

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:
May 15, 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 JULY 17, 2009

THE VOTE

JUN 22 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

B2C

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:
May 15, 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 AUGUST 21, 2009

THE VOTE

JUN 22 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: Michele Mangialardi

CAL NO.: 118-09-S

APPEARANCE FOR: Alison Pawlicki

MAP NO.: 17-0

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 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--
APPLICATION APPROVED

THE VOTE

JUN 22 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

APFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 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 barber shop; the testimony of the appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BCE

CHAIRMAN

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

APPLICANT: Alexander Goldstein **CAL NO.:** 121-09-Z

APPEARANCE FOR: John Pikarski **MAP NO.:** 5-H

APPEARANCES AGAINST: Justin Modica, Chas Schult **MINUTES OF MEETING:**
May 15, 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--
VARIATION DENIED**

THE VOTE

JUN 22 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	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 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 has constructed a 3 story single family residence with 5, 200 square feet and attached 3 car garage. The applicant wishes to construct an additional 25' x 32' or 800 square foot attached garage. This addition will be in the rear yard and will be where the rear yard open space was first proposed. The applicant has requested a variation to reduce the required rear yard of 25.2' instead of 33.88' and to eliminate the rear yard open space of 350 square feet but will add a green roof to the addition. The applicant proposes to have six (6) enclosed parking spaces. The applicant and his wife will live in the house. The applicant stated he is a collector of automobiles and needs the six spaces. Two neighbors appeared and the alderman submitted a letter stating his opposition. The alderman claimed the building was already out of scale with the houses in the neighborhood. Further, the addition of a 15 foot high garage at the rear of the lot would affect the neighbor's air and light. The alderman also states that there is no hardship. The neighbors objected to the size of the structure covering the entire lot stating that it would eliminate sunlight. The applicant is required to present evidence to the approval criteria spelled out in section 17-13-1107. Specifically, strict compliance would create practical difficulties or particular hardships for the subject property. In determining this, the Board must determine, among other things, that the property can not yield a reasonable return if the variation is not granted. The alleged practical difficulty or particular hardships have not been created by any person having an interest in the property. Finally, the variation if granted will not alter the essential character of the neighborhood. The Board makes the following findings of fact. There are no other single family residences which have a six car garage in the surrounding neighborhood. The building as originally permitted contained three garage spaces. The applicant did not present any evidence that allowing only three spaces instead

APPROVED AS TO SUBSTANCE

[Handwritten Signature]

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

CAL NO.: 121-09-Z

MINUTES OF MEETING:
May 15, 2009

The applicant did not present any evidence that allowing only three spaces instead of six would create a practical difficulty or particular hardship. There was no evidence that not allowing three additional parking spaces would not allow a reasonable return when this property is sold. Finally, the hardships which the applicant claims, the need for three more parking spaces has been created by his desire to house his collection of automobiles and he is a person having an interest in the property. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would not create practical difficulties or particular hardships for the subject property; 2) the requested variation is not consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question can yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are not due to unique circumstances and are generally applicable to other similarly situated property; and 5) the variation, if granted will alter the essential character of the neighborhood; it is therefore

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

JUN 22 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CSJ

CHAIRMAN

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

APPLICANT: Art Harb **CAL NO.:** 126-09-A
APPEARANCE FOR: Thomas Moore **MAP NO.:** 3-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 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--
THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

JUN 22 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 May 15, 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 there has been a 7th dwelling unit in the basement of the building for many years. Electrical permits were submitted showing that there was a unit in the basement. The Board will permit the applicant to establish a 7th dwelling unit in the basement. 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: Art Harb **CAL NO.:** 127-09-Z
PEARANCE FOR: Thomas S. Moore **MAP NO.:** 3-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 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--
VARIATION GRANTED

THE VOTE

JUN 22 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 May15, 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. 126-09-A to permit 7 dwelling units to be established at this location; the applicant shall now be permitted to establish an enclosed porch whose rear yard shall be 7'-2.5" 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; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

Bol

CHAIRMAN

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

APPLICANT: Benny Abraham **CAL NO.:** 135-09-A
APPEARANCE FOR: James J. Banks **MAP NO.:** 11-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 3934-42 W. Leland Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a 5th dwelling unit to be legalized in an RS-3 Residential Single-Unit (Detached House) District. This unit is in the basement at 4700 N. Harding. The Zoning Administrator will not accept the Department of Water record alone as proof of a legally established non-conforming dwelling unit.

