

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

APPLICANT: Chicago Tabernacle of the Assemblies of God

CAL NO.: 117-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
April 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 4042-60 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of 1,000-seat religious assembly within an existing theater. The proposed religious assembly will also have 2 and 3 story additions to an existing 3-story building with retail uses and 34 residential dwelling units to be de-converted to 15 residential dwelling units.

ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

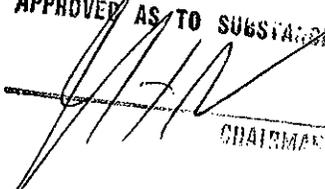
THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Fairmont Care Center, Inc. **CAL NO.:** 187-12-S
APPEARANCE FOR: Edward Kus **MINUTES OF MEETING:**
 June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5061 N. Pulaski Road

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval to expand an existing nursing home with three separate 1-story additions.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 LYNETTE SANTIAGO
 LORI HEALEY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

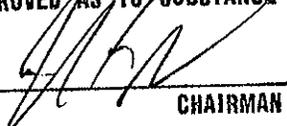
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing nursing home with three separate one-story additions; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the expansion of the existing nursing home.

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: Fairmont Care Center, Inc. **CAL NO.:** 188-12-Z
APPEARANCE FOR: Edward Kus **MINUTES OF MEETING:**
 June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5061 N. Pulaski Road

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required rear yard setback from 50' to 25' to allow a 1-story addition measuring 101.71' x 75.61' of three additions to an existing nursing home.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

DEC 27 2012

CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 LYNETTE SANTIAGO
 LORI HEALEY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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		X
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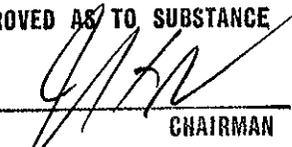
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 31, 2012 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the applicant to expand the existing nursing home with three separate additions (Cal No. 187-12-S); the applicant shall now be permitted to reduce the required rear yard setback from to 25' to allow a 1-story addition measuring 101.71' x 75.61' of three additions to an existing nursing home; 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: Loyola University of Chicago, **CAL NO.:** 189-12-S
 c/o Wayne Magdziarz, V.P. Capital Planning
APPEARANCE FOR: John Lawlor **MINUTES OF MEETING:**
June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1217-1239 W. Albion Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 25-space accessory off-site parking lot (74 spaces total)to serve a proposed 4-story retail and 41-dwelling unit building located at 6550-58 N. Sheridan Road.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 LYNETTE SANTIAGO
 LORI HEALEY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

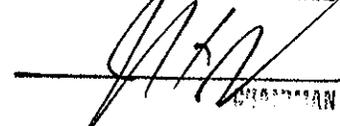
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

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 25-space accessory off-site parking lot (74 spaces total)to serve a proposed 4-story retail and 41-dwelling unit building located at 6550-58 N. Sheridan Road; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the proposed off-site parking provided the spaces are deeded to the Sheridan property for the life of the residential units.

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

APPROVED AS TO SUBSTANCE


 JONATHAN SWAIN

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

APPLICANT: Loyola University of Chicago **CAL NO.:** 190-12-S
APPEARANCE FOR: John Lawlor **MINUTES OF MEETING:**
June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1217-39 W. Albion Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the establishment of a 20-space non-accessory parking lot (total of 74 paved parking spaces)

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

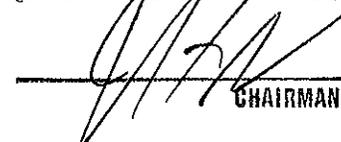
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

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 20 parking space non-accessory parking lot; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the proposed non-accessory parking spaces provided they are clearly marked and distinguished from the accessory parking lot.

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
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



OCT 29 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS
191-12-S
CALENDAR NUMBER

Henry's Sober Living House, Inc.
APPLICANT

8242 South Marquette Avenue
PREMISES AFFECTED

June 15, 2012
MINUTES OF MEETING

Jim Banks, Law Offices of Samuel V. P. Banks
APPEARANCE FOR APPLICANT

Pro Se
OBJECTORS

NATURE OF REQUEST

Application for a special use permit for the establishment of a transitional residence.

ACTION OF BOARD

THE VOTE

The application for special use is approved subject to the condition specified in this decision.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lynette Santiago	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FACTS

The subject property is located in a RS3 zoning district. The property is currently improved with an existing multiple unit residential building. The applicant seeks a special use for the establishment of a transitional residence in the existing multi-unit residential building.

APPROVED AS TO FORM AND MERIT

CHAIRMAN

TESTIMONY

Henry McGhee Jr., President of Henry's Sober Living, Inc. (the "applicant") testified in support of the application.

Mr. McGhee, Jr., to the relevant aspects of the operations of a transitional residence, as well as the projected operations of this proposed transitional residence, such as hours of operation, security measures and staffing.

Sylvester Kerwin, Appraiser, testified in support of the application.

His report was accepted into evidence by the Board. Mr. Kerwin testified to the following: (1) that the application and special use comply with all applicable standards of the zoning ordinance; (2) the community can support this transitional residence, that it is in the interest of public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or surrounding area; (3) is compatible with the character of the surrounding area in terms of project design; (4) is compatible with the character of the surrounding area in terms of operating characteristics; (5) is designed to promote pedestrian safety and comfort.

Mr. Wil James Johnson testified in opposition to the application. Mr. Johnson also submitted a letter detailing his opposition to the application. Mr. Johnson stated that (1) the block is frequently visited by the Chicago Police and Federal narcotics agents; that many 911 calls are made to the block; that there are a lot of drugs on the block and people in recovery should not be in a location with access to drugs; that the KECS blockclub opposes the application; and, he stated that he has a public accounting business with offices 67 feet from the subject property of the application and that he feels the residents of a transitional residence will spoil his business and run away his customers.

The Zoning Administrator's report recommended approval of the application for the Special Use.

