

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



SEP 11 2012

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

James and Marianne Brady

APPLICANT

67-12-Z

CALENDAR NUMBER

6130 North Legett Avenue

PREMISES AFFECTED

July 20, 2012

MINUTES OF MEETING

Michael Grochowiak
APPEARANCE FOR APPLICANT

Four Witnesses Appearing Pro Se
OBJECTORS

NATURE OF REQUEST

Application for a variation to increase the maximum Floor Area Ratio ("FAR") by not more than 10% from the required .5 to .6 and to reduce the side yard combination from the required 13.5' to 10.21' with neither less than 5', with the north side setback to 3.02' and the south setback to be 7.19' for a proposed rear one-story addition, second floor front addition and a second floor rear addition to an existing single family residence.

ACTION OF BOARD

THE VOTE

The application for a variation is approved as to setbacks; the application for a variance as to FAR is approved only to allow an increase of .55%, not the 6% requested.

	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 July 20, 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

APPROVED AS TO SUBSTANCE

CHAIRMAN

WHEREAS, Michael Grochowiak, counsel for the Applicant, moved to amend the application to increase the FAR not from .5 to .6 but instead from .5 to .7; and

WHEREAS, James Brady ("Applicant"), testified that he has been the owner of the affected property for 14 years, that in 2007 a contractor, his cousin, showed him permits, and then began construction deviating from those permits for which he spent \$56,000 and the work was never completed; that additional planned work will cost approximately another \$150,000 and that the application seeks an additional 380 square feet over the allowed .5 FAR; that he was not seeking to make a profit should the variance be granted and that he has more invested in the improvement on the property than he could currently sell it for; that when the plans were drawn for the improvements they were intended to be similar to a house across the street from the affected property; that he had met with representatives from the Edgebrook Community Association and had made some accommodations however no agreement or settlement was reached; and

WHEREAS, Mr. Paul Woznicki testified in support of the application; his credentials as an expert were acknowledged by the Board; his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application and he testified to certain pertinent highlights: the lot is 5600 square feet in dimensions and is improved with a single family house; that plans for improvements to be completed (they have been started but were abandoned) would increase the size of the improvement to the allowable .5 FAR which in this instance is 2805 square feet, and that the application seeks to allow an additional 380 feet raising the FAR to .595; that strict compliance with the Zoning Ordinance's mandates will create a hardship for the applicant in that the improvement was built prior to the current Zoning Ordinance, that it does not currently comply with the zoning Ordinance's set backs, and that any change in the structure would require either administrative relief or a variance; that the requested variance if granted the improvements would not vary from the character of the surrounding area in that the house across the street has very similar improvements and the projected improvements would result in a similar appearance; and

WHEREAS, Mr. George Koliatrakis testified in support of the application; that he is a neighbor residing across the street from the applicant; that he supported the neighbor whose structure the applicant bases its argument that if the variance were granted would allow for a very similar structure; and

WHEREAS, Mr. Jeff Manuel testified in opposition to the application; that he is the President of the Edgebrook Community Association (the "Association"); that the organization has voted to oppose the application after its research committee met with and attempted to reach an accord with the applicant and determined that it wasn't possible; that the Association did not find any evidence of a hardship on the part of the applicant; that almost all houses in the area are similar in original construction to the applicant's house; and

WHEREAS, Ms. Christine Rosenberg testified in opposition to the application; Ms. Rosenberg testified that she is an architect and secretary of the Association and she

served on the research committee tasked by the Association to investigate the applicant's proposal and recommend a course of action; that she conducted negotiations with the applicant and that the Association agreed to an increase in FAR to .55 however no accord was reached; Ms Rosenberg submitted into evidence a packet with information about the surrounding houses on the block and in the greater area; that the neighborhood is almost entirely zoned RS1 and RS2 and that almost all the houses are Georgian and of similar size, construction and dimensions; that the neighborhood is known for its large lot sizes and ample green space on privately owned property; that it is the belief of the Association that if the variance were to be granted that conceivably all neighbors would seek the same relief; that the Association does not believe that the Board should set such a precedent; and that even though the applicant stated that the investment has been more than the property is currently worth, that once the precedent is established that many would indeed seek similar relief as applicant; and that is in spite of the trend nationally for larger houses; and

WHEREAS, Mr. Richard McDowell testified in opposition to the application; he stated that he is a local resident and an architect; he cited the Zoning Ordinance's allowances for FAR and pointed out that the original size of the applicant's house was 1600 square feet and that the code allows increase by 1200 square feet to 2800 square feet and that 1200 square feet should be ample room for applicant to expand and that no hardship exists; and that to be competitive if the variance is granted any neighbor seeking to sell their house will be compelled to similarly expand their own house to remain competitive in the real estate market; and

WHEREAS, Ms. Alexandra Lewycky testified in opposition to the application; Ms Lewycky testified that she is the daughter of the resident whose property immediately abuts that affected premises; that the applicant does not come to the Board with clean hands in that he did much work without a permit, skipped inspections from the City, the uncompleted construction harbors rats and insects and that the applicant's yard is "an embarrassment" and that the Board should keep in mind that the constructed addition to the applicant's house is unlawful in that it was built without permits; and

WHEREAS, 17-13-1101 of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation allowing up to a 15% increase in the maximum gross floor area of any residential structure; 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 Applicant's motion to amend the application is denied.

3. The Board finds that the applicant has proved a prime facie case by testimony and evidence regarding setbacks in that Applicant's photographic evidence of neighboring houses depict set backs and that strict compliance with the regulations and standards of this Zoning Ordinance would create particular hardships for the subject property, and the requested variation regarding the setbacks is consistent with the stated purpose and intent of this Zoning Ordinance.