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

THE VOTE

JUN 22 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 May 15, 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 presented public works records as well as testimony that there has been 5 units at this location for many years. The Board will permit the appellant to establish 5 dwelling units. There will be only one dwelling unit located in the basement. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize the Board's decision.

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Eun Joo Park **CAL NO.:** 140-09-S
APPEARANCE FOR: Alfred Aspengren **MAP NO.:** 9-G
APPEARANCES AGAINST: Anthony R. Taglia, Beth Rose **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 3337 N. Southport Avenue

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

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the objector in this matter stated that she is opposed to the applicant establishing a nail salon at this location because she feels that it would have a negative impact on her business, which provides a similar service. The applicant stated that she does not agree with the objector. She has an established business and clientele and is only moving to a new location on the same block from where she is located now. The testimony of the applicants appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board will permit the applicant to establish a nail salon; 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 nail salon.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Ravenswood Holdings, LLC, **CAL NO.:** 144-09-A
 c/o George and Kim Ruhana

APPEARANCE FOR: Jessica Boudreau **MAP NO.:** 11-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 15, 2009

PREMISES AFFECTED: 4530 N. Hermitage Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a principal residence (the front building) to be demolished and then rebuilt in an RS-3 Residential Single-Unit (Detached House) District. There are two residential buildings on one zoning lot. There is a 3 dwelling unit building at the front of the lot and a 1 dwelling unit building with 2 parking spaces at the rear of the lot. The Zoning Administrator states if the front building is demolished, the rear building becomes a principal use detached building. Section 17-1-1300 states no more than one principal use detached residential building may be located on a zoning lot and a principal detached residential building may not be located on a zoning lot that contains any other principal building. Section 17-15-0304-B states when a structure containing a non-conforming use (here 3 dwelling units) is intentionally damaged (demolition) by causes within the control of the owner, re-establishment of the non-conforming use is prohibited. The new house will also not have parking.

ACTION OF BOARD--
 WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

JUN 22 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

BDC

CHAIRMAN

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

APPLICANT: Ravenswood Holdings, LLC, CAL NO.: 145-09-Z
 c/o George and Kim Ruhana

APPEARANCE FOR: Jessica Boudreau MAP NO.: 11-H

APPEARANCES AGAINST: None MINUTES OF MEETING:
 May 15, 2009

PREMISES AFFECTED: 4530 N. Hermitage 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 ½-story single family residence without parking whose total side yards shall be 3' on the south and 4' on the north instead of 10'.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

JUN 22 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 May 15, 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 ½-story single family residence without parking whose total side yards shall be 3' on the south and 4' on the north; the Board notes that this resolution shall not be valid until the dwelling unit in the rear building is de-converted to a 2 car garage with habitable space on the second floor; the Board notes that pursuant to Section 17-1-1300 that only the front building may be utilized as a dwelling unit; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BLC

CHAIRMAN

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

APPLICANT: Salon Rouge, LLC

CAL NO.: 156-09-S

PEARANCE FOR: James J. Banks

MAP NO.: 5-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 1628 N. Wells Street

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

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 27, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a beauty salon; the testimony of the appraiser was that the use would not have 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 Planning has no objection to the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

Bjc

CHAIRMAN

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

APPLICANT: Takada Dixon Epps **CAL NO.:** 158-09-S
PEARANCE FOR: Darryl McKinney **MAP NO.:** 22-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 1613 W. 87th 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

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 27, 2008; and

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

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

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

APPROVED AS TO SUBSTANCE

B2C

CHAIRMAN

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

APPLICANT: Stephen McDonagh **CAL NO.:** 168-09-A

PEARANCE FOR: Thomas Pikarski **MAP NO.:** 7-1

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009

PREMISES AFFECTED: 3146-50 W. George Street/2901 N. Kedzie Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a 2nd dwelling unit (at the rear of a lot containing two buildings) into the ground floor of a building in a B3-1 Community Shopping District.