FINDINGS

Pursuant to Section 17-13-905 of the Chicago Zoning Ordinance, the Board makes the following findings with reference to the Applicant's application for a Special use Permit:

1. the application complies with all standards of the Zoning Ordinance; the application is in the interest of the public convenience and will not have an adverse affect on the general welfare of the neighborhood;
2. the proposed use of a transitional residence is compatible with the character of the surrounding neighborhood in terms of project design;
3. the proposed project is compatible with the character of the surrounding area in terms of operation and noise;
4. the proposed project is designed to promote pedestrian traffic.

CONCLUSION

As the standards for granting a special use have been met, the Zoning Board of Appeals hereby approves the requested special use application subject to the following condition:

---The Board has determined that one year after beginning operations as a transitional residence the applicant must return to the Board and shall along with the Board's staff report on use of the subject property report as a transitional residence.

This is a final decision subject to review under the Administrative Review Law (735 ILCS 5/3).

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

APPLICANT: Mario & Maria DiPaolo

CAL NO.: 192-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 1068-1072 W. Taylor Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required rear yard setback from 30' to zero to allow a proposed two rear, one-story additions to an existing three-story mixed use building.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 17, 2012

THE VOTE

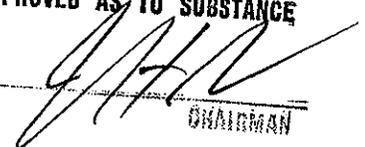
DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Mario & Maria DiPaolo

CAL NO.: 193-12-S

APPEARANCE FOR:

MINUTES OF MEETING:

June 15, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 922 S. Carpenter Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a proposed required accessory off-site parking lot to serve an 11 dwelling unit building and retail located at 1068 -72 W. Taylor Street.

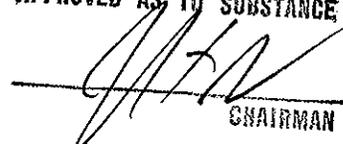
ACTION OF BOARD-
CASE CONTINUED TO AUGUST 17, 2012

THE VOTE

DEC 27 2012
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Timothy Sanders **CAL NO.:** 194-12-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:**
June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6954 W. Hobart Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required front yard setback from the required average to 15' and reduce the west side yard setback from 5.3' to 3.22' for a proposed front open porch and one, two and three-story additions to an existing single-family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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		X
X		

THE RESOLUTION:

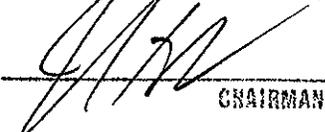
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 31, 2012 and

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 reduce the required front yard setback from the required average to 15' and reduce the west side yard setback to 3.22' for a proposed front open porch and one, two and three-story additions to an existing single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Josafat Villada CAL NO.: 195-12-Z
APPEARANCE FOR: Same MINUTES OF MEETING: June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2542 N. Long Avenue

NATURE OF REQUEST: Application for a variation to reduce the required total side yard combination 5', with neither less than 2' to 1.7' on the north side with 3.7' on the south side, reduce the rear setback from 35.4' to zero and reduce the rear yard open space from 225 square feet to zero for a proposed rear one-story addition and the conversion of an existing shed into a mud room to an existing single-family residence.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

DEC 27 2012

CITY OF CHICAGO ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for Jonathan Swain, Gigi McCabe-Miele, Lynette Santiago, Lori Healey, Sam Toia.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 31, 2012 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 reduce the required total side yard combination 5', with neither less than 2' to 1.7' on the north side with 3.7' on the south side, reduce the rear setback to zero and reduce the rear yard open space to zero for a proposed rear one-story addition and conversion of an existing shed into a mud room to an existing single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE [Signature] CHAIRMAN

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

APPLICANT: EZ PAWN ILLINOIS, INC.

CAL NO.: 196-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 8515 S. Cottage Grove Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a proposed pawn shop.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 17, 2012

THE VOTE

DEC 27 2012
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



DEC 19 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

2004-2008 W. Erie Street, LLC

APPLICANT

197-12-S

199-12-S

2004-2012 West Erie Street

PREMISES AFFECTED

201-12-S

June 15, 2012

MINUTES OF MEETING

Jim Banks

APPEARANCE FOR APPLICANT

Renee Flores

OBJECTOR

NATURE OF REQUEST

Application for a special use to permit the establishment of a residential use below the second floor for a proposed six dwelling unit building (the "Application").

ACTION OF BOARD

THE VOTE

The application for a special use to permit the establishment of a residential use below the second floor for a proposed six dwelling unit building is approved.

Jonathan Swain,
Chair
Sam Toia
Lynette Santiago
Geraldine McCabe-
Miele

AFFIRMATIVE NEGATIVE ABSENT

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THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under MCC Section 17-13-0107B and by publication in the Chicago Sun Times; and

WHEREAS, the Applicant presented its case and objector testified in opposition; and

WHEREAS, Bart Przyjemski ("Applicant") testified in support of the Application; he testified that he is the contract purchaser of 2004-2012 West Erie Street, which is the site of the former Gonnella commercial bakery (the "Subject Property"), that the Subject Property consists of six contiguous lots, each a double lot, that the site is currently improved with a 3-story commercial building which will be razed to allow for the construction of three 3-story residential buildings each on a double lot each consisting of six units, that the Subject Property is located in a C-1-2 zoning district which doesn't

APPROVED AS TO SUBSTANCE


CHAIRMAN

allow for residences below the second floor, parking for each unit is provided for, that the Applicant is also developing property across the street which is zoned residential and the special use sought allow the Subject Property to be developed in the same manner, the planned development is compatible to other development in the area; and

WHEREAS, Bill Kokalias testified in support of the Application; he testified that he is a licensed architect, that the Application complies with all applicable standards of the Zoning Ordinance, the design is compatible with other residential units in the area, that the granting of a special use will not be detrimental to other improvements or residents in the area, that the resultant improvements on the Subject Property will not impede air or light to the surrounding structures or area, the improvements will not increase the likelihood of fire or otherwise constitute a danger to the surrounding structures or area, the improvements will not increase congestion on the streets in the area, the improvements will not impair property values in the area, and a grant of a special use will not alter the essential character of the area, that in his professional opinion strict compliance with the requirements of the Zoning Ordinance create hardships that make it difficult to develop the subject property, that the grant of a special use is consistent with the stated goals of the Zoning Ordinance; and

