARIATION GRANTED

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 7, 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 Board has previously permitted the applicant to expand an existing tavern (Cal. No. 320-08-S). The applicant now wishes to establish a public place of amusement within the existing 1st and 2nd floor of the existing tavern. The Board will permit the applicant to establish a public place of amusement license at this location which is within 125' of a residential district; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

PAGE 30 OF 64 MINUTES
APPLICANT: Nathan Freeborn

APPEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2844 W. 21st 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 front stair case whose west yard shall be 1’ instead of 2’ and the front yard shall be zero instead of 15’ for a 3 dwelling unit building.

ACTION OF BOARD--VARIATION GRANTED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009; 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 front stair case whose west yard shall be 1’ and the front yard shall be zero; the front yard relief shall be for the stairs only and not the entire structure; 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
APPLICANT: The Jesuit Fathers of Della Strada, Inc.  
CAL NO.: 72-09-A  

APPEARANCE FOR: Alexander Domanskis  
MAP NO.: 14-H  

APPEARANCES AGAINST: None  
MINUTES OF MEETING: February 20, 2009  

PREMISES AFFECTED: 5600-16 S. Claremont Avenue/2351-55 W. 56th Street  

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the division of a zoning lot containing multiple buildings, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit/M1-1 Limited Manufacturing/Business Park District, of a religious monastery. The buildings at 2351 W. 56th Street will be divided from the zoning lot. The building at 2351 W. 56th Street shall have a zero east side yard.  

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

THE VOTE  

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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 January 16, 2009; and

WHEREAS, the district maps show that the premises is located in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit/M1-1 Limited Manufacturing/Business Park 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 the owners of this property for many years. The appellant wishes sell off two of the existing residential buildings that the applicant no longer uses. The Board will permit the appellant to divide the buildings at 2351 W. 56th Street which will have a zero east yard.
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: John Snyder

APPEARANCE FOR: Richard Kruse

APPEARANCES AGAINST: None

PREMISES AFFECTED: 11064-66* S. 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 an expansion of a tavern in a B3-1 Community Shopping District.

ACTION OF BOARD--APPLICATION APPROVED

THE VOTE

MAR 27 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing tavern; the testimony of the appraiser was that the use would not have negative impact on the community and 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 Zoning and Land Use Planning recommends approval of the proposed tavern expansion.

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

* Amended at Hearing

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

PAGE 33 OF 64 MINUTES
APPLICANT: 3802 W Altgeld LLC

PEARANCE FOR: Thomas Moore

MAP NO.: 7-J

APPEARANCES AGAINST: Eva Booker

MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 3802-08 W. Altgeld Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow 6 additional dwelling units (an expansion of a non-conforming building) to be added to a 8 dwelling unit with parking to be required for only the additional 6 dwelling units. Compare: Section 17-0101-B-s(a) deficit parking in an RM-5.5 Residential Multi-Unit District.

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

THE VOTE

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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 February 20, 2009; and

WHEREAS, the district maps show that the premises is located in an RM-5.5 Residential 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 they wish to expand an existing building by adding 6 units to an existing 8 unit building. The appellant stated that the building was purchased with the intent to re-hab and rent out the units. He stated that the building was vandalized by the tenants that were asked to move out of the property. The appellant wishes to add parking for the new units that will be underneath the building. The objector in this matter stated that if allowed to expand, the neighborhood would be negatively affected because it would add to the density of the neighborhood. She feels that there is limited parking in the neighborhood now due to permit parking. The appellant also stated that she feels that the work that has been done, has been beyond what was permitted. She stated that the appellant is exaggerating the circumstances of his case. The appellant stated that they have suffered a substantial loss due to the damage caused by the previous tenants and that in order to see a return on their investment they must add the additional units. The Board finds that by adding additional units the project would have a negative impact on the neighborhood and parking ingress and egress would cause a safety hazzard to the community. The Board will affirm the decision of the Zoning Administrator and the appeal is denied.

APPROVED AS TO SUBSTANCE

PAGE 34 OF 64 MINUTES
APPLICANT: 3802 W Altgeld LLC  
CAL NO.: 75-09-Z  
PEARANCE FOR: Thomas Moore  
MAP NO.: 7-J  
APPEARANCES AGAINST: Eva Booker  
MINUTES OF MEETING: February 20, 2009  
PREMISES AFFECTED: 3802-08 W. Altgeld Street  

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-5.5 Residential Multi-Unit District, a proposed 3 floor addition to an existing 2-story 8 dwelling unit building with an additional 6 dwelling units whose front yard shall be 13.52' instead of 15', the north side yard shall be zero instead of 4.5', the combined side yard shall be zero instead of 9.16', the west rear yard shall be zero instead of 37.5' and to eliminate the 504 sq. ft. of open space.