4. The Board finds that pursuant to 17-13-1107-B that Applicant has not established that a hardship exists regarding the increase in FAR to .6, and the Board notes that Applicant was more than partially responsible for the construction without permits; and Applicant's evidence does not demonstrate a hardship was established in that, although (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance in that (2) the variation for increased FAR if granted will not alter the essential character of the neighborhood in that its appearance facing the street will not be inconsistent with the appearance of similarly situated houses within the surrounding area, the rear area of the house both above and behind the garage will be intrusive on the privacy and enjoyment by neighbors of their property, and (3) the practical difficulties or particular hardships are not due to unique circumstances and are not generally applicable to other similarly situated property in that the construction without permits which is halted was partially caused by the Applicant.

5. The Board finds that an increase in FAR to .55 is allowable.

RESOLVED, the Board finds that the applicant has proved a prime facie case by testimony and evidence covering the specific criteria of Section 17-13-1107 of the Chicago Zoning Ordinance.

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

RESOLVED, the aforesaid application for a variation for FAR from .5 to .55 is allowed and 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).

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

APPLICANT:

55th & K, LLC

CAL NO.: 84-12-S

APPEARANCE FOR:

MINUTES OF MEETING:

March 16, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED:

3140-3142 W. 55th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of non-required accessory parking lot containing 18 parking spaces which will serve an existing retail business located at 5435 S. Kedzie Avenue.

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

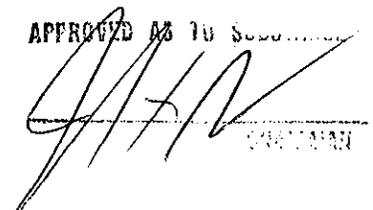
LYNETTE SANTIAGO

LORI HEALEY

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



JONATHAN SWAIN

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

APPLICANT: 55TH & K, LLC

CAL NO.: 85-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 16, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 3140-3142 W. 55th Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 20' to 7' and to reduce the westside setback and eastside setback from 5.04' to zero; and to reduce the total side setback combination from 12'-6" to zero for a non required accessory parking lot to serve a retail business located at 5435 S. Kedzie Avenue.

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

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

APPROVED AS TO SUBSTANCE

Handwritten signature of the Chairman over the text CHAIRMAN.

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: Gabriel Beltran **CAL NO.:** 155-12-Z
APPEARANCE FOR: James Banks **MINUTES OF MEETING:**
May 18, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2511 W. 46th Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 19.8' to 2'- 4" and reduce the west side setback from 2'-0" to 1'-0' and the east side setback will be 14'-0" for a total side setback combination of 15'-0" to construct a front 2-story open porch residential building..

**ACTION OF BOARD-
VARIATION GRANTED**

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
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 3, 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 front setback to 2'- 4" and reduce the west side setback to 1'-0' and the east side setback will be 14'-0" for a total side setback combination of 15'-0" to construct a front 2-story open porch residential 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 SUBSTANTIALITY

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

APPLICANT: The Biddle House, LLC

CAL NO.: 177-12-S

APPEARANCE FOR: James Banks

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 405-07 W. Eugenie, 1st Floor

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of vacation rental unit on the 1st floor.

ACTION OF BOARD-
APPLICATION APPROVED

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
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 3, 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 vacation rental which shall be located on the 1st floor of the existing building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is 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 vacation rental provided the applicant restricts check-in / check-out times to no later than 9 pm and the applicant posts a sign on the exterior of the building with 24 hour property contact information.

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: The Biddle House, LLC **CAL NO.:** 178-12-S
APPEARANCE FOR: James Banks **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 405-07 W. Eugenie, 2nd Fl.

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of vacation rental unit in the 2nd floor.

ACTION OF BOARD-
APPLICATION APPROVED

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

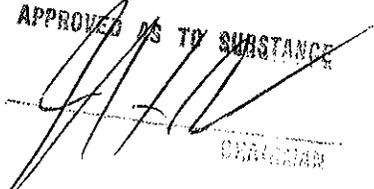
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 19, 2011 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2011; 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 vacation rental which shall be located on the 2nd floor of the existing building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is 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 vacation rental provided the applicant restricts check-in / check-out times to no later than 9 pm and the applicant posts a sign on the exterior of the building with 24 hour property contact information.

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

APPROVED AS TO SUBSTANCE

 SECRETARY

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

APPLICANT: 1824 N. Wolcott Condominium Association **CAL NO.:** 185-12-Z

APPEARANCE FOR: James Banks

MINUTES OF MEETING:
May 18, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1824 N. Wolcott Avenue

NATURE OF REQUEST: : Application for a variation to expand the existing floor area by not more than 15% (846 sq. ft.), reduce the required rear yard setback from 37.5' to 21.66', reduce the rear setback for a garage (accessory building) from 2' to 1.83' and reduce the rear yard open space from 1,125 sq. ft. to 129.76 sq. ft. for a proposed walkway connection between the existing five dwelling unit building and the rear two-car garage.

ACTION OF BOARD-
VARIATION GRANTED

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
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 3, 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 the existing floor area by not more than 15% (846 sq. ft.), reduce the required rear yard setback from to 21.66', reduce the rear setback for a garage (accessory building) to 1.83' and reduce the rear yard open space from to 129.76 square feet for a proposed walkway connection between the existing five dwelling unit building and the rear two-car 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
[Signature]

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



OCT 05 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Loyola University of Chicago
APPLICANT

228-12-S

6300-6348 North Hoyne Avenue
PREMISES AFFECTED

229-12-Z

CALENDAR NUMBER

July 20, 2012
MINUTES OF MEETING

NATURE OF REQUEST

Application for a special use to permit the expansion of an existing recreational facility with the addition of 607 person capacity bleachers and a press box.

Application for a variation to reduce the required front yard setback from 20' to 7'4" for the expansion of the existing recreational facility to accommodate the addition of the bleachers and the press box.

ACTION OF BOARD

THE VOTE

The application for special use and variation are approved subject to the condition specified in this decision.

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

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

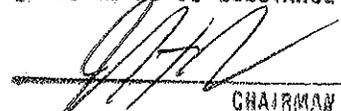
FACTS

The subject property is located in a RS-3 zoning district. The property is currently improved with an existing recreational facility containing a stadium and practice field.