WHEREAS, Joseph M. Ryan testified in support of the application and in that testimony he stated that he is a licensed appraiser in the State of Illinois, that he has testified before this Board on previous occasions and has been qualified as an expert witness and in that capacity can offer competent opinion testimony; that he conducted a site visit and prepared a planner's report which was admitted into evidence in support of his testimony, that the Application complies with the standards of the Chicago Zoning Ordinance in that it is compatible with the character of the surrounding area, more so than a commercial use as the character of the area has changed from commercial to residential; and

WHEREAS, Ms. Renee Flores testified in opposition to the application; she stated that she lives in the building to the west of the Subject Property, that the proposed buildings which constitute the improvements are taller than other residential buildings in the area, that there will be an increase in the population density, that the taller buildings will intrude on the privacy of the residents in the surrounding area; and

WHEREAS, the staff report of the Zoning division of the Department of Housing and Economic Development did recommend approval of the Application.

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 with reference to the Application for a Special Use:

1. The decision of the Zoning Board of Appeals to approve a special use application must be based solely on the approval criteria enumerated in Section 17-13-905-A of the Chicago Zoning Ordinance.

2. The Board finds that the Application:
 - (a) complies with all applicable standards of this Zoning Ordinance;
 - (b) is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community;
 - (c) is compatible with the character of the surrounding area in terms of site planning and building scale and project design;
 - (d) is compatible with the character of the surrounding area in terms of outdoor lighting, noise, and traffic generation; and
 - (e) is designed to promote pedestrian safety and comfort.

RESOLVED, the aforesaid special use application is hereby approved.

This is a final decision subject to review under the Administrative Review Law (735 ILCS 5/3).

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



DEC 19 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

2004-2008 W. Erie Street, LLC

APPLICANT

198-12-Z

200-12-Z

2004-2012 West Erie Street

PREMISES AFFECTED

202-12-Z

June 15, 2012

MINUTES OF MEETING

Jim Banks

APPEARANCE FOR APPLICANT

Renee Flores

OBJECTOR

NATURE OF REQUEST

Application for a variation to allow for a proposed six dwelling unit building with insufficient lot area (the "Application").

ACTION OF BOARD

THE VOTE

The application for a variation to allow for a proposed six dwelling unit building with insufficient lot area is approved.

AFFIRMATIVE NEGATIVE ABSENT

Jonathan Swain,
Chair

Sam Toia

Lynette Santiago

Geraldine McCabe-

Miele

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under MCC Section 17-13-0107B and by publication in the Chicago Sun Times; and

WHEREAS, the Applicant presented its case and objector testified in opposition; and

WHEREAS, Bart Przyjemski ("Applicant") testified in support of his application; he testified that he is the contract purchaser of 2004-2012 West Erie Street, which is the site of the former Gonnella commercial bakery (the "Subject Property"), that the Subject Property consists of six contiguous lots, each a double lot, that the site is currently improved with a 3-story commercial building which will be razed to allow for the construction of three 3-story residential buildings each on a double lot each consisting of six units, that in Chicago a standard lot is 125' by 25' and each of the subject lots is 122' by 23', that if the lots were not slightly smaller than the standard size, the variation would

APPROVED AS TO SUBSTANCE


CHAIRMAN

not be needed, that the variation sought reduces the required 1000 square feet per unit to 973 square feet per unit, a reduction of less than 3% and is sought to comply with the Zoning Ordinance, the lots are each almost standard sized lots and if they were standard sized lots the variation would not be needed, parking for each unit is provided for, that the Applicant is also developing property across the street which is zoned residential and the variations sought allow the subject Property to be developed in the same manner, the planned development is compatible to other development in the area; and

WHEREAS, Bill Kokalias testified in support of the Application; he testified that he is a licensed architect, that the sought variation is *de minimis* as it is less than a 3% reduction in the required square footage, that strict adherence to the requirements of the Zoning Ordinance would require only five units per building and such would result in a hardship for the Applicant in that each unit would have to be smaller thereby more difficult to construct and would be more difficult to market, the design is compatible with other residential units in the area, that the granting of the variation will not be detrimental to other improvements or residents in the area, that the resultant improvements on the Subject Property will not impede air or light to the surrounding area, the improvements will not increase the likelihood of fire or otherwise constitute a danger to the surrounding area, the improvements will not increase congestion on the streets in the area, the improvements will not impair property values in the area, and the variation will not alter the essential character of the area, that in his professional opinion strict compliance with the requirements of the Zoning Ordinance create hardships that make it difficult to develop the subject property, that the variance is consistent with the stated goals of the Zoning Ordinance; and

WHEREAS, Joseph M. Ryan testified in support of the application and in that testimony he stated that he is a licensed appraiser in the State of Illinois, that he has testified before this Board on previous occasions and has been qualified as an expert witness and in that capacity can offer competent opinion testimony; that he conducted a site visit and prepared a planner's report which was admitted into evidence in support of his testimony, that the Application complies with the standards of the Chicago Zoning Ordinance in that it is compatible with the character of the surrounding area, more so than a commercial use as the character of the area has changed from commercial to residential; and

WHEREAS, Ms. Renee Flores testified in opposition to the application; she stated that she lives in the building to the west of the Subject Property, that the proposed buildings which constitute the improvements are taller than those in the area, that there will be an increase in the population density, that the taller buildings will intrude on the privacy of the residents in the surrounding area; and

WHEREAS, 17-13-1101-R of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot in an amount no less than 90% of the required lot area; therefore

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to approve a variation application must be based solely on the approval criteria enumerated in Section 17-13-1107-A through C of the Chicago Zoning Ordinance, and the Board being fully advised in the premises, hereby makes the following findings with reference to the Applicant's application for a Variation for each of the three double lots which constitute the Subject Property:

1. The Board finds that proper notice, both by mail and by posting, was effectuated by the Applicant.

2. The Board finds that pursuant to 17-13-1107-A the Applicant has proved a prima facie case by testimony and other evidence that a practical difficulty and particular hardship exists regarding the proposed new construction on the Subject Property should the required square footage area requirements of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding the reduction of the required square footage area is consistent with the stated purpose and intent of the Zoning Ordinance.