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

THE VOTE

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

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

JUN 22 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

THE RESOLUTION:

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 2009; and

WHEREAS, the district maps show that the premises is located in an B3-1 Community Shopping District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The appellant stated that he wishes to re-hab the the coach house at the rear of the property so that he can duplex the dwelling unit and change the existing storage space to living space. The appellant stated that he purchased the property with two buildings on the lot. The appellant shall be permitted to expand the dwelling unit in the rear coach house and convert the existing storage area into living space. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE
B2C
CHAIRMAN

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

APPLICANT: Stephen McDonagh **CAL NO.:** 169-09-Z
PEARANCE FOR: Thomas Pikarski **MAP NO.:** 7-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:** May 15, 2009
PREMISES AFFECTED: 3146-50 W. George Street/2901 N. Kedzie Avenue
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-1 Community Shopping District, a proposed new porch whose rear yard shall be 25' instead of 30'.

**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

JUN 22 2009

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

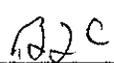
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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. 168-09-A. The applicant shall now be permitted to establish a new porch whose rear yard shall be 25'; 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: Linda Crisanti
APPEARANCE FOR: James J. Banks
APPEARANCES AGAINST: None
PREMISES AFFECTED: 5737 W. 63rd Place

CAL NO.: 170-09-A

MAP NO.: 16-M

MINUTES OF MEETING:
May 15, 2009

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the establishment of 4 dwelling units with only 3 parking spaces. A 1974 permit and Water Record (1958) shows only 3 dwelling units in an RM-4.5 Residential Multi-Unit District.

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

THE VOTE

JUN 22 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 May 16, 2009; and

WHEREAS, the district maps show that the premises is located in an RM-4.5 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: City records for this property showed that there were 3 dwelling units and one commercial use. The appellant stated that the she was issued a zoning certification that reflected that there were 4 dwelling units at this location in 2005. The appellant wishes to divide the lot and maintain the four unit building and construct a single family home on the vacant lot. The Board will grant the substitution of use and the appellant will be permitted to maintain the 4 dwelling units with only three parking spaces. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

B. J. D.
CHAIRMAN

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

APPLICANT: Greg and Beverly Zbinden

CAL NO.: 172-09-Z

PEARANCE FOR: Same

MAP NO.: 11-L

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 5148 W. Pensacola 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 duplexing into the basement and attic with habitable space whose front yard shall be 15'-1" instead of 20'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 into the basement and attic to create habitable space. The property shall now have a front yard of 15'-1"; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

B J C
CHAIRMAN

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

APPLICANT: 855 W. Dickens Corp.

CAL NO.: 173-09-A

PEARANCE FOR:

MAP NO.: 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 855-59 W. Dickens Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the re-establishment of a 4-story 6 dwelling unit building, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, with no parking, no side yards, lacks the minium lot size and floor area permitted in an RT-4 zoning district. During remodeling the building collapsed in April of 2007 more than 29 months ago. A non-conforming use is lost after 18 months. (Section 17-15-0304-A).

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

THE VOTE

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

JUN 22 2009
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

B2C
CHAIRMAN

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

APPLICANT: Donald F. Maggioncalda **CAL NO.:** 176-09-Z
APPEARANCE FOR: Same **MAP NO.:** 17-N
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 May 15, 2009
PREMISES AFFECTED: 6445 N. Newland 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 1 and 2 story addition whose front yard shall be 9' instead of 20', the north side yard shall be 3.9' instead of 4', the south side yard shall be 8.48' and to increase the floor area ratio by not more than .75'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 and 2 story addition whose front yard shall be 9', the north side yard shall be 3.9', the south side yard shall be 8.48' and to increase the floor area ratio by not more than .75'. The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

B2C

CHAIRMAN

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

APPLICANT: Rose and John Spacucello

CAL NO.: 177-09-Z

PEARANCE FOR: Mark Kupiec

MAP NO.: 1-G

APPEARANCES AGAINST: Heath Kopp

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 1246 W. Race 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-story single family residence building whose front yard shall be 5' instead of 10.44', the combined side yards shall be 4' (2' on the east and west on the west) instead of 4', the rear yard set back shall be 8.25' instead of 24.36', to eliminate rear yard open space to zero instead of 136 sq. ft..

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 is concerned about the height of the proposed building. After a review of the plans, the objector stated that he was satisfied with the height of the building; the applicant shall be permitted to construct a 2-story single family residence whose front yard shall be 5', the combined side yards shall be 4' (2' on the east and 2' on the west), the rear yard set back shall be 8.25' and to eliminate the rear yard open space; 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 any approval is issued.