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 July 20, 2012, after due notice thereof as provided under MCC Section 17-13-0107B and by publication in the Chicago Sun Times; and

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

WHEREAS, Mr. Nevil Hedlund testified in support of the application; that he is the architect for this project; his credentials as an expert were acknowledged by the Board; that the bleachers have been re-designed to increase seating by about 100 seats and make the bleachers handicapped accessible by constructing ramps and removing steps. promote pedestrian safety and comfort in that a single egress/ingress point now exists onto La Salle Street; that it is now designed to comply with all CDOT regulations for pedestrian safety; the garage is well lit with ample way-finding signage; all Code required safety devices are present; and

WHEREAS, Mr. Michael Loftsgaarden testified in support of the application; that he is the representative of the owner/applicant, Oxford property Group; he stated that the bleachers must be re-constructed as they currently are no longer compliant with the city of Chicago's building code nor are they ADA compliant and that the press box is needed as currently a mobile sound truck which runs the public address ("PA") system must be moved and the speakers for which are on a scaffold all of which will be replaced by the inclusion of the pressbox; and

WHEREAS, Mr. Allen Rosewell testified in support of the application; that he is a certified real estate appraiser; that he has prepared a report which was introduced into evidence and accepted by the Board that the subject property is a three acre tract improved with the recreational facility; that it is across the street from a parochial school and the Miseracordia complex; that there are multi family residences to the south and west of the subject property; Mr. Rosewell stated that it is his opinion that the re-construction of the bleachers will have no adverse effect on property values in the area around the subject property, that there will be no adverse effect on the neighboring residences and that the granting of the special use and variation will not adversely effect the quality of life or the character of the surrounding area and that the improvements will have a positive impact by improving the appearance of the field and making the bleachers ADA compliant; and

WHEREAS, the applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0905 A 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; and

WHEREAS, Mr. Toby Higginbotham, Even Hacsic, Sharon Guerrier testified in opposition to the application; in their testimony they pointed out that parking use, attendees leaving garbage around the residences, loud speakers and balls overshooting the field have hit neighboring buildings and cars on the street are all issues regarding the subject property are issues needing to be addressed; 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 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 applicant has proved a prime facie case by testimony and evidence covering the five specific criteria of 17-13-905-A. (1) it complies with all applicable standards of the Zoning ordinance; (2) evidence was presented that the use will not cause substantial injury to the value of other property in the neighborhood in that the bleachers already exists and will not be substantially altered if the special use and the variation are granted, and it will be beneficial to the surrounding area; (3) the proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design in that the structure is already built and externally is consistent with the surrounding buildings; (4) it is designed to promote pedestrian safety and comfort as no negative change will occur due to the re-building of the bleachers.
3. That a hardship exists was established by the Applicant in that the completion of the new bleachers is necessary to bring them into compliance with the ADA accessibility standards.
4. To address the concerns of the neighbors a condition is placed on the applicant that sufficient netting be used to protect neighboring properties from being hit by baseballs and that increased policing of the residential area be utilized to keep garbage from the attendees off the neighboring properties.

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

RESOLVED, the aforesaid applications for a special use and for a variance be and they hereby are approved and the Zoning Administrator is authorized to permit said special use and variance.

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



AUG 21 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Oxford Huron Hotel Venture Property Co.

APPLICANT

230-12-S

CALENDAR NUMBER

127 West Huron Street

PREMISES AFFECTED

July 20, 2012

MINUTES OF MEETING

Andrew Scott, Dykema Gossett PLLC

APPEARANCE FOR APPLICANT

Don Lydon, Mark Tompson

OBJECTORS

NATURE OF REQUEST

Application for a special use to permit the establishment of a non-accessory parking garage within a 17-story hotel shell 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 July 20, 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, Andrew Scott, counsel for the Applicant, submitted these documents as exhibits and they were introduced into the record: (a) CV of David R. Jennerjahn, (b) Biography of Sarang Peruri, (c) Letter of Support from Moris Kricheli, on behalf of the 156 W. Superior Condo Association, (d) Paul Woznicki's Planner's Report and Zoning Analysis including CV; and

WHEREAS, Counsel Scott summarized the facts of the history of the building at the affected property and explained the underlying basis for the relief sought: that the property is located at the Southeast corner of La Salle and Huron Streets; that there

APPROVED AS TO SUBSTANCE

CHAIRMAN

currently exists a shell of a 17 story building which stands uncompleted both internally and externally; previous developer ran out of financing, was unable to secure new additional financing and consequently abandoned the project; that title passed to the Applicant earlier this year; that the Applicant has developed its plans for the building altering use to a full service hotel; that a variance is sought to allow for internal non-accessory parking; and

WHEREAS, Mr. David Jennerjahn testified in support of the application; that he is the architect for this project; his credentials as an expert were acknowledged by the Board; that the garage has been re-designed to promote pedestrian safety and comfort in that a single egress/ingress point now exists onto La Salle Street; that it is now designed to comply with all CDOT regulations for pedestrian safety; the garage is well lit with ample way-finding signage; all Code required safety devices are present; and

WHEREAS, Mr. Sarang Peruri testified in support of the application; that he is the Senior Director of Acquisitions and Development of the owner/applicant, Oxford Property Group; that non-accessory parking is essential for the business plan to work to facilitate the development of the vacant unfinished building shell that has existed for in excess of five years; that the Applicant owns the hotel next door to the affected premises which does not have any parking and the proposed non accessory parking will be utilized to reduce the parking burden on the neighborhood by accommodating guests' parking from that hotel in addition to the hotel on the affected premises; that the Applicant's research and published studies indicate that 10 – 15% of guests at the proposed hotel will arrive in their own cars needing parking spaces leaving ample parking to be utilized by the guests at the neighboring hotel, employees, and transient parkers; that the Applicant acquired a non-viable project resulting in the current business plan for the unfinished construction; that the variance is sought not to just make money but to facilitate the basic viability of the proposed project; that the Applicant did not create this situation, only acquired the property and seeks to complete the building to remove an eyesore; that the uncompleted building shell requires many additional expenditures necessary for the viability of the project including, but not limited to, remediation of existing work and redesign of many building systems; and

