

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

APPLICANT: Omar McRoberts **CAL NO.:** 6-09-Z
APPEARANCE FOR: Same **MAP NO.:** 10-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 4503 S. Forrestville 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 enclosed rear 1-story porch whose rear yard shall be 27'-10" instead of 33.5' and to increase the area by 635 sq. ft. which is not more than 15% of the area which existed prior to the passage of this code.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 an enclosed rear 1-story porch whose rear yard shall be 27'-10" and to increase the area by 635 sq. ft. which is not more than 15% of the area which existed prior to the passage of this code. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BDC

 CHAIRMAN

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

APPLICANT: Roslea Builders, Inc.

CAL NO.: 7-09-Z

PEARANCE FOR:

MAP NO.: 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 3348-52 W. Warner 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, the division of an improved zoning lot. The 3 dwelling unit building at 3348 W. Warner shall have a 1.2' west side yard and 3 parking spaces must be provided.

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

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Andrzej Sterniuk

CAL NO.: 11-09-Z

APPEARANCE FOR:

MAP NO.: 38

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 3352-58 N. Long 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, accessory parking within a side yard. The west side yard shall be 1'-8" instead of 5.6', to eliminate 2,700 sq. ft. of open space and to allow 1 dwelling unit to be expanded into the basement in an existing 12 unit building.

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

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

BSC

CHAIRMAN

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

APPLICANT: Raquel Reyes

CAL NO.: 36-09-Z

PEARANCE FOR:

MAP NO.: 5-K

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 4644-46 W. McLean 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 division of an improved zoning lot. The existing 2-story single family residence shall have a east yard of zero instead of 2' with a 5.56' west side yard and front yard shall be 14.8' instead of 20'.

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

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Exchange Urban Hang Suite, LLC **CAL NO.:** 55-09-S

APPEARANCE FOR: **MAP NO.:** 18-B

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 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 APRIL 17, 2009

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

APPROVED AS TO SUBSTANCE



CHAIRSMAN

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

APPLICANT: K. C. Custom Builders, Inc. **CAL NO.:** 56-09-Z
PEARANCE FOR: Christopher Koczwara **MAP NO.:** 22-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 March 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--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 duplex the 1st floor 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', the front yard shall be 8.6'; 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

BC

CHAIRMAN

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

APPLICANT: Leona Strokes

CAL NO.: 59-09-S

APPEARANCE FOR:

MAP NO.: 20-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

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--
DISMISSED FOR WANT OF PROSECUTION

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Michael Mitch Hamblet **CAL NO.:** 78-09-Z
APPEARANCE FOR: Richard Zulkey **MAP NO.:** 3-F
APPEARANCES AGAINST: Aukse Rimas **MINUTES OF MEETING:**
March 20, 2009
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--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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; Counsel appeared on behalf of an objector and argued against the use. The Board notes that there are other driveways in the area that are similar to the applicants request. The Board finds that by granting the applicants request, the variation sought would not be out of the character of the neighborhood. The applicant shall be permitted to establish a garage and parking space whose front yard shall be zero, the combined side yards shall be zero and shall also be permitted to eliminate 140 sq. ft. of open space for the de-conversion to a single family residence with rear steel deck. the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

That all applicable ordinances of the City of Chicago shall be complied with **APPROVED AS TO SUBSTANCE** pending its issued.

BLC

 CHAIRMAN

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

APPLICANT: Alfredo and Jemina Benigno **CAL NO.:** 88-09-A
APPEARANCE FOR: Meg George **MAP NO.:** 7-K
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 March 20, 2009
PREMISES AFFECTED: 4125 W. Wellington Avenue
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow 2 dwelling units to be established in an RS-3 Residential Single-Unit (Detached House) District.

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

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, 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 March 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 stated that she purchased the property believing it was a 2 unit building. When she tried to obtain a permit to de-convert the basement, city records showed the home as a single family residence. Testimony was offered that the building was originally constructed as a 2 dwelling unit building. The appellant shall be permitted to establish 2 dwelling units. The appellant shall deconvert the basement. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize the decision of the Board.