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

APPLICANT: Hormoz Sanjar

CAL NO.: 178-09-Z

APPEARANCE FOR: Same

MAP NO.: 15-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 5936 N. Kimball 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 1-story addition to an existing single family residence whose south side yard shall be 3' and north side yard shall be 4' instead of a combined 18'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 addition to an existing single family residence whose south side yard shall be 3' and north side yard shall be 4'; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BCC

CHAIRMAN

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

APPLICANT: Frontgate Development LLC **CAL NO.:** 179-09-Z
APPEARANCE FOR: Thomas Moore **MAP NO.:** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:** May 15, 2009
PREMISES AFFECTED: 1434 W. Wolfram Street
NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-3.5 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3-story single family residence whose building height shall be increased to 36'-10" instead of 38'-5".

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 single family residence whose building height shall be increased to 36'-10"; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Ridge Place Condo Association **CAL NO.:** 180-09-Z
APPEARANCE FOR: Thomas Moore **MAP NO.:** 15-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:** May 15, 2009
PREMISES AFFECTED: 5732-34 N. Ridge Avenue

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 deck and enclosed porch whose rear yard shall be 6' instead of 23.82', the north west side yard shall be .6" instead of 4', combined yards shall be 6'-6", to reduce the rear yard open space to zero instead of 1,764 sq. ft. and to increase the floor area by not more an 15% of the area that existed prior to the date of this ordinance in an RM-5 zoning district.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

JUN 22 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		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 deck and enclosed porch whose rear yard shall be 6', the north west side yard shall be .6", combined yards shall be 6'-6", the rear yard open space shall be reduced to zero and to increase the floor area by not more an 15% of the area that existed prior to the date of this ordinance in an RM-5 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 hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE

BSC

 CHAIRMAN

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

APPLICANT: 4054 N. Kedzie LLC **CAL NO.:** 181-09-Z

APPEARANCE FOR: Paul Kolpak **MAP NO.:** 11-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009

PREMISES AFFECTED: 4054 N. Kedzie Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B2-5 Neighborhood Mixed-Use District, a proposed 6-story 51 unit building for elderly housing whose west yard shall be zero instead of 8' (on a reverse corner lot).

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

JUN 22 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		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 6-story 51 unit building for elderly housing whose west yard shall be zero (on a reverse corner lot). The Board also finds that the parking may only be used exclusively for the housing development; 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

B3C
CHAIRMAN

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

APPLICANT: Rudy and Anna's Lounge, Inc. **CAL NO.:** 182-09-Z
 d/b/a Anna Marmol

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

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 May 15, 2009

PREMISES AFFECTED: 5788-90 S. Archer Avenue

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

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 stated that they have a dance and music license; the applicant's husband has passed away and she is now operating the business under her name; the applicant shall be permitted to establish a public place 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

B2C

 CHAIRMAN

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

APPLICANT: Sally Weiner

CAL NO.: 183-09-A

APPEARANCE FOR:

MAP NO.: 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 3744 N. Southport Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a non conforming development. There are 2 residential buildings on this lot. The applicant wishes to expand the rear building with an artist live work (efficiency unit) space in a B3-2 Community Shopping District.

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

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

JUN 22 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

Bsc
CHAIRMAN

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

APPLICANT: Sally Weiner

CAL NO.: 184-09-S

APPEARANCE FOR:

MAP NO.: 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 3744 N. Southport 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 artist live work space (efficiency unit) in the rear building in a B3-2 Community Shopping District.

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

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

JUN 22 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

B2C

CHIEF CLERK

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

APPLICANT: Sally Weiner

CAL NO.: 185-09-Z

PEARANCE FOR:

MAP NO.: 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 3744 N. Southport Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-2 Community Shopping District, a open stair case whose rear yard shall be 25' instead of 30'.

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

THE VOTE

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

JUN 22 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Vance Watson **CAL NO.:** 186-09-A
APPEARANCE FOR: Same **MAP NO.:** 1-M
APPEARANCES AGAINST: None **MINUTES OF MEETING:** May 15, 2009
PREMISES AFFECTED: 5953 W. Ohio Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a proposed 3rd floor addition to an existing 2 dwelling unit building whose height shall be 33'-6" instead of 30' in an RS-3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

JUN 22 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 May 16, 2009; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The Appellant in this matter stated that he purchased the building in its existing condition. He was unaware that the height of the dormers exceeded the height limitation in an RS-3 district. He stated that he did not construct the dormers. He tried to apply for permits to perform interior work to the building and was denied due to the height of the dormers. The Board will permit the Appellant to establish the third floor addition and to increase the height of the building to 33'-6". The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize the Board's decision.