WHEREAS, Mr. Paul Woznicki testified in support of the application; his credentials as an expert were acknowledged by the Board; his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application and he testified to certain pertinent highlights: parking in the surrounding area is very limited and there is a great need for new and additional parking options for the area's visitors and residents, additional parking is especially needed in the evenings in the surrounding area, statistically the neighborhood is growing and becoming more densely populated and will need even more parking in the future; that only five other parking lots exist in the immediate vicinity of the affected premises supplying 415 parking spots for 76,000+ residents; that the building shell already exists and will be unaltered if the variance is granted, therefore the building will maintain the character of the neighborhood as it is currently sandwiched between two buildings each of which are roughly the same height as the building on the affected premises; and

WHEREAS, the applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0905 A 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; and

WHEREAS, Mr. Don Lydon testified in opposition to the application; Mr. Lydon initially made a Motion for a continuance of the Hearing on the matter to have time to hire counsel and to review the Applicant's documentation in greater depth; in his principle testimony he stated that he is a resident of the neighborhood but does not live within 250 feet of the affected premises; that, in his opinion, the Applicant did not adequately establish a hardship exists and that Applicant's plan has "too many parking spaces" for accessory parking; and

WHEREAS, Mr. Mark Thompson testified in opposition to the application; he stated that he is a local resident but lives outside the 250 foot notice area; that, in his opinion, the Applicant is in the wrong venue and should seek to amend the Zoning Ordinance rather than seek a variance; he believes that the neighborhood is being subjected to a "bait & switch" in that the building shell was originally constructed for a purpose other than that currently proposed; that there currently exists "too much valet parking" in the area and that the Applicant should save parking spaces for its own hotel needs; 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 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 Objectors' Motion for a continuance of the hearing was denied as both objectors live outside the notice area and therefore do not have a right to such a continuance, and as a continuance in such circumstances is in the discretion of the Board, as notice was posted and published, as the Applicant was ready to proceed, and as the Applicant has made its documentation available to the Objectors, the Board did not in its discretion grant a continuance of the matter.
3. The Board finds that the applicant has proved a prime facie case by testimony and evidence covering the five specific criteria of 17-13-905-A. (1) it complies with all applicable standards of the Zoning ordinance; (2) evidence was presented that the use will not cause substantial injury to the value of other property in the neighborhood in that the building shell already exists and will not be altered if the special use is granted, and it will be beneficial to the surrounding area in that additional parking will be a boon for the

neighborhood; (3) the proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design in that the structure is already built and externally is consistent with the surrounding buildings; (4) the non accessory use of the garage has been planned pursuant to Code, CDOT regulations and testimony has established that evening parking is needed in the surrounding area; (5) is designed to promote pedestrian safety and comfort in that parking is needed in the area to accommodate visitors and residents and that the additional parking will reduce the extensive valet use of existing street parking, as testified to by the Objectors.

4. That a hardship exists was established by the Applicant in that the completion of the building requires extensive modifications and will only be economically viable with the addition of non-accessory parking and such hardship not created by the Applicant.

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

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



AUG 21 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Oxford Huron Hotel Venture Property Co.

APPLICANT

231-12-Z

CALENDAR NUMBER

127 West Huron Street

PREMISES AFFECTED

July 20, 2012

MINUTES OF MEETING

Andrew Scott, Dykema Gossett PLLC
APPEARANCE FOR APPLICANT

Don Lydon, Mark Thompson
OBJECTORS

NATURE OF REQUEST

Application for a variation to permit a 10% increase in the Floor Area Ratio ("FAR") of 7.0 for an increase of 14,231.48 sq. ft. for a non-accessory parking garage within a 17-story hotel shell building.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 July 20, 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, Andrew Scott, counsel for the Applicant, submitted these documents as exhibits and they were introduced into the record: (a) CV of David R. Jennerjahn, (b) Biography of Sarang Peruri, (c) Letter of Support from Moris Kricheli on behalf of the 156 W. Superior Condo Association, (d) Paul Woznicki's Planner's Report and Zoning Analysis including CV; and

WHEREAS, Counsel Scott summarized the facts of the history of the building at the affected property and explained the underlying basis for the relief sought: that the

APPROVED AS TO SUBSTANCE

CHAIRMAN

property is located at the Southeast corner of La Salle and Huron Streets; that there currently exists a shell of a 17 story building which stands uncompleted both internally and externally; previous developer ran out of financing, was unable to secure new additional financing and consequently abandoned the project; that title passed to the Applicant earlier this year; that the Applicant has developed its plans for the building altering use to a full service hotel; that a variation is sought to allow for and 10% increase in FAR from 7.0 to 7.7 to allow for non-accessory parking within the building; and

WHEREAS, Mr. David Jennerjahn testified in support of the application; that he is the architect for this project; his credentials as an expert were acknowledged by the Board; that the garage has been re-designed to promote pedestrian safety and comfort in that a single egress/ingress point now exists onto La Salle Street; that it is now designed to comply with all CDOT regulations for pedestrian safety; the garage is well lit with ample way-finding signage; all Code required safety devices are present; that the reallocation of building space for parking will not in any way alter the currently existing outer dimensions of the existing building; that other alterations to the building from the originally constructed plan such as a traditional hotel check-in lobby, elevators beyond the garage, and completion of the building shell have required redistribution of the available FAR; and

WHEREAS, Mr. Sarang Peruri testified in support of the application; that he is the Senior Director of Acquisitions and Development of the owner/applicant, Oxford Property Group; that non-accessory parking is essential for the business plan to work to facilitate the development of the vacant unfinished building shell that has existed for in excess of five years; that the Applicant owns the hotel next door to the affected premises which does not have any parking and the proposed non accessory parking will be utilized to reduce the parking burden on the neighborhood by accommodating guests' parking from that hotel in addition to the hotel on the affected premises; that the Applicant's research and published studies indicate that 10 – 15% of guests at the proposed hotel will arrive in their own cars needing parking spaces leaving ample parking to be utilized by the guests at the neighboring hotel, employees, and transient parkers; that the Applicant acquired a non-viable project resulting in the current business plan for the unfinished construction; that the variance is sought not to just make money but to facilitate the basic viability of the proposed project; that the Applicant did not create this situation, only acquired the property and seeks to complete the building to remove an eyesore; that the uncompleted building shell requires many additional expenditures necessary for the viability of the project including, but not limited to, remediation of existing work and redesign of many building systems; and