3. The Board finds that pursuant to 17-13-1107-B that the Applicant has established by testimony and other evidence that (1) a hardship exists regarding strict compliance with the required square footage area in that the proposed construction would result in a minimal alteration of the required square footage which is the subject of the Application; (2) the property cannot yield a reasonable return as strict compliance with the Zoning Ordinance would require a reduction in the number of units making the proposed development more difficult to construct as well as reduce the marketability of the development; and (3) the proposed construction with the reduced square footage area will not alter the essential character of the neighborhood as the Subject Property is currently improved with construction which is larger than the residential improvements in the area and is commercial rather than residential which no longer truly reflects the character of the surrounding area.

4. The Board finds that pursuant to 17-13-1107-C a practical difficulty exists which has been established by testimony and other evidence which has been submitted in that: (1) the particular physical shape of the Subject Property being only 2' smaller in width and 3' less in length than a standard residential lot creates a hardship for the Applicant, (2) the slightly smaller size of the Subject Property is a unique situation which would not be found in most other properties which conform to the Zoning Ordinance's area requirements as most lots are of the standard 125 by 25' size, (3) the Application for the variation is not based exclusively upon a desire to make more money out of the property as testimony is that it will be more expensive and more difficult to construct the proposed improvements if the requirements of the Zoning ordinance are strictly adhered to, (4) the Applicant did not create the situation of the size of the lots which are one hundred years or older, (5) the variation being granted will not be detrimental to the public welfare or injurious to other property as testimony and other submissions to the Board has confirmed; and (6) the variation will not impair an adequate supply of light or air to the

neighboring properties as the height of the new construction will be relatively the same as currently exists.

RESOLVED, the Board finds that the Applicant has sufficiently established by testimony and other evidence covering the specific criteria for a variation to be granted pursuant to Sections 17-13-1107- A, B and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid application for a variation to allow the construction of the proposed six dwelling unit building with insufficient lot area is approved and the Zoning Administrator is authorized to permit said variation.

This is a final decision subject to review under the Administrative Review Law (735 ILCS 5/3).

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

APPLICANT: William Barbaro

CAL NO.: 203-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 251-69 W. Cermak Road/ 2207-09 S. Princeton Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of proposed 81-room hotel and retail building.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 17, 2012

THE VOTE

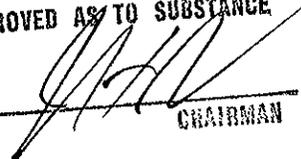
DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: William Barbaro

CAL NO.: 204-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 251-69 W. Cermak Road/2207-09 S. Princeton Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to waive one required loading berth for a proposed 81-room hotel and retail building.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 17, 2012

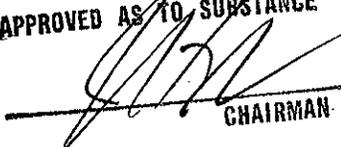
THE VOTE

DEC 27 2012
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: McDonald's Corporation CAL NO.: 206-12-S

APPEARANCE FOR: Brandon Calvert MINUTES OF MEETING: June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6336 S. Ashland Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the expansion of an existing drive-through facility (adding order station) to serve an existing one-story restaurant.

ACTION OF BOARD- APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for Jonathan Swain, Gigi McCabe-Miele, Lynette Santiago, Lori Healey, Sam Toia, and a RECUSED row.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant is requesting to add one ordering station and expand the existing special use for the existing fast food restaurant; expert testimony was offered that the use is existing and would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the proposed drive-through facility provided it is improved as illustrated on the plans and drawings prepared by Lingle Design Group Inc. and dated June 15, 2012.

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

APPROVED AS TO SUBSTANCE

Signature of Chairman over a horizontal line, with the word CHAIRMAN below it.

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

APPLICANT: Anthony L. Wojewocki

CAL NO.: 207-12-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3240 N. Clark Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a liquor store.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

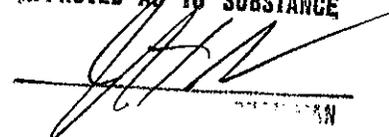
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

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 liquor store; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board will permit the applicant to establish the liquor store provided that the applicant complies with the conditions that were recommended by the Department of Housing and Economic Development; 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 Housing and Economic Development recommends approval of the proposed liquor store provided there are no in-store sales to the public. All sales are to be delivery only. All business vehicles must be parked at the rear of the business and loading of vehicles shall be prohibited on Clark Street.

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

APPROVED AS TO SUBSTANCE



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

APPLICANT: Xtyle Cutz, Inc.

CAL NO.: 208-12-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4109 W. 47th Street, Rear

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a barber shop.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

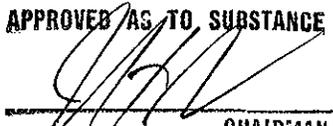
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; 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; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the proposed barber shop.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Twisted Scissors, LLC

CAL NO.: 209-12-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2001-07 N. Point Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

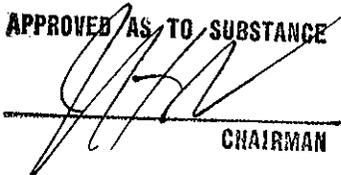
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing beauty salon; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the expansion of the existing hair 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: Brenda Flores CAL NO.: 210-12-S
APPEARANCE FOR: Same MINUTES OF MEETING: June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2500 S. Drake Street, Unit 3B

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty salon.

ACTION OF BOARD- APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show votes for Jonathan Swain, Gigi McCabe-Miele, Lynette Santiago, Lori Healey, and Sam Toia.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; 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; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Spa Envy, Inc.

CAL NO.: 211-12-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2300 W. Armitage Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of massage establishment.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

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 June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; 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 massage establishment; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the proposed massage establishment.