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: American Metals Co. **CAL NO.:** 89-09-S
APPEARANCE FOR: Same **MAP NO.:** 13-L
APPEARANCES AGAINST: Scott Siegel **MINUTES OF MEETING:**
 March 20, 2009
PREMISES AFFECTED: 5580 N. Lynch 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 Recycling Class II facility in a M1-1 Limited Manufacturing/Business Park District.

**ACTION OF BOARD--
 APPLICATION APPROVED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 2, 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 he operates a business on same block as the applicant. Mr. Siegel stated that his business is to manufacture award statues. He stated that he is concerned about the theft of metals that he uses and that the applicant may accept them as a material to be recycled. He also stated that he feels that use is inappropriate for the area because of the close proximity of the facility to a residential neighborhood. The applicant stated that he only receives recyclable material at this location and that there is no processing or melting of metals that occurs at this location. He stated that his customers that arrive in vehicles are not there for an extended amount of time. Customers drop off their recyclable goods, are paid and then leave; the Board will permit the applicant to establish a Recycling Class II facility; 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 commends approval of the proposed class-II recycling facility provided that the delivery of all materials be handled on the property itself, and that the sorting, processing, packing and storage of materials occur within the building

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

BLC
 CHAIRMAN

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

APPLICANT: Diamond Partnership, LLC

CAL NO.: 90-09-A

APPEARANCE FOR: Mark Kupiec

MAP NO.: 9-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 3900 W. Cornelia Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow 13 dwelling units to be established in a 3-story building in an RS-3 Residential Single-Unit (Detached House) District. Department of Water records show 13 dwelling unit in 1952. There appears to be 14 dwelling units existing today.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
		X

THE RESOLUTION:

WHEREAS, 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 March 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 wishes to rehab the building and duplex 3 of the ground floor units into the basement. In an agreement with the Alderman, the appellant stated that he would install overhead sewers in the building. The Board will permit the appellant to establish 13 dwelling units. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Diamond Partnership, LLC

CAL NO.: 91-09-Z

APPEARANCE FOR: Mark Kupiec

MAP NO.: 9-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 3900 W. Cornelia 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 duplex down of habitable space into the basement of a 13 dwelling unit building.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 was granted for this property in Cal. No. 90-09-A. The applicant will now be permitted to duplex down into the basement to create habitable space in an existing 13 dwelling unit building. The applicant must also install overhead sewers per the agreement reached with the Alderman. 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



JONATHAN SWAIN

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

APPLICANT: Virginia Eby and Kenneth Fougere **CAL NO.:** 92-09-Z
PEARANCE FOR: Mark Kupiec **MAP NO.:** 3-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 March 20, 2009
PREMISES AFFECTED: 2113-15 W. Thomas 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, proposed one and two story additions to an existing 2-story single family residence whose west yard shall be zero instead of 3.84' (N.B. this reduction is for both a building and a solid brick wall which will be 7' high and 35' long), the rear yard shall be zero instead of 34.92' and the rear yard open space shall be 185 q. ft. instead of 390 sq. ft.

ACTION OF BOARD--
 VARIATION GRANTED (with reduction of wall height)

THE VOTE

APR 21 2009

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

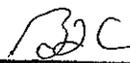
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 one and two story addition to an existing 2-story single family residence whose west yard shall be zero instead of 3.84' (N.B. this reduction is for both a building and a solid brick wall which may not exceed 6' in height and 35' long), the rear yard shall be zero and the rear yard open space shall be 185 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 **APPROVED AS TO SUBSTANCE**



 CHAIRMAN

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

APPLICANT: Michael Clarke **CAL NO.:** 93-09-Z
APPEARANCE FOR: Thomas Pikarski **MAP NO.:** 10-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 4138 S. Michigan Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an B3-2 Community Shopping District, a proposed 3-story 4 dwelling unit building with residential use below the 2nd floor.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 3-story 4 dwelling unit building with residential use below the 2nd floor. The testimony of the appraiser was that the use would not have a negative impact on the community and that a residential use below the second floor would not be out of character with the neighborhood; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: CE Xiong Zhen **CAL NO.:** 94-09-Z
PEARANCE FOR: Thomas Pikarski **MAP NO.:** 6-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 2950 S. Union Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed second floor addition to a single family residence whose front yard shall be 12' instead of 19.5', to reduce the total combined side yards to 3.14' (.3" on the north and 2.89' on the south) instead of 5' with neither yard less than 2' and to waive 450 sq. ft. rear yard open space and the rear yard shall be 28' instead of 34.1'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 second floor addition to a single family residence whose front yard shall be 12', to reduce the total combined side yards to 3.14' (.3" on the north and 2.89' on the south) and to waive 450 sq. ft. rear yard open space and the rear yard shall be 28'. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