WHEREAS, Mr. Paul Woznicki testified in support of the application; his credentials as an expert were acknowledged by the Board; his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application and he testified to certain pertinent highlights: parking in the surrounding area is very limited and there is a great need for new and additional parking options for the area's visitors and residents, additional parking is especially needed in the evenings in the surrounding area, statistically the neighborhood is growing and becoming more densely

populated and will need even more parking in the future; that only five other parking lots exist in the immediate vicinity of the affected premises supplying 415 parking spots for 76,000+ residents; that the building shell already exists and will be unaltered if the variance is granted, therefore the building will maintain the character of the neighborhood as it is currently sandwiched between two buildings each of which are roughly the same height as the building on the affected premises; and

WHEREAS, 17-13-1101-H of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation allowing up to a 10% increase in the maximum gross floor area of any commercial establishment; and

WHEREAS, the applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0905 A 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; and

WHEREAS, Mr. Don Lydon testified in opposition to the application; Mr. Lydon initially made a Motion for a continuance of the Hearing on the matter to have time to hire counsel and to review the Applicant's documentation in greater depth; in his principle testimony he stated that he is a resident of the neighborhood but does not live within 250 feet of the affected premises; that, in his opinion, the Applicant did not adequately establish a hardship exists and that Applicant's plan has "too many parking spaces" for accessory parking; and

WHEREAS, Mr. Mark Thompson testified in opposition to the application; he stated that he is a local resident but lives outside the 250 foot notice area; that, in his opinion, the Applicant is in the wrong venue and should seek to amend the Zoning Ordinance rather than seek a variance; he believes that the neighborhood is being subjected to a "bait & switch" in that the building shell was originally constructed for a purpose other than that currently proposed; that there currently exists "too much valet parking" in the area and that the Applicant should save parking spaces for its own hotel needs; 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 Objectors' Motion for a continuance of the hearing was denied as both objectors live outside the notice area and therefore do not have a right to such a continuance, and consequently as a continuance in such circumstances is in the discretion of the Board, as

notice was posted and published, as the Applicant was ready to proceed, and as the Applicant has made its documentation available to the Objectors, the Board did not in its discretion grant a continuance of the matter.

3. The Board finds that the applicant has proved a prime facie case by testimony and evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create particular hardships for the subject property, and the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.
4. The Board finds that pursuant to 17-13-1107-B that hardships exist was established by the Applicant (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance in that it is not viable to use the parking spaces only as accessory parking in that only 10 – 15% of hotel guests will need such parking and that other users can utilize the parking thereby yielding a reasonable return, (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property in that the unfinished shell of a building constitutes a unique set of circumstances dissimilar to other similarly situated buildings in the zoning district, and (3) the variation, will not alter the essential character of the neighborhood in that the shell will not be altered and the shell already is consistent in size and appearance with the surrounding area.
5. The Board finds that the applicant has proved a prime facie case by testimony and evidence covering the six specific criteria of 17-13-1107-C and recognizes that sufficient evidence has been presented substantiating the following facts: (a) re-purposing the existing building shell will result in a particular hardship upon the Applicant as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out, (b) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification in that Applicant is attempting to complete an unfinished building, (c) the purpose of the variation is not based exclusively upon a desire to make more money out of the property but also to complete a structure that has sat vacant and uncompleted for five years, (d) the alleged practical hardship has not been created by any person presently having an interest in the property, (e) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located, in fact by completing the structure and eliminating the existing eyesore will be advantageous to the residents and property values in the neighborhood, (f) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public *streets*, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood in that the existing building shell will not be altered.

RESOLVED, the Board finds that the applicant has proved a prime facie case by testimony and evidence covering the specific criteria of Section 17-13-1107 of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid application for a variation 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).

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

APPLICANT: Brigid Pasulka & William Coffey

CAL NO.: 232-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 2720 W. Windsor Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required front setback from 20' to zero, to allow parking within 20' of the front setback located in the front of a 2-story single-family residence with the existing attached garage converted into habitable space.

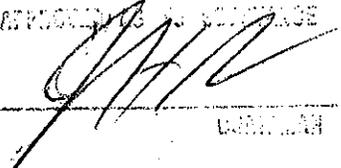
ACTION OF BOARD-
CASE CONTINUED TO SEPTEMBER 21, 2012

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

RECEIVED BY J. SCHWABE

LORIAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



OCT 05 2012

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

EZPAWN Inc.

APPLICANT

233-12-S

CALENDAR NUMBER

5454 West Belmont Avenue

PREMISES AFFECTED

July 20, 2012

MINUTES OF MEETING

Amy Kurson

APPEARANCE FOR APPLICANT

Objectors

APPEARANCE AGAINST APPLICATION

NATURE OF REQUEST

Application for a special use permit for the establishment of a proposed pawn shop.

ACTION OF BOARD

THE VOTE

The application for special use is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynette Santiago	<input type="checkbox"/>	<input checked="" 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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012, after due notice thereof as provided under MCC Section 17-13-0107B and by publication in the Chicago Sun Times; and

WHEREAS, Eric Garmand testified in support of the application and in that testimony he stated that he is a regional manager of the applicant; that the applicant corporation both makes loan using property for collateral as well as buys and sells merchandize from its locations; that the applicant will invest over \$300,000.00 in the premises and that the property's owner will invest an additional \$60,000.00; that the applicant maintains pawnshops throughout the country; and that many security measures are in place to deter theft and fencing of stolen goods in the applicant's pawn shops; and

WHEREAS, Mr. Terry O'Brien testified in support of the application; Mr. O'Brien stated that he is an appraiser and his credentials as an expert were acknowledged by the Board; he stated that he examined the area for his analysis and ranged over a mile in each

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 8 East Ninth, LLC

CAL NO.: 234-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 1-8 E. 9th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval to allow leasing of 45% of the required 238 parking spaces for non-occupants, within a mix-use 248 dwelling unit building with accessory parking garage which will provide 107 spaces.