ACTION OF BOARD--VARIATION DENIED

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 7, 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 appeal to add an additional 6 units to an existing 8 unit building with 6 additional parking spaces has been denied in Cal. No. 74-08-A. The objector in the matter stated her objection to the project (See 74-09-A). The applicants request for a variation will not be granted; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would not create practical difficulties or particular hardships for the subject property; 2) the requested variation is not consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question can 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 not due to unique circumstances and are generally applicable to other similarly situated property; and 5) the variation, if granted will 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 deny a variation in the application of the district regulations of the zoning ordinance.

APPROVED AS TO SUBSTANCE

PAGE 35 OF 64 MINUTES
APPLICANT: Crystal Properties, LLC
CAL NO.: 76-09-S

PEARANCE FOR:

APPEARANCES AGAINST:

MAP NO.: 3-K

MINUTES OF MEETING:
February 20, 2009

PREMISES AFFECTED: 1300 N. Kostner 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 auto salvage yard in a PMD-#9 Planned Manufacturing District.

ACTION OF BOARD--
CASE CONTINUED TO APRIL 17, 2009

THE VOTE

BRIAN L. CROWE
GIGI McCabe-Miele
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

APPROVED AS TO SUBSTANCE

Chairman
APPLICATION: Strange Beauty Show Inc.  CAL NO.: 77-08-S

APPEARANCE FOR: Caroline Walling  MAP NO.: 3-H

APPEARANCES AGAINST: None  MINUTES OF MEETING:

PREMISES AFFECTED: 1118 N. Ashland Avenue

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

ACTION OF BOARD—APPLICATION APPROVED

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 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 Zoning and Land Use Planning 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

PAGE 37 OF 64 MINUTES
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Michael Mitch Hamblet

CAL NO.: 78-09-Z

MAP NO.: 3-F

APPEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 1404 N. LaSalle Drive

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-5 Residential Multi-Unit District, a proposed garage and parking space whose front yard shall be zero instead of 20', the combined side yards shall be zero instead of 4', to eliminate 140 sq. ft. of open space for the de-conversion to a single family residence with rear steel deck.

ACTION OF BOARD--CASE CONTINUED TO MARCH 20, 2009

THE VOTE

MAR 27 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

APPROVED AS TO SUBSTANCE

CHAIRMAN
APPLICANT: Jerome Kuzniar

PEARANCE FOR: Joseph R. Mitchell

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3703-11 E. 113th Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed enclosure of a 3-story rear porch, to increase the area (533 sq. ft.) not more than 15% of the area that existed prior to the passage of this ordinance to reduce the rear yard to 24'-9" instead of 37.1'.

ACTION OF BOARD--VARIATION GRANTED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009 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 enclose a 3-story rear porch, to increase the area (533 sq. ft.) not more than 15% of the area that existed prior to the passage of this ordinance to reduce the rear yard to 24'-9"; 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
APPLICANT: Brenda L. Rivera

PEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 882 N. Paulina 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 4th floor dormer addition and to reduce the total side yard combination to 3'-9" ( 3' on the north and .9" on the south) and deconvert from 4 dwelling units to 3 dwelling units (one in the basement and one in the attic) the Department of Water records reflect 2 dwelling units (one on the 1st floor and one on the second floor). In order to maintain 3 dwelling units it is necessary to have 3 parking spaces. There is 25' wide lot which, if the garage is removed, will allow 3 parking spaces. The applicant wants the Board to eliminate one required parking space and save the garage.

ACTION OF BOARD-- VARIATION GRANTED

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 7, 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 4th floor dormer addition and to reduce the total side yard combination to 3'-9" ( 3' on the north and .9" on the south) and deconvert from 4 dwelling units to 3 dwelling units the applicant wishes to maintain three dwelling units. The Board will permit the applicant to maintain the three existing dwelling units, however, the applicant must provide 3 parking spaces. The applicant must remove the existing garage and must provide a parking pad that will accommodate 3 vehicles. 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 regulations 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 in full.

APPROVED AS TO SUBSTANCE

PAGE 40 OF 64 MINUTES
APPLICANT: Comer Science & Education Foundation

APPEARANCE FOR: Lenny Asaro, Terry Diamond

APPEARANCES AGAINST: None

PREMISES AFFECTED: 7127-49 S. South Chicago 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 public charter high school in a C1-2 Neighborhood Commercial District.