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: Jennifer Malone **CAL NO.:** 212-12-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 11316 S. Michigan Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of beauty (hair / nail) salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 LYNETTE SANTIAGO
 LORI HEALEY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

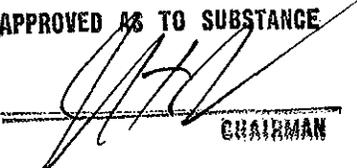
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

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 (hair/ nails) at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use; 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 Housing and Economic Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: Unique Evolution Hair Clinic **CAL NO.:** 213-12-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6975 N. Sheridan Road

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

DEC 27 2012

THE VOTE

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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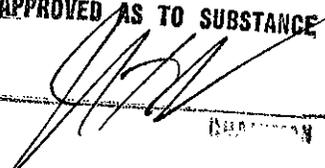
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; 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 at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at this location; 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 Housing and Economic Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE


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

APPLICANT: Nhu Quynh Thi Pham

CAL NO.: 214-12-S

APPEARANCE FOR: Lisa Perna

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 11645 S. Halsted Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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THE RESOLUTION:

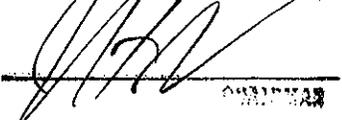
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; and

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; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development 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



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

APPLICANT: Miguel Ceballos La Elegancia Barber Shop

CAL NO.: 215-12-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3410 W. 26th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a barber shop.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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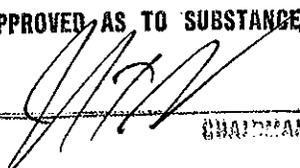
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; 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; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at this location; 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 Housing and Economic Development recommends approval of the proposed barber shop.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Toan Boa Truong **CAL NO.:** 216-12-S
APPEARANCE FOR: Jim Kottaras **MINUTES OF MEETING:**
June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2924 N. Ashland Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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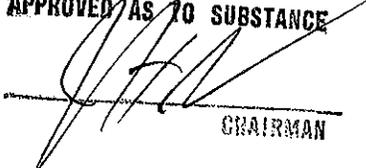
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; 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 at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development 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: Joseph & Amy Kartheiser

CAL NO.: 217-12-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2237 N. Seminary Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required north side yard setback from 2' to zero (south side yard setback to be 2.57') and reduce the combined side yard setback from the required 4.8' to 2.57' for a proposed rear one-story addition to a two-dwelling unit building being de-converted to a single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

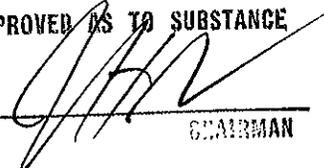
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 31, 2012 and

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 reduce the required north side yard setback to zero (south side yard setback to be 2.57') and reduce the combined side yard setback from the required to 2.57' for a proposed rear one-story addition to a two-dwelling unit building being de-converted to a single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: 2242 N. Seminary LLC **CAL NO.:** 218-12-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2242 N. Seminary Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required rear yard setback from 37.2' to 25.25' for a proposed three-story three dwelling unit building with a detached garage and roof deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

DEC 8 7 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

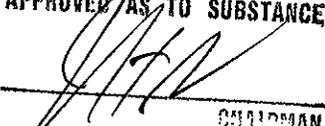
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 31, 2012 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 reduce the required rear yard setback from 37.2' to 25.25' for a proposed three-story three dwelling unit building with a detached garage and roof deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 JONATHAN SWAIN

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

APPLICANT:

Martin Cameron

CAL NO.: 219-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:

June 15, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED:

3039 N. Christiana

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the required front yard setback from 20' to 5'-5" for a proposed front three-story porch to an existing 2 1/2-story three-dwelling unit building.

ACTION OF BOARD-

CASE CONTINUED TO AUGUST 17, 2012

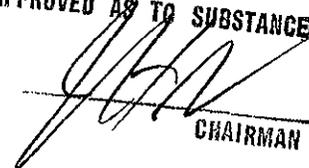
THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



DEC 3 7 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Halsted Quick Mart & Cellular, Inc.

APPLICANT

220-12-S

CALENDAR NUMBER

12201-12209 South Halsted Street

PREMISES AFFECTED

June 15, 2012

MINUTES OF MEETING

Richard e. Zulkey

APPEARANCE FOR APPLICANT

NATURE OF REQUEST

Application for a special use permit for the establishment of a drive through lane to serve an existing one-story grocery and mobile phone store.

ACTION OF BOARD

THE VOTE

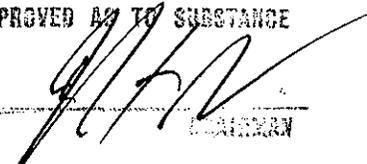
The application for special use is denied.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lynette Santiago	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FACTS

The subject property is located in a C1-1 zoning district. The property is currently improved with a single story retail building currently a grocery and cellular phone store.

APPROVED AS TO SUBSTANCE



CHAIRMAN

TESTIMONY

Mohammed Ata, president of the applicant corporation (the "Applicant") testified in support of the application.

Mr. Ata testified to the relevant aspects of the Applicant business operation at the subject property. He stated that it caters to people who shop at "odd" times; that there is a vestibule in which customers are separated from the 3 people work staff by bulletproof glass; a principal product sold are pre paid cellular phone minutes cards; the drive-through is sought to accommodate customers who don't want to get out of their cars to purchase cell phone minutes cards in the middle of the night. y and traffic flow specifically keeping traffic moving in the parking lot as well as off the three thoroughfares around this location.

Philip Cocomise testified in support of the application.

Mr. Cocomise stated that he is the owner of the property and that it has been through a number of periods of time when it was vacant and it is better for the community when it is occupied and functioning.

Kareem Musawwir, Appraiser, testified in support of the application.

He testified that the granting of a special use would be beneficial as the subject property is in a high crime area and it would be in the interest of pedestrian comfort and safety to have the convenience to not leave their cars when purchasing cell phone minutes in the middle of the night.

The staff of the Zoning Administrator recommended approval of the application for the Special Use.

FINDINGS

Pursuant to Section 17-13-905 of the Chicago Zoning Ordinance, the Board makes the following findings with reference to the Applicant's application for a Special use Permit:

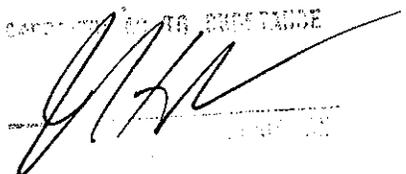
The application is not in the interest of the public convenience and will have an adverse affect on the general welfare of the neighborhood.