 CHAIRMAN

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

APPLICANT: Mary McCurrie **CAL NO.:** 95-09-A
APPEARANCE FOR: Mark Kupiec **MAP NO.:** 15-N
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 5763 N. Nina Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow an accessory structure (garage with 2nd floor). The proposed garage and 2nd floor which contains 1,117 sq. ft. where only 832 sq. ft. is allowed. The height of an accessory structure is to be 15' and this structure is 17'-4" or 2'-4" to high in an RS-1 Residential Single-Unit (Detached House) District.

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

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
	X	
X		

THE RESOLUTION:

WHEREAS, 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 March 20, 2009; and

WHEREAS, the district maps show that the premises is located in an RS-1 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 she had a permit to build a garage. No stamped plans have been provided. The Appellant's architect stated that she believes, in her opinion, that the Department of Zoning was incorrect in measuring the height of the garage. The Appellant is requesting that the height of the garage be permitted to be 17'-4" and to be 1,117 sq. ft. The architect did not explain how the calculation was determined. The Board finds that the accessory building may not exceed 15' in height (§ 17-9-0201-E) or 832. sq. ft.. The decision of the Zoning Administrator is affirmed and the appeal is denied.

APPROVED AS TO SUBSTANCE

BDC

 SECRETARY

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

APPLICANT: Agustin Alvarado

CAL NO.: 96-09-A

APPEARANCE FOR:

MAP NO.: 5-L

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 5141 W. Fullerton Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to increase the residential floor area (1.2) by adding residential floor area a 3rd floor living space. The property exceeds the allowed area (222 sq. ft.) in a B3-1 Community Shopping District.

ACTION OF BOARD--
CASE CONTINUED TO JUNE 19, 2009

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


JONATHAN SWAIN

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

APPLICANT: Eric and Liz Anderson **CAL NO.:** 97-09-Z

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

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009

PREMISES AFFECTED: 1945 N. Mohawk Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-4.5 Residential Multi-Unit District, a proposed 2-story rear addition to an existing 3-story single family residence whose north yard shall be zero instead of 2' with a combined 3'-6" side yards.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 2-story rear addition to an existing 3-story single family residence whose north yard shall be zero with a combined 3'-6" side yards; 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

BZC

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

APPLICANT: Miroslaw Antas **CAL NO.:** 98-09-S
PEARANCE FOR: Same **MAP NO.:** 4-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 2153-57 W. 18th Place

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of two new zoning lots, in a B3-2 Community Shopping District, with the use of residential use below the 2nd floor at 2153 W. 18th Place. The property at 2157 shall contain 3 dwelling units and funeral parlor. The property at 2153 will contain 3 dwelling units.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 2, 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 new zoning lots. The applicant shall also be permitted to establish residential use below the 2nd floor at 2153 W. 18th Place. The applicant will have 3 dwelling units and one commercial unit at 2153 and three dwelling units at 2157. The applicant will be permitted to establish residential use below the 2nd floor in a B3-2 Community Shopping District. 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 ground-floor residential use.

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

B/C

CHAIRMAN

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

APPLICANT: Miroslaw Antas **CAL NO.:** 99-09-Z
PEARANCE FOR: Same **MAP NO.:** 4-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 2153-57 W. 18th Place

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-2 Community Shopping District, the sub-division of a zoning lot. The property at 2157 requires a variation of 2,976 sq. ft. for the minimum lot size of 3,000 sq. ft. for 3 dwelling units and to waive the one required parking space in order to divide the zoning lot and to duplex residential use into the existing basements.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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; a special use to permit residential use below the second floor was granted in Cal. No 98-09-S. The applicant shall be permitted to reduce the minimum lot area for three residential units to 2,976 sq. ft. The applicant shall be permitted to substitute a former commercial use for a residential use and to maintain the two existing parking spaces. The applicant is permitted to divide the zoning lot and to duplex the 1st floor residential units into the basement; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