ACTION OF BOARD—APPLICATION APPROVED

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 charter high school; 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 Zoning and Land Use Planning recommends approval of the proposed high school.

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

APPROVED AS TO SUBSTANCE

PAGE 41 OF 64 MINUTES
APPLICANT: Comer Science & Education Foundation  CAL NO.: 82-09-S

PEARANCE FOR: Lenny Asaro, Terry Diamond  MAP NO.: 18-D

APPEARANCES AGAINST: None  MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 7101-19 S. South Chicago Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed off-site parking lot for 19 private passenger automobiles in a C1-2 Neighborhood Commercial District.

ACTION OF BOARD—APPLICATION APPROVED

THE VOTE

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The Resolution:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; 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 19 private passenger vehicles. The parking lot will serve the charter high school that was granted at 7127-49 S. South Chicago Avenue (Cal.No. 81-09-S). The testimony of the appraiser was that the use would not have a negative impact on the community and that the use would not be out of 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 Zoning and Land Use Planning recommends approval, provided landscaping and fencing are installed 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

CHAIRMAN

PAGE 42 OF 64 MINUTES
APPLICANT: VisualCast Media One, Inc.

PEARANCE FOR: Patrick Thompson

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1436 W. Randolph Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow an off-premise sign (1,500 sq. ft. in size) which is visible within 100 feet of a public park. The ordinance states the sign is prohibited within 100 feet of a public park, with an area of 2 areas or more, if the sign face is legible from the subject park in a Cl-3 Neighborhood Commercial District.

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

THE VOTE

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.”

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009; and

WHEREAS, the district maps show that the premises is located in an C1-3 Neighborhood Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The appellant’s expert claimed, in his opinion, the sign is not legible from the park. The standard (§ 17-17-0208) states legible is capable of being read or deciphered by a 5'-6" tall person whose eyesight meets the minimum requirements necessary for an Illinois drivers license (wearing any corrective lenses required by such license). The photographs provided by the applicant provided by the applicant and city clearly show that he painted wall sign is decipherable with people and faces in multicolors. This sign is legible and within 100 feet of the park. The sign is prohibited. the expert has stated that his opinion but does not tell the Board he was unable to decipher the sign. The decision of the Zoning Administrator is affirmed and the appeal is denied.

APPROVED AS TO SUBSTANCE
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: West Side Veterans Housing, L.P. CAL NO.: 84-09-S

PEARANCE FOR: Jennifer Jones MAP NO.: 2-J

APPEARANCES AGAINST: None MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 3453-67 W. Madison

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 4-story residential and commercial building with accessory residential support services on the 1st floor in a CJ-3 Neighborhood Commercial District.

ACTION OF BOARD-- APPLICATION APPROVED

THE VOTE

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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 Zoning and Land Use Planning recommends approval of the single-room occupancy units.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
APPLICANT: West Side Veterans Housing, L.P.  

CAL NO.: 85-09-Z

PEARANCE FOR: Jennifer Jones

MAP NO.: 2-J

APPEARANCES AGAINST: None

MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 3453-67 W. Madison

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a C1-3 Neighborhood Commercial District, a proposed 4-story residential building whose rear yard, for the floors containing dwelling units, shall be 16' instead of 30'.

ACTION OF BOARD—VARIATION GRANTED

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009; after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on January 31, 2009; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 4-story residential building whose rear yard, for the floors containing dwelling units, shall be 16'; the Board has approved a special use for this property (Cal. No. 85-09-S); the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
APPLICANT: West side Veterans Housing, L.P.  
CAL NO.: 86-09-S

PEACE FOR: Jennifer Jones  
MAP NO.: 2-J

APPEARANCES AGAINST: None  
MINUTES OF MEETING: February 20, 2009

PREMISES AFFECTED: 3426 W. Monroe 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 accessory parking space for 18 private passenger automobiles, in an RM-5 Residential Multi-Unit District, to serve the use at 3453-67 W. Madison.

ACTION OF BOARD—APPLICATION APPROVED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site accessory parking space for 18 private passenger automobiles; 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 Zoning and Land Use Planning recommends approval of the proposed parking lot, provided landscaping and fencing are installed 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;
APPLICATION: Karen Murphy

PEACE FOR: John Fritchey

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2056 W. Chicago 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 hair replacement facility 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

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

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 31, 2009; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair replacement facility; the testimony of the appraise 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 Zoning and Land Use Planning recommends approval of the proposed hair replacement facility.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
Frederick Agustin, attorney for the applicant presented a written request for an extension of time in which to obtain the necessary building permit to establish a bank with a drive thru facility, on premises located at 250 W. 83rd Street. The special use was approved by the Zoning Board of Appeals on March 28, 2008 in Cal. No. 123-08-S.