CONCLUSION

As the standards for granting a special use have not been met, the Zoning Board of Appeals hereby denies the requested special use application.

This is a final decision subject to review under the Administrative Review Law (735 ILCS 5/3).

COPY TO THE BOARD



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

APPLICANT: Anna and Philip Wagler

CAL NO.: 221-12-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2450 W. Arthington Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the off-street parking requirement by not more than one parking space and reduce the minimum lot area by not less than 90% of the required 3,000 square feet minimum lot area for a proposed conversion of a two-dwelling unit building into a three dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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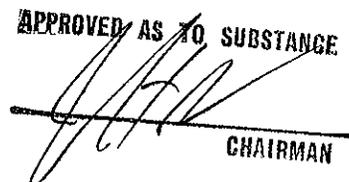
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 31, 2012 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 reduce the off-street parking requirement by not more than one parking space and reduce the minimum lot area by not less than 90% of the required 3,000 square feet minimum lot area for a proposed conversion of a two-dwelling unit building into a three dwelling unit building; 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
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



AUG 21 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

**Mountain of Fire and Miracles Ministries
Chicago North, Inc.**
APPLICANT

222-12-S
CALENDAR NUMBER

2008-2020 West Devon Avenue
PREMISES AFFECTED

June 15, 2012
MINUTES OF MEETING

Timothy Rowells, Starr & Rowells
APPEARANCE FOR APPLICANT

Ursula Storm
OBJECTOR

NATURE OF REQUEST

Application for a special use to permit the establishment of a 208-seat religious assembly within an existing building.

ACTION OF BOARD

THE VOTE

The application for a special use is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lynette Santiago	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under MCC Section 17-13-0107B and by publication in the Chicago Sun Times; and

WHEREAS, at the Applicant presented its case and an objector testified in opposition; and

WHEREAS, Attorney Timothy Rowells, on behalf of the Applicant summarized the background of the Applicant's case: the affected premises are located in a B-3-3 zone, relief is sought pursuant to the Chicago Zoning Ordinance Section 17-13-0905; and

WHEREAS, Mr. Matthew Odigie testified in support of the application and in that testimony he stated that he is a trustee of the Applicant and has been a member for five years; the Applicant has acquired the affected premises for use as a church; new facility

APPROVED AS TO SUBSTANCE

CHAIRMAN

is needed as the membership has exceeded the capacity of the current leased church building; and

WHEREAS, Ms Lynn Miller testified in support of the application; she stated that she is a licensed real estate broker, that finding available space is difficult for church assembly buildings; that there are no other suitable buildings for the church's purposes in the immediate vicinity; that the building at the affected premises is already an assembly use makes it very appropriate for the church; the use of the building as a church will not adversely affect the value of other properties in the building; the plan for the project is to create an additional 18 parking spaces in the existing parking lot; no difficulties will be posed by the use of the building for parking or traffic; it will be publicly convenient for the church to be located at this premises; the church has entered into a voluntary agreement with the nearby Dominicks, approximately 3 blocks to the north for overflow parking during church services; and

WHEREAS, Ms Ursula Storm testified in opposition to the application; in her testimony she stated that she lives less than a block from the affected premises; she stated that her opposition to the application is based entirely on parking in the neighborhood; that the church patrons use all be available parking in the surrounding area; and that there is too much vehicular use in the area; and

WHEREAS, the applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0905 for the granting of a special use; and

WHEREAS, the staff report of the Zoning division of the Department of Housing and Economic Development recommended approval of the application.

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 with reference to the Applicant's application for a Special Use:

1. The decision of the Zoning Board of Appeals to approve a special use application must be based solely on the approval criteria enumerated in Section 17-13-905 of the Chicago Zoning Ordinance.
2. The application complies with all standards of the Zoning Ordinance.
3. The Board finds that the applicant has proved a prime facie case by testimony and evidence covering the nine specific criteria of 17-13-905. Evidence was presented that the use will not cause substantial injury to the value of other property in the neighborhood. The use will not have an adverse effect on parking or traffic.

RESOLVED, the Board finds that the applicant has proved a prime facie case by testimony and evidence covering the six specific criteria of Section 17-13-905 of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the condition that no dancing for entertainment shall be allowed

This is a final decision subject to review under the Administrative Review Law (735 ILCS 5/3).

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

APPLICANT: GRP New Home LLC., Geoff Pierce **CAL NO.:** 223-12-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:** June 15, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1856 W. Erie Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required combined side yard setback from 4.8', with neither less than 2', to 3.61' with a zero west side yard for a proposed rear two-story addition and open porch with a roof deck for a proposed conversion from a two-story two-dwelling unit building into a single-family residence with a detached garage.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

DEC 27 2012
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 LYNETTE SANTIAGO
 LORI HEALEY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

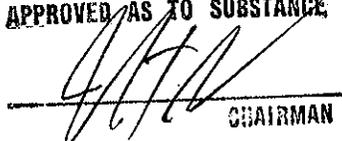
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 31, 2012 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 reduce the required combined side yard setback from 4.8', with neither less than 2', to 3.61' with a zero west side yard for a proposed rear two-story addition and open porch with a roof deck for a proposed conversion from a two-story two-dwelling unit building into a single-family residence with a detached garage; 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: Chicago Blue Dolphins, LLC

CAL NO.: 224-12-S

APPEARANCE FOR: Lawrence Lusk

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2220-30 N. Elston

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of an indoor sport and recreation (swimming) facility within an existing two-story building.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

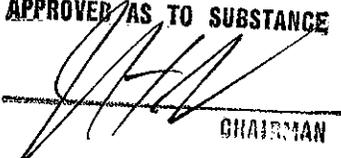
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 31, 2012; 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 indoor sport and recreation (swimming) facility; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; 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 Housing and Economic Development recommends approval of the proposed indoor swimming facility.