 CHAIRMAN

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

APPLICANT: Lydia Moran **CAL NO.:** 100-09-Z

PEARANCE FOR: James J. Banks **MAP NO.:** 1-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009

PREMISES AFFECTED: 1851 W. Grand Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-3 Community Shopping District, a proposed 2nd floor addition whose rear set back, at the residential level, shall be 1.6" instead of 30'.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 2nd floor addition whose rear set back, at the residential level, shall be 1.6"; 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

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

APPLICANT: Maciej Lesniak

CAL NO.: 101-09-Z

APPEARANCE FOR: John Pikarski

MAP NO.: 3-E

APPEARANCES AGAINST: None

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 44 E. Elm Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a DR-3 Downtown Residential District, a proposed front open patio pit, whose front yard shall be zero instead of 12.42', and the rear yard shall be 8'-6" instead of 28.98' for a rear bay window and spiral stair case in a proposed single family residence.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 open patio pit, whose front yard shall be zero, and the rear yard shall be 8'-6" for a rear bay window and spiral stair case in a proposed single family residence. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Inner-City Muslim Action Network (IMAN) **CAL NO.:** 102-09-S

PEARANCE FOR: Mark Kupiec **MAP NO.:** 14-I

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009

PREMISES AFFECTED: 2744 W. 63rd Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed community center in a B1-1 Neighborhood Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

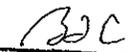
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 2, 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 community center; the testimony of the land planner was that the use would not be out of character for the community and will not have a negative impact on the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Intercultural Montessori Language School **CAL NO.:** 103-09-S

PEARANCE FOR: **MAP NO.:** 1-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 20, 2009

PREMISES AFFECTED: 1201 W. Washington Boulevard

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 pre-school/montessori school in a C1-3 Neighborhood Commercial District.

ACTION OF BOARD--
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Matthew Harris **CAL NO.:** 104-09-A
PEARANCE FOR: Adam Lasker **MAP NO.:** 1-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 459 N. Ogden Avenue
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to proposed restaurant with outdoor seating in a M2-2 Light Industry District.

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

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, 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 March 20, 2009; and

WHEREAS, the district maps show that the premises is located in an M2-2 Light Industry 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 establish an outdoor seating area for an existing restaurant. The appellant stated that there are many similar uses in the area. The patio area will be 500 square feet and will be landscaped in compliance with the ordinance. The decision of the Zoning Administrator is reversed and the appeal is granted. A business license shall be obtained for the outdoor patio to memorialize this decision.

APPROVED AS TO SUBSTANCE

BJC
CHAIRMAN

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

APPLICANT: GMB Partners LLC by Gabriel Maglario and Matthew Gallagher **CAL NO.:** 105-09-A
APPEARANCE FOR: Adam Lasker **MAP NO.:** 11-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:** March 20, 2009
PREMISES AFFECTED: 4253-57 N. Lincoln Avenue
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a drive-way to be established on a pedestrian street in a C1-1 Neighborhood Commercial District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
RECUSED		

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 March 20, 2009; and

WHEREAS, the district maps show that the premises is located in an C1-1 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 stated that a brewery is operated from this location. Testimony was offered that when the building was purchased, the driveway was already in existence. The Appellant stated that one of the factors that the building was purchased was because there was a drive way. The Appellant stated that the drive is used for deliveries. The Board will permit the appellant to continue to use the drive way which is located on a pedestrian street. A permit shall be obtained to memorialize the Boards decision. The Board notes that the drive way existed prior to the Pedestrian street designation.

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Domingo Miranda **CAL NO.:** 106-09-Z
PEARANCE FOR: Same **MAP NO.:** 14-N
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 5732 S. Natchez Avenue
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed front porch and 2nd floor addition whose front yard shall be 14.37' instead of 20'.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

THE RESOLUTION:

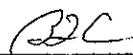
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 2009 and

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 porch and 2nd floor addition whose front yard shall be 14.37'; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Family Grounds Café Co. **CAL NO.:** 107-09-Z
PEARANCE FOR: Thomas Moore **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 March 20, 2009
PREMISES AFFECTED: 3652 N. Lincoln Avenue
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an B1-1 Neighborhood Shopping District, a proposed café with public place of amusement license within 125' feet of an RS-3 zoning district.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 café with a public placement of amusement within 125' of an RS-3 zoning district; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Allcom Funding Inc.