Mr. Agustin stated the project has been in the process of addressing environmental issues and has been unable to proceed with construction. An extension of time is requested because the special use granted by the Board will soon exceed the one-year validity period.

Brian Crowe moved the request be granted and the time for obtaining the necessary permit be extended to April 21, 2010. The motion prevailed by yeas and nays as follows:

Yeas- Crowe, Konstantelos, McCabe-Miele, DeJesus, Swain. Nays- None
APPLICATION: Haitian-American Community Association  CAL NO.: 259-08-S

PEARANCE FOR: Lionel Jean-Baptiste  MAP NO.: 17-H

APPEARANCES AGAINST: None  MINUTES OF MEETING: February 20, 2008

PREMISES AFFECTED: 1637 W. Morse 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 community center in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

ACTION OF BOARD--APPLICATION APPROVED

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: John Randazzo
CAL NO.: 353-08-A

APPEARANCE FOR: John Pikarski
MAP NO.: 7-N

APPEARANCES AGAINST: None
MINUTES OF MEETING: February 20, 2008

PREMISES AFFECTED: 2759 N. Neva Avenue/7157 W. Diversey Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow 3 dwelling units to be established in the building in a B3-1 Community Shopping District. There is 1 dwelling unit at the rear of the 1st floor and 2 dwelling units on the 2nd floor.

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

THE VOTE

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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 February 20, 2009; and

WHEREAS, the district maps show that the premises is located in an B3-1 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 this building was constructed in 1920. He stated that records indicated that there was one commercial unit and one residential unit on the first floor and 2 dwelling units on the second floor. Evidence was also submitted that in 1931 there was a building permit that was issued for an addition. The appellant stated that the addition was constructed behind the existing dwelling units. Evidence was also submitted from past tenants that lived in the location during the 50’s that claim there has always been 3 units there. The Board finds that the appellant has met the burden of proving that the dwelling units that are there have been there for over 50 years. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 48 OF 64 MINUTES
APPLICANT: John Randazzo  
CAL NO.: 354-08-Z

PEARANCE FOR: John Pikarski  
MAP NO.: 7-N

APPEARANCES AGAINST: None  
MINUTES OF MEETING: February 20, 2008

PREMISES AFFECTED: 2759 N. Neva Avenue/7157 W. Diversey Avenue

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 rear 2-story porch enclosure whose west yard, on a reverse corner lot, shall be zero instead of 3.84', the rear yard shall be 16.14' instead of 30' and to add 412 sq. ft. of area which exceeds the area of which existed at the time of passage of this ordinance.

ACTION OF BOARD--VARIATION GRANTED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 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 was granted in 353-08-A; the applicant shall be permitted to construct a rear 2-story porch enclosure whose west yard, on a reverse corner lot, shall be zero, the rear yard shall be 16.14' and the applicant shall also be permitted to add 412 sq. ft. of area which exceeds the area of which existed at the time of passage of this ordinance the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

PAGE 49 OF 64 MINUTES

[Signature]
CHAIRMAN
APPLICANT: Gary Burg

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 non-required accessory parking in a RS-3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD-- CASE CONTINUED TO APRIL 17, 2009

THE VOTE

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CITY OF CHICAGO ZONING BOARD OF APPEALS

PAGE 50 OF 64 MINUTES
APPLICANT: Gary Burg

APPEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 2541 N. Sawyer 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 7 car garage whose front yard shall be zero instead of 7.44', the required side yards shall be zero instead of 9.7' with neither yard less than 3.88'.

ACTION OF BOARD-- CASE CONTINUED TO APRIL 17, 2009

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

APPROVED AS TO SUBSTANCE

CHAIRMAN
APPLICANT: Christian Heritage Academy

PEARANCE FOR: Kate Duncan

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1001-45 N. Crosby 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 school within an existing church. The applicant wishes to add a school to this site without additional parking. The church was established with a waiver of some parking (26 spaces). This was heard previously by the Board (265-08-S and 266-08-Z) in a C1-3 Neighborhood Commercial District.