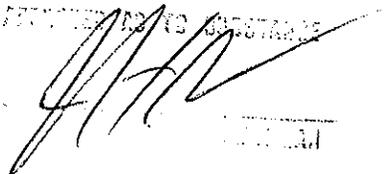
ACTION OF BOARD-
CASE CONTINUED TO SEPTEMBER 21, 2012

THE VOTE

FEB 1 9 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Madison Aberdeen Partners LLC **CAL NO.:** 235-12-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:** July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 18-26 N. Aberdeen

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval to permit a residential use below the second floor of a proposed four-story 54 dwelling unit building.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

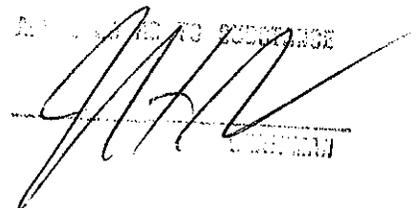
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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 residential use below the second floor of a proposed four-story 54 dwelling unit building; 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 development must be constructed consistent with the site plan dated June 4, 2012 and the building elevations dated June 18, 2012 by Iuro & Associates. .

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

APPROVED TO SUBMIT

SECRETARY

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

APPLICANT: Madison Aberdeen Partners, LLC

CAL NO.: 236-12-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 18-26 N. Aberdeen

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required rear yard from 30' to zero, for a 4-story 54 dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

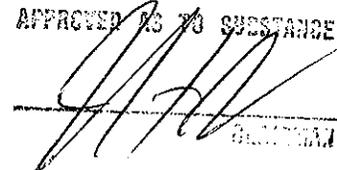
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 2012 and

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 subject site to establish residential use below the second floor (Cal. No. 235-12-S); the applicant shall now be permitted to reduce the rear yard to zero to construct the 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



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

APPLICANT: Bottles and Cans, LLC

CAL NO.: 237-12-S

APPEARANCE FOR: Thomas Murphy

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4109 N. Lincoln Avenue, Unit 1

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

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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 July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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 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 retail liquor store .

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

APPROVED AS TO SUBSTANCE
[Signature]
S. CLARK

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

APPLICANT: Marta Bryand **CAL NO.:** 238-12-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2834 W. Fletcher Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required front setback from 20' to 4.83', reduce the total side yard combination 4.8' with neither less than 2' to 1' for a proposed second floor balcony to a multi-unit residential building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

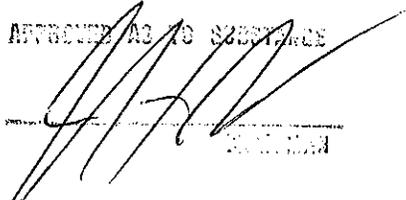
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 setback from 20' to 4.83', reduce the total side yard combination 4.8' with neither less than 2' to 1' for a proposed second floor balcony to a multi-unit residential 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

 SECRETARY

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

APPLICANT: Khadijah John, Duey International, Inc. CAL NO.: 239-12-S

APPEARANCE FOR: MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 219 E. 31st 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-
CASE CONTINUED TO SEPTEMBER 21, 2012

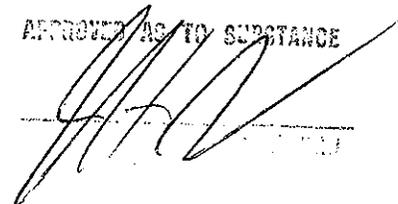
THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



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

APPLICANT: Smith & Davis, Inc.

CAL NO.: 240-12-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 735 W. Wrightwood Avenue

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

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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 July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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; 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: Andre P. Anthony Barber Salon, P.C. **CAL NO.:** 241-12-S
APPEARANCE FOR: Avni Shah **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3953 S. Martin Luther King Drive

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval to expand an existing barber salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

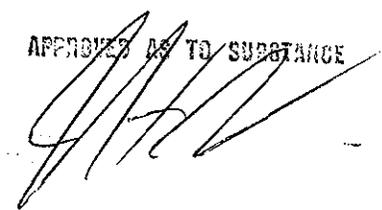
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 2012; and

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 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; 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 expansion of the existing barber shop.

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: Mercedes Rodriquez
 dba: Rosario's Hair Care Corp.
APPEARANCE FOR: Same
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5649 W. Belmont Avenue

CAL NO.: 242-12-S
MINUTES OF MEETING:
 July 20, 2012

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

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

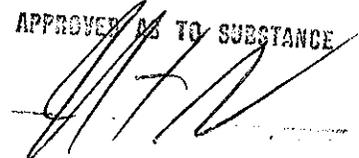
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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; 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: Kendav LLC d/b/a Massage Envy Spa CAL NO.: 243-12-S

APPEARANCE FOR: Thomas Moore MINUTES OF MEETING: July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3718 N. Southport

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

ACTION OF BOARD- APPLICATION APPROVED

THE VOTE

FEB 19 2013 CITY OF CHICAGO ZONING BOARD OF APPEALS

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

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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; 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

Handwritten signature of the Zoning Administrator.