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
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



AUG 21 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

3143 West Logan Blvd, LLC

APPLICANT

225-12-S

CALENDAR NUMBER

3143 West Logan Boulevard

PREMISES AFFECTED

June 15, 2012

MINUTES OF MEETING

Warren Silver

APPEARANCE FOR APPLICANT

Mary Berjan

OBJECTOR

NATURE OF REQUEST

Application for a special use to permit the establishment of a proposed tavern.

ACTION OF BOARD

THE VOTE

The application for a special use is approved with a condition

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lynette Santiago	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia RECUSED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012 after due notice thereof as provided under MCC Section 17-13-0107B and by publication in the Chicago Sun Times; and

WHEREAS, at the Applicant presented its case and an objector testified in opposition; and

WHEREAS, Attorney Warren Silver, on behalf of the Applicant summarized the background of the Applicant's case: the affected premises are located in a B-3-3 zone, relief is sought pursuant to the Chicago Zoning Ordinance Sections 17-2-0203 and 17-13-0907; that the building has set empty for a number of years; that there will be no change in the building's bulk; that the façade will be restored to its 1930s appearance; and

WHEREAS, Mr. Mathias Merges testified in support of the application and in that testimony he stated that he is the manager of the LLC and part ownthe proposed hours

APPROVED AS TO SUBSTANCE

CHAIRMAN

will be from 11:00 AM until 2:00 AM daily; that the re-design of the building is for cosmetic changes to make the building compatible with those in the surrounding area; there will be no exterior lighting changes; the Tavern will offer a full menu range; that it will be a "high-end" tavern offering designer cocktails, not a "shot and a beer" tavern; that most customers are expected to arrive by public transportation and by foot; that there is ample parking nearby for those arriving by car; that he has extensive background in restaurant management and was executive chef for Charlie Trotters restaurant for 8 years; and

WHEREAS, Kareem Musanwir testified that he is an architect; his credentials were acknowledged by the Board and his written report was accepted into evidence by the Board; he stated that although the subject premises is located on a commercial strip no other taverns are within walking distance; that the public convenience will be served by having such a business located within walking distance of a large residential area; that the business will be compatible with those in the surrounding area; and

WHEREAS, Ms Mary Berjan testified in opposition to the application; in her testimony she stated that she lives two doors down from the affected premises, at 3131 W. Logan Boulevard; that she is appearing on behalf of the condo association of her building; that there are many other bars and restaurants in the surrounding area; that there are considerable problems with noise, public drunkenness, trespass, fighting of tavern patrons on the street in front of her building; and

WHEREAS, the applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0907 for the granting of a special use; and

WHEREAS, the staff report of the Zoning division of the Department of Housing and Economic Development recommended approval of the application.

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 with reference to the Applicant's application for a Special Use:

1. The decision of the Zoning Board of Appeals to approve a special use application must be based solely on the approval criteria enumerated in Section 17-13-907 of the Chicago Zoning Ordinance.
2. The application complies with all standards of the Zoning Ordinance.
3. The Board finds that the applicant has proved a prime facie case by testimony and evidence covering the nine specific criteria of 17-13-907. Evidence was presented that the use will not cause substantial injury to the value of other property in the neighborhood. The use will not have an adverse effect on parking or traffic.

RESOLVED, the Board finds that the applicant has proved a prime facie case by testimony and evidence covering the six specific criteria of Section 17-13-907 of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the condition that no dancing for entertainment shall be allowed

This is a final decision subject to review under the Administrative Review Law (735 ILCS 5/3).

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

APPLICANT: South Chicago Iron and Metal

CAL NO.: 226-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
June 15, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 1313 W. 74th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of Class IVA recycling facility.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 17, 2012

THE VOTE

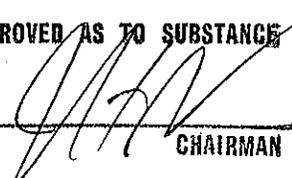
DEC 27 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LYNETTE SANTIAGO
LORI HEALEY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



OCT 24 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

James Suh
APPLICANT

227-12-Z
CALENDAR NUMBER

4054 North Kilbourn Avenue
PREMISES AFFECTED

June 15, 2012
MINUTES OF MEETING

James Banks
APPEARANCE FOR APPLICANT

Zachary Rusted
APPEARANCE FOR OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the required north side yard setback from 5' to zero for a proposed rear two-story addition and bay addition and a rear one-story deck for a proposed conversion from a two-story dwelling unit building to a single family residence.

ACTION OF BOARD

THE VOTE

The application for a variance to reduce the required north side yard setback from 5' to zero is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lynette Santiago	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

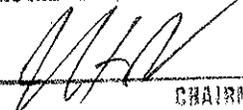
THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on June 15, 2012, after due notice thereof as provided under MCC Section 17-13-0107B and by publication in the Chicago Sun Times; and

WHEREAS, the Applicant presented its case and objectors testified in opposition; and

WHEREAS, James Suh ("Applicant") testified in support of his application; he testified that he is the owner of the property located at 4054 N. Kilbourn (the "Subject Property"), that his application seeking a variation to reduce the required sideyard setback from five feet to zero feet is to allow for partial demolition of the existing two family residence on the subject Property and replace it with a single family flat roofed

APPROVED AS TO SUBSTANCE


CHAIRMAN

residential building; that the change being sought is de mitimas as the current structure is a legal, non-conforming use in that it currently exists as it was constructed with seven feet of wall on the property line with no setback whatsoever and that the planned construction will depart from the property line where the current wall ends and the new structure's wall will extend from that point another seventeen feet and will be placed two and a half feet from the property line; he stated further that due to financial and other restraints the proposed construction is intended to utilize as much of the footprint of the current structure as possible including the wall built on the lot line, that there is an apartment building two doors south which is atypical of the buildings in the area and that the building being replaced is a flat roofed, two story apartment building atypical of the types of single family residential buildings in the area; that profit is not a motivating factor as the intent is to live in the newly constructed residence with his family, not sell it; that the new structure will be approximately the same height as the immediate neighboring residential structure; and