ACTION OF BOARD-- APPLICATION APPROVED

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 31, 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 school within an existing church. 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 community. The church was granted a special use as well as an elimination of some parking (Cal. No. 265-08-S and Cal. No. 266-08-Z). 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 school.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Mihai Mociran

PEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3545-47 W. Cortland Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the appellant to de-convert a front building from 14 dwelling unit to 12 dwelling unit in an RS-3 Residential Single-Unit (Detached House) District. There is a rear building with 3 dwelling units. Appellant claims a total of 15 dwelling units. This matter was at the Board in 1964 (91-64-A) and the only permit issued shows 12 and 3 dwelling units. The 2 illegal units require Board action because the Department of Zoning will not recognize a permit which does not match the Board's prior resolution.

ACTION OF BOARD--
The decision of the Zoning Administrator is REVERSED

THE VOTE

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 February 20, 2009; 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 when he purchased the property there was 12 units in the front building and 3 units in the rear building. He also stated that there was also garden apartment units in the front building. The appellant now wishes to deconvert the front building from 14 units to 12 units and duplex the 1st floor units into the basement. The Board will permit the appellant to deconvert the front building from 14 units to 12 units. The three dwelling units in the rear building will remain. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

PAGE 52 OF 64 MINUTES
APPLICANT: Mihai Mociran

APPEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3545-47 W. Cortland Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, the expansion of habitable space into the basement for 2 first floor dwelling units.

ACTION OF BOARD-- VARIATION GRANTED

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 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; an appeal was granted for this property in Cal. No. 513-08-A; the appellant was permitted to deconvert the front building of the property from 14 units to 12 units with the 1st floor units being duplexed into the basement; the Board will also allow the expansion of the habitable space for the both 1st floor dwelling units; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPREHENDED AS TO SUBSTANCE

PAGE 53 OF 64 MINUTES
APPLICANT: Rosalinda Guzman  
CAL NO.: 520-08-Z  

PEARANCE FOR: Christopher Colon  
MAP NO.: 14-J  

APPEARANCES AGAINST: None  
MINUTES OF MEETING: February 20, 2008  

PREMISES AFFECTED: 3410 W. 63rd Place  

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 addition whose front yard shall be 15.6' instead of 19.85'.

ACTION OF BOARD--VARIATION GRANTED

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 19, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 1, 2008 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a front porch addition whose front yard shall be 15.6' the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 54 OF 64 MINUTES
APPLICANT: JP Morgan Chase Bank, N.A.  CAL NO.: 528-08-S

APPEARANCE FOR: MAP NO.: 5-N

APPEARANCES AGAINST: MINUTES OF MEETING:

PREMISES AFFECTED: 6500-12 W. North Avenue/1600-16 N. Natchez 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 bank with drive-thru facility in a C3-1 Commercial, Manufacturing and Employment District.

ACTION OF BOARD--
CASE CONTINUED TO MARCH 20, 2009

THE VOTE

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MAR 27 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

PAGE 55 OF 64 MINUTES
whereas, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 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 establish a day care (pre-school); 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 community; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

resolved, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development has no objection to the establishment of a daycare facility at this location.

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

approved as to substance

Chairman
APPLICANT: Chicago Waldorf School

PEARANCE FOR: Graham Grady

MAP NO.: 17-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
February 20, 2008

PREMISES AFFECTED: 1257 W. Loyola Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-2 Community Shopping District, the reduction of the one required parking space for a proposed pre-school.

ACTION OF BOARD--VARIATION GRANTED

THE VOTE

BRIAN L. CROWE
GIGI McCabe-Miele
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

APPROVED AS TO SUBSTANCE

CHAIRMAN
APPLICANT: Marie and John Barrett

CAL NO.: 540-08-Z

MAP NO.: 15-N

APPEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 5929 N. Nina Avenue

MINUTES OF MEETING: February 20, 2008

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-1-SD#1 Residential Single-Unit (Detached House) District, a proposed 1 ½-story attached garage and storage area whose south side yard shall be zero instead of 5' and the combined side yard shall be 5' instead of 15'.

ACTION OF BOARD--CASE CONTINUED TO MARCH 20, 2009

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CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 58 OF 64 MINUTES
APPLICANT: Nikos D. Tsonis
CAL NO.: 545-08-A

PEARANCE FOR: 

APPEARANCES AGAINST: 

MAP NO.: 12-F
MINUTES OF MEETING: February 20, 2008

PREMISES AFFECTED: 5306 S. Union Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the substitution of use of one dwelling unit for a former commercial unit in a RS-3 Residential Single-Unit (Detached House) District. There will be a total of 2 dwelling units on the parcel.

ACTION OF BOARD--DISMISSED FOR WANT OF PROSECUTION

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MAR 27 2009

APPROVED AS TO SUBSTANCE

PAGE 59 OF 64 MINUTES