CAL NO.: 108-09-Z

APPEARANCE FOR:

MAP NO.: 16-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 6613 S. Michigan 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 2 dwelling unit building whose front yard shall be 11'-7" instead of 15', the south side yard shall be 1'-10" instead of 2.94', to reduce rear yard open space to 475 sq. ft. instead of 188 sq. ft. and to eliminate one of the two required parking spaces.

ACTION OF BOARD--
CASE CONTINUED TO MAY 15, 2009

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Near North Montessori School **CAL NO.:** 109-09-Z
PEARANCE FOR: Terrance Diamond **MAP NO.:** 3-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 March 20, 2009
PREMISES AFFECTED: 1434-44 W. Division 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 addition to an existing private school whose floor area ratio shall be increased from 1.2 to 2.42.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

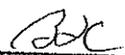
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 2009 and

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 an addition to an existing private school whose floor area ratio shall be increased from 1.2 to 2.42. The applicant stated that the variation is being requested because more space is required for the students of the school. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



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

APPLICANT: Monty Hair Design d/b/a Marquin Salon **CAL NO.:** 110-09-S
PEARANCE FOR: Thomas Moore **MAP NO.:** 3-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 March 20, 2009
PREMISES AFFECTED: 2157 W. Division Street

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

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 2, 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 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 beauty salon.

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

APPROVED AS TO SUBSTANCE

BLC

 CHAIRMAN

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

APPLICANT: Wynn Properties LLC **CAL NO.:** 111-09-Z
PEARANCE FOR: James J. Banks **MAP NO.:** 9-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 3823 N. Whipple 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 3rd floor dormer addition whose north side set back shall be .71' instead of 2', the south side yard shall be zero* instead of 5', the front yard shall be 18.75' instead of 20' and to increase the height of the building to 33' instead of 30'.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

APR 21 2009
**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 3rd floor dormer addition whose north side set back shall be .71' instead of 2', the south side yard shall be zero* instead of 5', the front yard shall be 18.75' and to increase the height of the building to 33'; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

* Amended at Hearing

APPROVED AS TO SUBSTANCE

ABC

CHAIRMAN

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

APPLICANT: Lisa P. Young

CAL NO.: 112-09-A

PEARANCE FOR:

MAP NO.: 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 930 W. Diversey Parkway

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the division of the zoning lot at 930-32 W. Division. Records indicate common ownership of both lots until 2004. The applicant requests division with out meeting bulk and zoning requirements of a B3-2 Community Shopping District.

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

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Juan and Lupe Mena **CAL NO.:** 113-09-Z
PEARANCE FOR: Same **MAP NO.:** 6-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 2052 W. 23rd 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 4th floor addition whose height shall be 31'-10" instead of 30'.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

APR 21 2009
**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 4th floor addition whose height shall be 31'-10"; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



 CHAIRMAN

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

APPLICANT: Anita Goyal

CAL NO.: 114-09-Z

PEARANCE FOR:

MAP NO.: 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 1540 W. Fullerton Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B2-3 Neighborhood Mixed-Use District, a proposed 5-story 18 dwelling unit and retail use building whose first residential rear yard shall be 6'-9" instead of 30'. The Board has previously approved this case in 2006 (530-06-Z).

ACTION OF BOARD--
CASE CONTINUED TO JUNE 19, 2009

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Montessori Academy of Chicago **CAL NO.:** 115-09-S

PEARANCE FOR: Gary Wigoda **MAP NO.:** 1-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:** March 20, 2009

PREMISES AFFECTED: 1335 W. Randolph 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 private elementary school in a C1-3 Neighborhood Commercial District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

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

APR 21 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 March 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 2, 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 private elementary 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 elementary school.

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

APPROVED AS TO SUBSTANCE

BCC

CHAIRMAN

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

APPLICANT: Ethel Hodges **CAL NO.:** 116-09-A

PEARANCE FOR: Mark Kupiec **MAP NO.:** 12-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009

PREMISES AFFECTED: 5200 S. Damen Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a 2-story open porch in the south side yard in an RS-3 Residential Single-Unit (Detached House) District.