APPROVED AS TO SUBSTANCE

BZC
CHAIRMAN

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

APPLICANT: Abelina Villegas

CAL NO.: 187-09-A

APPEARANCE FOR:

MAP NO.: 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 2018 S. Loomis Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow 6 dwelling units in a front building and 2 dwelling units in a rear building in a M1-2 Limited Manufacturing/Business Park District.

ACTION OF BOARD--
DISMISSED FOR WANT OF PROSECUTION

THE VOTE

JUN 22 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: Jennifer and Matthew Scott **CAL NO.:** 188-09-Z
APPEARANCE FOR: Mark Kupiec **MAP NO.:** 3-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 1438 N. Cleveland 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-story front porch and rear deck whose north side yard shall be 2" instead of 2', the combined side yards shall be 2'-11 1/4" instead of 4.8', to reduce the rear open space to 135 sq. ft. instead of 190 sq. ft. and to reduce rear yard to 24.5' instead of 34.16'.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

JUN 22 2009

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

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

APPIRMATIVE	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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 front porch and rear deck whose north side yard shall be 2", the combined side yards shall be 2'-11 1/4", to reduce the rear open space to 135 sq. ft. and to reduce rear yard to 24.5'; 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

BJC

 CHIEF CLERK

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

APPLICANT: Richard Cunningham

CAL NO.: 189-09-Z

PEARANCE FOR:

MAP NO.: 24-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 10036 S. Western Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B1-1 Neighborhood Shopping District, the establishment of a public place of amusement within 125' of an RS-2 zoning district.

ACTION OF BOARD--
DISMISSED FOR WANT OF PROSECUTION

THE VOTE

JUN 22 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

B2C

CHAIRMAN

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

APPLICANT: Rosemary Albrecht **CAL NO.:** 190-09-S
APPEARANCE FOR: Caroline Nash **MAP NO.:** 28-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 11105 S. St. Louis Avenue

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

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 28, 2009; and

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

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

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

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Raymond M. Mesidor

CAL NO.: 191-09-S

APPEARANCE FOR: Same

MAP NO.: 20-E

APPEARANCES AGAINST: Keith Tate, Ms. Drake

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 211 ½ E. 79th 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/hair braiding 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 DENIED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 28, 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; there are two objectors in this matter. Mr. Tate appeared on behalf of the Alderman. He and a representative from the local business group stated that Alderman Lyle as well as the business group are opposed to the applicant establishing a business here because he has opened his business and has been operating for some time prior to having an approval for a special use from the Board of Appeals. They also stated that they have received many neighborhood complaints because in addition to operating illegally the applicant is also selling food on the public way. The applicant was asked if he had been operating and stated that he has not been open. Photographs taken by inspectors of the Department of Zoning and Planning show that there is an illuminated open sign and that the applicant has been operating with out the special use. The Board finds that operating other businesses without licenses has an adverse impact on the general welfare of the neighborhood. The testimony of the applicant's appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds the use 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, outdoor 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

BJC

CHAIRMAN

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

APPLICANT: Marcin Sterniuk **CAL NO.:** 192-09-Z
APPEARANCE FOR: Paul Kolpak **MAP NO.:** 17-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 6973 N. Ashland Boulevard

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3-story 7 dwelling unit building whose minimum lot area shall be 6,750 sq. ft. instead of 7,000 sq. ft., the north side yard shall be 3' instead of 4'.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 7 dwelling unit building whose minimum lot area shall be 6,750 sq. ft. instead of 7,000 sq. ft., the north side yard shall be 3'; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

B2C

CHAIRMAN

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

APPLICANT: MM Idlewild LLC

CAL NO.: 193-09-Z

APPEARANCE FOR: Joseph Ziccardi

MAP NO.: 13-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 1545-49 W. Bryn Mawr Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a C1-2 Neighborhood Commercial District, a public place of amusement license within 125' of an RS-3 zoning district.