WHEREAS, Mr. Richard Smith testified in support of the application; he testified that he is a licensed architect for over 20 years in Chicago, that he drew up the plans for the proposed construction at the Subject Property; his credentials as an expert were acknowledged by the Board; he tendered, through the Applicant's attorney, Mr. James Banks, his report which he believes fully addresses all of the criteria identified in the Zoning Ordinance which must be determined in support of such an application and he testified to certain pertinent highlights: that the lot is 50 x 120, in essence a "double-lot" but that it was a hardship to design a new structure which incorporates the existing structure's footprint especially the wall along the property line, and that to bring the building into compliance with current the building code it needed to have enlarged rooms and staircases, that the old bays had to be replaced and a new bay added and that to maintain as much of the footprint of the existing building required extending the new structure near the property line; he further stated that the Applicant didn't want to demolish the entire existing structure so that the proposed design is the one which incorporates as much of the existing flow on the property; and

WHEREAS, Mr. Zachary Rusted appeared on behalf of the objectors, he submitted his brief in opposition along with supporting documents which were acknowledged by the Board; Mr. Rusted presented a summary of the points in opposition to the Application wherein he stated: the proposed construction will result in a single family residence larger than others in the area, the objectors believe that the request for the variation is not made from necessity but, rather, for convenience and therefore is inconsistent with the Code's requirements, that other options exist if the Applicant were to alter its plans, that a double wide lot exists and the Applicant could build elsewhere on the lot, and that the physical shape of the proposed construction will vary significantly from others in the area; Mr. Rusted submitted eighteen letters in opposition to the application which were accepted by the Board; and

WHEREAS, Mr. Barry Bebart testified in opposition to the application; he is a licensed architect and his credentials were accepted by the Board; in support of his testimony he submitted three sets of documents including a "shade study" showing shade

progression caused by the proposed construction at the Subject Property on the property to its north ("Shade Study"), a copy of the City's zoning map depicting the proposed construction demonstrating that it varies from others on the block, although a non-conforming apartment building exists "on the block," and photos of other houses in the area all of which have sloped roofs rather than a flat roof as is planned for the proposed construction at the Subject Property; Mr. Bebart stated that with the ample lot construction could occur elsewhere than on the property line requiring the variation; in answer to a question from the board he acknowledged that the "Shade Study" was based on information that the set back of the proposed construction would be at two and half feet which varies from the pending application; and

WHEREAS, Mr. Bhash Mazumder testified in opposition to the application; he stated that he is the owner/occupant of the single family residence to the north of the Subject Property; he stated that he and other objectors are not opposed to the Applicant building something new on the subject Property, and actually welcomes it but would prefer that the construction not occur on the lot line, and that there is ample space on the double lot to construct elsewhere on it; and

WHEREAS, Mr. Howard Silver testified in opposition to the application; that he is the Chairman and Treasurer of the Old Irving Park Association's Zoning committee; in that capacity he stated that there is general opposition to the application as the resultant structure will be inconsistent with the majority of the houses in the area and that the applicant has ample space to re-design the project; and

WHEREAS, Mr. Timothy Cullerton testified in opposition to the application; Mr. Cullerton stated that he is the Alderman of the Ward wherein the Subject Property is that he supports those in opposition to the application because the resulting structure will be inconsistent with the majority of residences in the area and that area of the Ward; and

WHEREAS, Attorney Banks answered question from the Board and presented a summation of the Applicant's case for the variation; he reiterated that the hardship which is being addressed by the variation is the challenge of building anew upon the footprint of the pre-existing building and that the zero setback will only be utilized by seven and a half feet of the new building's north wall which is the same as currently exists and that the additional new seventeen feet of wall is set back two and a half feet from the property line so as to be considerate of the neighbor to the north as well as be consistent with the seven and a half feet of wall upon the footprint

WHEREAS, the staff report of the Zoning division of the Department of Housing and Economic Development recommended approval of the application; and

WHEREAS, 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit a reduction in any setback; and therefore

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 with reference to the Applicant's application for a Variation:

1. The decision of the Zoning Board of Appeals to approve a variation application must be based solely on the approval criteria enumerated in Section 17-13-1107-A through C of the Chicago Zoning Ordinance.
2. The Board finds that pursuant to 17-13-1107-A the applicant has proved a prime facie case by testimony and evidence that a practical difficulty and particular hardship exists regarding the proposed new construction on the Subject Property should the setback requirement of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding the setbacks is consistent with the stated purpose and intent of the Zoning Ordinance.
3. The Board finds that pursuant to 17-13-1107-B that Applicant has established that (1) a hardship exists regarding strict compliance with the setback requirement for the sideyard which is the subject of the application; (2) that whether the property can yield a reasonable return is not material as the Applicant shall reside in the proposed residence and does not seek the variation in furtherance of an investment opportunity; and (3) as another non-conforming structure which varies significantly from the majority of residential structures in the area exists two doors away the variation if granted, will not alter the essential character of the neighborhood.
5. The Board finds that pursuant to 17-13-1107-C a practical difficulty exists which has been established by evidence which has been submitted in that: (1) the proposed construction being predicated upon conformance with the existing structure's footprint on the property line with a zero setback is a hardship upon the owner, (2) the existence of the current non-conforming structure on the property line is a unique situation which would not be found in most other properties which conform to the Zoning Ordinance's setback requirements, (3) as the Applicant will live in the newly constructed building profit is not a motive for the application, (4) the Applicant did not create the situation of the current non-conforming structure existing on the property line with zero setback, (5) the variation being granted will not be detrimental to the public welfare or injurious to other property as the new construction is patterned after an existing non-conforming use and (6) the variation will not impair an adequate supply of light or air to the neighboring properties as the increase of size of the new construction will be relatively the same for seven and a half feet as it currently exists, and the setback of the extending seventeen feet of additional wall is sufficiently set back as to not impair the supply of light or air to the property of the neighbor to the north of the Subject Property.

RESOLVED, the Board finds that the applicant has proved a prime facie case by testimony and evidence covering the specific criteria for a variation to be granted pursuant to Sections 17-13-1107- A, B and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid application for a variation for a zero setback be and it hereby is approved and the Zoning Administrator is authorized to permit said variation.

This is a final decision subject to review under the Administrative Review Law (735 ILCS 5/3).