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

APPLICANT: Ismael Acuria **CAL NO.:** 244-12-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2224 S. California Avenue

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/ beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

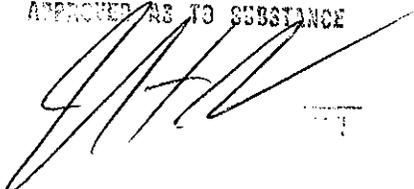
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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/ 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; 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 / 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: Trianon Inc. **CAL NO.:** 245-12-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 651 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 a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

THE RESOLUTION:

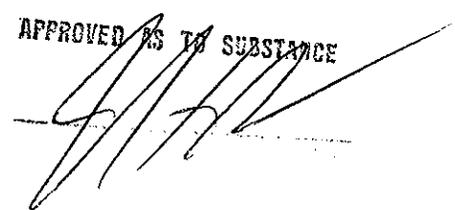
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 2012; and

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; 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: Lisalda Rosado **CAL NO.:** 246-12-S
APPEARANCE FOR: Same **MINUTES OF MEETING:** July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2824 W. Diversey Avenue

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

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

THE RESOLUTION:

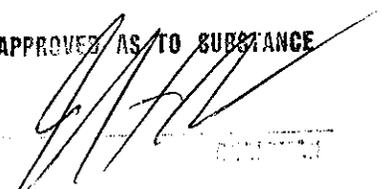
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 2012; and

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



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

APPLICANT: Donald Walker

CAL NO.: 247-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 122 E. 47th 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-
CASE CONTINUED TO AUGUST 17, 2012

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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: Vince Felice **CAL NO.:** 248-12-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 613 N. Christiana

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required total combined side yards from 4.8' to 3.79' with neither less than 2' with a zero south side yard for a rear one and two-story addition to an existing two-story single-family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 LORI HEALEY
 LYNETTE SANTIAGO
 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 July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 combined side yards from 4.8' to 3.79' with neither less than 2' with a zero south side yard for a rear one and two-story addition to an existing two-story 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 BY THE BOARD


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

APPLICANT: East Eighth Street Associates, LLC

CAL NO.: 249-12-S

APPEARANCE FOR:

MINUTES OF MEETING:

July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 2 East 8th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a non-accessory parking lot (204 total spaces).

ACTION OF BOARD-

CASE CONTINUED TO SEPTEMBER 21, 2012

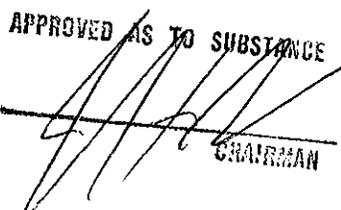
(then continued to November 16, 2012) THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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: Hale 101 LLC

CAL NO.: 250-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 14 N. Peoria Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of artist live/work space on the ground floor of an existing 45 dwelling unit and 7-story office/commercial building. (Applicant is required to provide one parking space to serve the new ground floor unit).

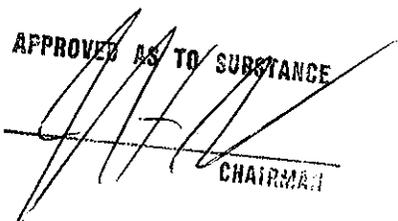
ACTION OF BOARD-
CASE CONTINUED TO SEPTEMBER 21, 2012

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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: Keith Fenceroy **CAL NO.:** 251-12-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2722 N. Marshfield Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to exceed the floor area ratio limits for a proposed rear L-shaped third floor rear addition (268 square feet) not to exceed the 15% of the existing floor area (3,014 square feet) to an existing three-story single-family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

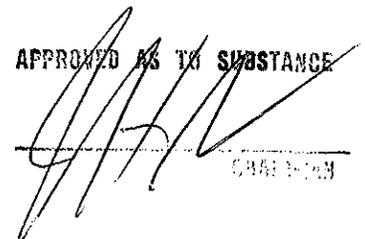
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 exceed the floor area ratio limits for a proposed rear L-shaped third floor rear addition (268 square feet) not to exceed the 15% of the existing floor area (3,014 square feet) to an existing three-story 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
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



AUG 21 2012

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Tice, Inc d/b/a Standard Bar & Grill

APPLICANT

252-12-Z

CALENDAR NUMBER

1332 North Milwaukee Avenue

PREMISES AFFECTED

July 20, 2012

MINUTES OF MEETING

Patrick Thompson, Burke, Warren, McCay & Serritella

APPEARANCE FOR APPLICANT

Harold Elgazar

OBJECTOR

NATURE OF REQUEST

Application for a variation to permit the establishment of a proposed public place of amusement license for an existing restaurant located within 125 feet of a residential zoning district.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Healey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 July 20, 2012, after due notice thereof as provided under MCC Section 17-13-0107 B and by publication in the Chicago Sun Times; and

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

WHEREAS, Patrick Thompson, counsel for the Applicant, summarized the Applicant's case and submitted a Letter of Support from Alderman Moreno; and

WHEREAS, Counsel Thompson summarized the facts that the Applicant is seeking a variation to allow an existing restaurant to have a Public Place of Amusement License pursuant to Section 17-3-301, pursuant to Section 17-13-1101(m) of the Chicago Zoning Ordinance in that the restaurant is located within 125 feet of a residential zone; and

APPROVED AS TO SUBSTANCE

CHAIRMAN

WHEREAS, Mr. Randy Roginski testified in support of the application; that he has been in the bar and restaurant business for 12 years and has owned and operated 6 restaurants and currently maintains 3 locations; that he has owned and operated the restaurant at the affected premises for over a year and a half; that 16 other restaurants and bars, considered competitors, exist in the immediate area around the Applicant's restaurant each of which has a Public Place of Amusement ("PPA") license; a map was introduced into evidence and marked as Exhibit A which depicts the locations and close proximity of those competing restaurants is the architect for this project; and

WHEREAS, Mr. Terrance O'Brien testified in support of the application; that he is a licensed appraiser; that he has prepared a report which was introduced into evidence and marked as Exhibit C; that within 3 blocks of the subject location 8 restaurants and bars have PPA licenses, and that without the variation allowing the Applicant to have a PPA license it will not be viable as it will not be able to compete with the surrounding bars and restaurants that have PPA licenses and, therefore, will not be able to generate a reasonable rate of return; that the granting of the variation and resultant PPA license will not alter the character of the surrounding area as the strip on Milwaukee avenue is already an entertainment district; the Applicant's restaurant is unique and has unique circumstances, as do all business establishments; the granting of the variation will not be injurious to the public welfare in that the area is primarily commercial retail and entertainment and with the variation the Applicant's restaurant will be conforming with the general character of the neighborhood; and

WHEREAS, the applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0905 A 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; and

WHEREAS, Mr. Harold Algazar testified in opposition to the application; Mr. Algazar stated that he owns and operates the apartment building immediately adjacent to the Applicant's restaurant; that he has submitted written objections to the granting of the variation; his objections were summarized as follows: the intended use is inconsistent with the Zoning Ordinance, will impair the objector's property value, any difficulty of the Applicant is not attributable to any unique circumstances; 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 17-13-1107A through C of the Chicago Zoning Ordinance.