**ACTION OF BOARD--
VARIATION GRANTED**

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 public place of amusement within 125' of a residential 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

B2C
CHAIRMAN

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

APPLICANT: Lesley Stella

CAL NO.: 194-09-Z

APPEARANCE FOR: James J. Banks

MAP NO.: 11-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 2443 W. Wilson 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 ½-story single family residence whose front yard shall be 7'-3" instead of 20'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 ½-story single family residence whose front yard shall be 7'-3"; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BSC

CHAIRMAN

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

APPLICANT: Wrightwood Burling Place
Condominium Associations

CAL NO.: 195-09-A

APPEARANCE FOR:

MAP NO.: 7-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 734-44 W. Wrightwood Avenue/2602-08 N. Burling Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the appellant to establish 31 dwelling units in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. There is no certificate of the number of dwelling units.

ACTION OF BOARD--
CASE CONTINUED TO AUGUST 21, 2009

THE VOTE

JUN 22 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

B2C

CHAIRMAN

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

APPLICANT: Wrightwood Burling Place Condominium Associations **CAL NO.:** 196-09-Z

APPEARANCE FOR: Mark Kupiec **MAP NO.:** 7-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:** May 15, 2009

PREMISES AFFECTED: 734-44 W. Wrightwood Avenue/2602-08 N. Burling 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 open deck upon a garage and two open 2nd story connecting walkways whose north yard set back shall be 18' instead of 36.79', the west side yard shall be 2.89' instead of 5' and to reduce the rear yard open space to 217 sq. ft. instead of 2,015 sq. ft.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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; there is a pending appeal for this address; the appeal portion for this case (Cal. No. 195-09-A) has been continued to August 21, 2009. The Board will permit the applicant to obtain a permit to perform the necessary work that needs to be performed for safety reason. This resolution however does not verify or legalize the amount of units at this location. The applicant shall be permitted to construct an open deck upon a garage and two open 2nd story connecting walkways whose north yard set back shall be 18', the west side yard shall be 2.89' and to reduce the rear yard open space to 217 sq. ft.; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

BCC

CHAIRMAN

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

APPLICANT: Benny Abraham

CAL NO.: 197-09-Z

PEARANCE FOR: James J. Banks

MAP NO.: 11-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 3934-42 W. Leland 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 enclosure of existing open porch whose combined side yards shall be 1'-9" and the north side yard shall be zero.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 2009 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to enclose an existing open porch whose combined side yards shall be 1'-9" and the north side yard shall be zero; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

[Signature]

CHAIRMAN

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

APPLICANT: Joy Park **CAL NO.:** 198-09-A

PEARANCE FOR: Paul Kolpak **MAP NO.:** 9-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009

PREMISES AFFECTED: 3403 N. Springfield Avenue/3848 W. Roscoe Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow an existing 2 car garage which occupies more than 60% of the required rear yard and is also outside the rear yard set back in an RS-3 Residential Single-Unit (Detached House) District.

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

THE VOTE

JUN 22 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:

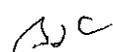
WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 2009; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: the zoning lot contains three buildings. A residential building in the front, a garage in the middle and a second residential building at the rear of the property. The garage in the middle has been built outside the rear yard set back required by the current ordinance. The Board will permit the two car garage to be established outside the rear yard. A permit shall be acquired 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: Janice De Decker **CAL NO.:** 200-09-Z
PEARANCE FOR: Paul Kolpak **MAP NO.:** 11-M
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 4426 N. Mason Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 2nd floor addition to an existing single family residence whose front yard shall be 16' instead of 20', the combined side yards shall be 4.91' instead of 16' (1.97' on the south and 2.94' on the north), the rear yard open space shall be 315 sq. ft. and to increase the floor area by not more than .75'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 2009

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

APPIRMATIVE	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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 to an existing single family residence whose front yard shall be 16', the combined side yards shall be 4.91' (1.97' on the south and 2.94' on the north), the rear yard open space shall be 315 sq. ft. and to increase the floor area by not more than .75'; 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

BJC

CHAIRMAN

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

APPLICANT: Quoc Pham **CAL NO.:** 201-09-S

PEARANCE FOR: John Pikarski **MAP NO.:** 12-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009