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

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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 March 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 the home was damaged by fire. She stated that she hired a contractor to repair the porch and later found out that the contractor never acquired permits to perform the work. The Board will permit the appellant to establish a 2 story open porch in the South side yard. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize the decision of the Board.

APPROVED AS TO SUBSTANCE

Corrected
CHAIRMAN

* Scribners Error

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

APPLICANT: Ethel Hodges

CAL NO.: 117-09-Z

PEARANCE FOR: Mark Kupiec

MAP NO.: 12-H

APPEARANCES AGAINST: None

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 5200 S. Damen Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 2-story open porch and stairs whose south side yard shall be zero instead of 2'. Stairs in a side yard shall not exceed 6' in height.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 was granted to the applicant in Cal. No. 116-09-A. The applicant will now be permitted to construct a 2-story open porch and stairs whose South side yard shall be zero. The stairs in the side yard shall be permitted to exceed 6' in height*. 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.

* Scribner's Error

APPROVED AS TO SUBSTANCE

Collette
CHAIRMAN

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

APPLICANT: Michele Mangialardi

CAL NO.: 118-09-S

PEARANCE FOR:

MAP NO.: 17-0

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 7746 W. Devon 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 barber shop within 1,000 linear feet of another barber shop, beauty salon, nail salon or similar use in a B1-3 Neighborhood Shopping District.

ACTION OF BOARD--
CASE CONTINUED TO MAY 15, 2009

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Domitila Torres **CAL NO.:** 119-09-A

APPEARANCE FOR: David Centracchio **MAP NO.:** 1-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009

PREMISES AFFECTED: 1742 W. Ohio Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the appellant to de-convert from 6 dwelling units to 4 dwelling units and to place habitable space in the basement in an RS-3 Residential Single-Unit (Detached House) District.

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

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

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

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

WHEREAS, the district maps show that the premises is located in an 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 applicant contends that 4 dwelling units are original and have existed for at least 50 years. The Board will accept this testimony and will further allow the 1st floor units to be duplexed into the basement. A permit shall be obtained to memorialize this decision. 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: Domitila Torres **CAL NO.:** 120-09-Z

APPEARANCE FOR: David Centracchio **MAP NO.:** 1-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009

PREMISES AFFECTED: 1742 W. Ohio 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 residential use being placed into the basement (lower level) of an existing 6 dwelling unit building. The applicant wishes to replace the existing front stairs which will reduce the front yard set back to 5' instead of 15' and to reduce the combined side yards to 3.56' (zero on the east and 3.56' on the west) instead of 5' with neither yard less than 2'.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 was granted for this address in Cal. No. 120-06-A. The applicant shall be permitted to establish a residential unit in the basement of an existing 6 dwelling unit building. The applicant shall also be permitted to replace the front stairs and to reduce the front yard set back to 5' and to reduce the side yards to 3.56' (zero on the east and 3.56' on the west). The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: Alexander Goldstein

CAL NO.: 121-09-Z

APPEARANCE FOR:

MAP NO.: 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 1712 N. Wolcott Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-4.5 Residential Multi-Unit District, a proposed attached garage whose rear yard shall be 25.5' instead of 33.88, to eliminate all rear yard open space instead of 350 sq. ft. There will then be a total of two garages with 6 parking spaces within a new single family residence under construction.

ACTION OF BOARD--
CASE CONTINUED TO MAY 15, 2009

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 3300 W. Grand Inc. **CAL NO.:** 122-09-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 3-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 March 20, 2009
PREMISES AFFECTED: 3302-28 W. Grand Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an C1-2 Neighborhood Commercial District, a proposed 4-story 45 dwelling unit building whose rear yard shall be zero instead of 30'. There will be 60 on-site parking spaces provided.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

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

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

APR 21 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 March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 45 dwelling unit building whose rear yard shall be zero. The applicant will also provide 60 on-site parking spaces. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



 CHAIRMAN

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

MINUTES OF MEETING:

March 20, 2009

CAL NO.: 122-09-Z

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

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CB2C

CHAIRMAN

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

APPLICANT: Amyn Ali **CAL NO.:** 123-09-S
PEARANCE FOR: John Pikarski **MAP NO.:** 9-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 3101 W. Irving Park Road
NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed fast restaurant with drive thru facility in a B3-1 Community Shopping District.