PREMISES AFFECTED: 4755 S. Ashland Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a nail salon within 1,000 linear feet of another nail salon, barber shop, beauty salon or similar use in a B1-3 Neighborhood Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 28, 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 nail salon; the testimony of the appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE
BBC

CHAIRMAN

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

APPLICANT: Tim and Robin Sheehan

CAL NO.: 202-09-Z

APPEARANCE FOR: James J. Banks

MAP NO.: 3-H

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 2009

PREMISES AFFECTED: 1407 N. Hoyne 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 1-story garage deck on rear addition whose east yard shall be zero instead of 5' and the rear yard shall be 7'-6" instead of 30.8'.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 garage deck on rear addition whose east yard shall be zero and the rear yard shall be 7'-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

BVL

CHAIRMAN

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

APPLICANT: Del Prado, LLC **CAL NO.:** 203-09-A
APPEARANCE FOR: Danielle Cassel **MAP NO.:** 12-C
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 2009
PREMISES AFFECTED: 5307 S. Hyde Park Boulevard/1703 E. 53rd Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the voluntary removal and re-construction of two non-conforming roof top structures (5,528 sq. ft.) in a B1-5 Neighborhood Shopping District. The re-construction would violate the current building height limitation. The prior use appears to be mechanical rooms and now the applicant wishes to increase the height for habitable space. Section 17-15-0304-B Intentional Destruction states when a structure containing a nonconforming use is intentionally damaged by causes within the control of the owner, re-establishment of the nonconforming use is prohibited.

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

THE VOTE

JUN 22 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 May 16, 2009; and

WHEREAS, the district maps show that the premises is located in an B1-5 Neighborhood Shopping District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The property was built in 1918 as a 14 story hotel. The use has been changed to dwelling units and is presently (196) units. The zoning district is B1-5 which allows a building to be 80 feet high and based on the size of the lot shall, contain five times the area of the zoning lot. The building is 163 feet high and contains approximately 216,000 square feet. Both these measurements greatly exceed the current zoning parameters, thus making it a non-conforming development. The applicant is seeking to remove and then rebuild two structures located the 12th floor of the two wings of this building. The applicant has presented evidence to show that these structures were used as restaurants as recently as 1973. The applicant maintains that these structures must be demolished and reconstructed due to the past owners' neglect and failure to maintain the structures. They claim the negligence of prior owners should not be held against the current owners.

APPROVED AS TO SUBSTANCE

BJC

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

CAL NO.: 203-09-A

**MINUTES OF MEETING:
May 15, 2009**

They claim that the structures are in such poor condition that they cannot be saved. The applicant presented the testimony that the new structures will be on the same footprint as the existing structures. The ceiling will be raised to 14'-1". The space will then be dedicated to duplex living space with a dwelling unit below. The alderman appeared and stated she and her community are in favor of the project. Further, the adoptive re-use of this historic property would be a benefit in her ward.

The Board finds that this property is at least 50 years old. The Board will allow a waiver in bulk and density for this non-conforming structure. The waiver shall not be more than 10% of the bulk and density that existed 50 years ago, here approximately 216,000 square feet. The new structure will total 5530 square feet. The Board will grant the appeal pursuant to § 17-13-1107. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize the Board's decision.

JUN 22 2009

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

Bjc

CHAIRMAN

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

APPLICANT: Mitchell R. Joseph **CAL NO.:** 204-09-Z
PEARANCE FOR: Rolando Acosta **MAP NO.:** 4-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 May 15, 2009
PREMISES AFFECTED: 1900 W. 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-5 Residential Multi-Unit District, a proposed 3-story 4 dwelling unit town home building whose front yard shall be zero instead of 5' (on a corner lot) with an end wall facing Loomis at 12', the rear wall facing a side property shall be 3' instead of 12', to allow the 200 sq. ft. private yard to be placed on the roof for 2 units to reduce the front set back for a garage door to 2'-4" instead of 20' on a sub-standard lot for a driveway.

ACTION OF BOARD--
VARIATION GRANTED

THE VOTE

JUN 22 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 May 15, 2009, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 28, 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 town home building whose front yard shall be zero (on a corner lot) with an end wall facing Loomis at 12', the rear wall facing a side property shall be 3', to allow the 200 sq. ft. private yard to be placed on the roof for 2 units, to reduce the front set back for a garage door to 2'-4" on a sub-standard lot for a driveway; 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

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