**ACTION OF BOARD--
APPLICATION DENIED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 2, 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 is requesting to establish a drive thru for a fast food restaurant. The Board finds that the applicant's testimony does not refute the findings by the Department of Zoning and Land Use Planning which are as follows: The proposed drive-through is not designed to promote pedestrian safety and comfort. In fact, the drive-through window will cut off the only pedestrian access to the site from Irving Park Road. Pedestrians seeking to visit the other shops in the existing strip center will be forced to walk through the proposed drive-through lane to do so. The existing, in-only driveway on Irving Park Road is within a CTA bus stop. The proposed site plan calls for the driveway to be the sole exit for the drive-through. The Department believes that with the increased traffic associated with fast-food, drive-through facilities, there will be an increased chance for conflicts between cars exiting the site and the buses – and riders – using the bus stop. The Department believes, further, that the conflicts at this point will back up traffic entering the site from Albany Avenue. The proposed plan calls for a change to a small segment of Albany Avenue – between Irving Park and the alley – from a one-way northbound street to a two-way street. The Department does not support this change; we believe it will cause confusion for drivers turning off of Irving Park, and will result in conflicts with northbound traffic south of the alley; the Board finds the use does not comply with all applicable standards of this Zoning Ordinance; is not in the interest of the public convenience and will have a significant adverse impact on the general welfare of neighborhood or community; is not compatible with the character of the surrounding area in terms of site planning and building scale and project design; is not compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, indoor lighting, noise, and traffic generation; and is not designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be denied.

APPROVED AS TO SUBSTANCE

BZ

 CHAIRMAN

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

APPLICANT: The Sylvan Company, LLC **CAL NO.:** 124-09-A
APPEARANCE FOR: James J. Banks **MAP NO.:** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 1927 N. Honore Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the building to increase its height 44'-7" to 47'3/4" in an RS-3 Residential Single-Unit (Detached House) District. The height limit in an RS-3 is 30' and the Board may increase the 30' to 33' in an RS-3.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

APR 21 2009
**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		
	X	

THE RESOLUTION:

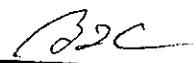
WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 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 Board has heard the testimony of the applicant, specifically, the existing building exceeds the height limits within an RS-3 zoning district. The applicant is not extending the overall height of the building. The ridge of the roof will not be raised but only the dormers will be increased. The decision of the Zoning Administrator is reversed and the appeal is granted. An appeal shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: The Sylvan Company, LLC **CAL NO.:** 125-09-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 1927 N. Honore 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 5th floor addition to an existing building whose area shall be increased by not less than 15% (520 sq. ft.) of the existing area which existed prior to the passage of this ordinance.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

APR 21 2009
**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 was granted for this location in Cal. No. 124-09-A. The applicant shall now be permitted to add a 5th floor addition to an exiting building. The floor area will be permitted to be increased by 520 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):

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Art Harb

CAL NO.: 126-09-A

APPEARANCE FOR:

MAP NO.: 3-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 2653 W. Crystal Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a 7th dwelling unit to be established in the basement in an RS-3 Residential Single-Unit (Detached House) District. Department of Water records (1949) shows 6 dwelling units and none in basement. Permit #96008675 issued July 21, 1986 reflects 6 dwelling units.

ACTION OF BOARD--
CASE CONTINUED TO MAY 15, 2009

THE VOTE

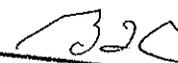
APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Art Harb

CAL NO.: 127-09-Z

APPEARANCE FOR:

MAP NO.: 3-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 2653 W. Crystal 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 enclosed porch whose rear yard shall be 7'-2.5" instead of 36'-5" and to increase the existing area by not more than 15% of the existing area which has existed at least 50 years prior to the passage of this ordinance.

ACTION OF BOARD--
CASE CONTINUED TO MAY 15, 2009

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE

BIC
CHAIRMAN

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

APPLICANT: Dearborn Street Development II, LLC **CAL NO.:** 128-09-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 3-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:** March 20, 2009
PREMISES AFFECTED: 1502 N. Dearborn 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 single family residence whose combined side yards shall be zero each instead of 4' with neither yard less than 2'. To increase the allowable square footage of a garage from 475 sq. ft. to 522 sq. ft. which is not more than 10% of the area allowed.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 single family residence whose combined side yards shall be zero each and to increase the allowable square footage of a garage from 475 sq. ft. to 522 sq. ft. which is not more than 10% of the area allowed; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BJC

 CHAIRMAN

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

APPLICANT: J. S. Huron, LLC

CAL NO.: 391-08-A

APPEARANCE FOR: Mark Kupiec

MAP NO.: 1-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 1345-47 W. Huron Street

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

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, 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 March 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 wishes to subdivide an existing zoning lot. He would like to construct a new 3 unit building one the property is divided. The Board will permit the division of the improved zoning lot. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE
BUC
CHAIRMAN

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

APPLICANT: J. S. Huron, LLC **CAL NO.:** 392-08-Z
PEARANCE FOR: Mark Kupiec **MAP NO.:** 1-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009
PREMISES AFFECTED: 1345-47 W. Huron Street

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

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

APR 21 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

THE RESOLUTION:

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; an appeal for this property was granted in Cal. No. 391-08-A. the applicant will now be permitted to divide the lot and the existing 8 dwelling unit building shall have a zero east side yard, the total combined side yard shall be 1.6'. An easement has been created to provide for means of egress and ingress. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BDC

CHAIRMAN

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

APPLICANT: J. S. Huron, LLC

CAL NO.: 393-08-Z

PEARANCE FOR: Mark Kupiec

MAP NO.: 1-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 1345 N. Huron Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-5.5 Residential Multi-Unit District, a proposed 3-story 3 dwelling unit building whose front yard (on Ancona) shall be zero instead of 13.2' and the east and west side yard shall be zero instead of 2.4' each to allow parking in the front yard.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: an appeal was granted in Cal. No. 391-08-A for this property; the applicant shall now be permitted to construct a 3-story 3 dwelling unit building whose front yard (on Ancona) shall be zero and the east and west side yard shall be zero to allow parking in the front yard. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Michell R. Joseph

CAL NO.: 467-08-Z

APPEARANCE FOR:

MAP NO.: 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 20, 2009

PREMISES AFFECTED: 1900 S. Loomis Street/1401 W. 19th Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-4.5 Residential Multi-Unit District, a proposed 4 unit townhouse whose front yard shall be zero instead of 5', on a corner lot facing Loomis, to reduce the rear wall facing an aside proper line to 3' instead of 12', to allow 200 sq. ft. private yards to be placed on the roof and to reduce the 20' foot property line for a garage door to 2'-4" on the sub-standard lot.

ACTION OF BOARD--
CASE CONTINUED TO MAY 15, 2009

THE VOTE

APR 21 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

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

APPROVED AS TO SUBSTANCE
B2C
CHAIRMAN

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

APPLICANT: JP Morgan Chase Bank, N.A. **CAL NO.:** 528-08-S

PEARANCE FOR: Kate Duncan **MAP NO.:** 5-N

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
March 20, 2009

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--
APPLICATION APPROVED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 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 bank 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 drive-through, provided the site improvements are consistent with the layout and design as illustrated on the site plan and elevation drawings, prepared by Interplan Midwest, LLC, dated March 20, 2009 and provided the final landscape plan is approved by the Department of Zoning and Land Use Planning.

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

APPROVED AS TO SUBSTANCE

BLC

CHAIRMAN

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

APPLICANT: Marie and John Barrett

CAL NO.: 540-08-Z

APPEARANCE FOR: Mark Kupiec

MAP NO.: 15-N

APPEARANCES AGAINST: None

MINUTES OF MEETING:
March 20, 2008

PREMISES AFFECTED: 5929 N. Nina Avenue

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 story attached garage with roof deck 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--
VARIATION GRANTED

THE VOTE

APR 21 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 20, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 2, 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 1 story attached garage with roof deck and storage area whose south side yard shall be zero and the combined side yard shall be 5'; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
B2C
CHAIRMAN