2. The Board finds that the applicant has proved a prime facie case by testimony and evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create particular hardships for the subject property, and the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.

3. The Board finds that pursuant to 17-13-1107 B that hardships exist was established by the Applicant (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance in that it is not viable to operate the subject restaurant without the PPA license that will be obtained pursuant to the variation being granted, (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property in this restaurant at this location presents unique circumstances and cannot compete with other similarly situated businesses, and (3) the variation will not alter the essential character of the neighborhood in that the restaurant is already consistent in size and appearance with the businesses in the surrounding area.

4. The Board finds that the applicant has proved a prime facie case by testimony and evidence covering the six specific criteria of 17-13-1107 C and recognizes that sufficient evidence has been presented substantiating the facts upon which the board has based its decision.

RESOLVED, the Board finds that the applicant has proved a prime facie case by testimony and evidence covering the specific criteria of Section 17-13-1107 of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid application for a variation 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).

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

APPLICANT: Jean Kurji of Giovar Designs

CAL NO.: 253-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 21 N. Wabash Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a valuable objects dealer license.

ACTION OF BOARD-
CASE CONTINUED TO SEPTEMBER 21, 2012

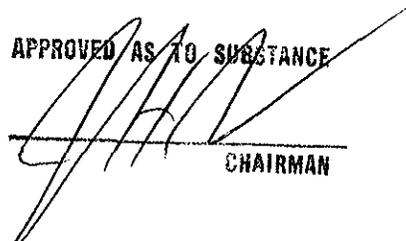
THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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: 3939 JAM Ventures, LLC

CAL NO.: 254-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 3939 S. Karlov Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of an adult entertainment cabaret.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 17, 2012

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED BY THE BOARD

CITY CLERK

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

APPLICANT: Park Place Garage LLC

CAL NO.: 255-12-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3115 N. Broadway Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a non- accessory parking garage located in a pedestrian retail district.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

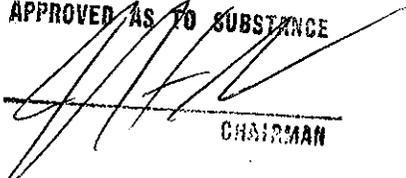
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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 non-accessory parking garage which shall be located in a pedestrian retail district; 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; 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 non-accessory parking garage.

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: Lawndale Christian Health Center **CAL NO.:** 256-12-S
APPEARANCE FOR: Bruce Miller **MINUTES OF MEETING:** July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3824 W. Ogden Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval f to convert an existing two-story commercial building into a community center.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

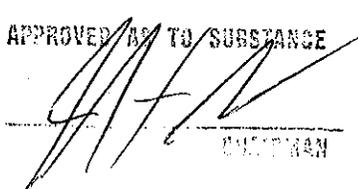
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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 community center 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 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 community center, provided the development is constructed consistent with the site plan and building elevations dated December 16, 2011 by McBride Kelley Baurer Architects / Planners..

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

APPROVED AS TO SUBSTANCE

 CHIEF CLERK

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

APPLICANT: Phillip Kain **CAL NO.:** 257-12-Z
APPEARANCE FOR: Lawrence Lusk **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3446 N. Leavitt Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required total combined side yard combination from 5' to 2.96', with neither less than 2' with a zero north side yard and to exceed the floor area ratio by no more than 15% (431 square feet) for a proposed rear three-story addition to an existing three-story two dwelling unit building to be de-converted to single-family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

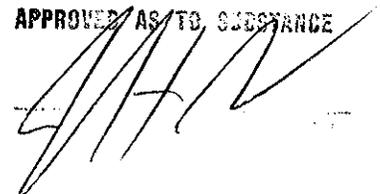
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 combined side yard combination to 2.96', with neither less than 2' with a zero north side yard and to exceed the floor area ratio by no more than 15% (431 square feet) for a proposed rear three-story addition to an existing three-story two dwelling unit building to be de-converted to 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


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

APPLICANT: Sandy's Restaurant & Banquette, Inc.

CAL NO.: 258-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 7021 W. Higgins Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to establish a public place of amusement license within an existing restaurant.

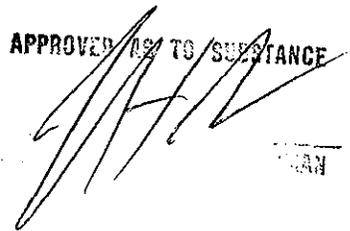
ACTION OF BOARD-
law

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE



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

Sandy's Restaurant & Banquette, Inc.
APPLICANT

258-12-Z
CALENDAR NUMBER

7021 West Higgins Avenue
PREMISES AFFECTED

July 20, 2012
MINUTES OF MEETING

Slavoljub Damjanovic
APPLICANT

Jack Carroll
OBJECTOR

NATURE OF REQUEST

Application for a variation to permit the establishment of a proposed public place of amusement license for an existing restaurant located within 125 feet of a residential zoning district.

ACTION OF BOARD

THE VOTE

The application for a variation is approved subject to the condition that a security guard or other personnel must be present on the exterior of the premises to insure that exiting customers do not engage in disruptive behavior.

	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 July 20, 2012, after due notice thereof as provided under MCC Section 17-13-0107 B and by publication in the Chicago Sun Times; and

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

WHEREAS, Mr. Slavoljub Damjanovic testified in support of the application; that he has been an owner of the restaurant at this location (the "Subject Premises") for over

APPROVED AS TO SUBSTANCE

CHAIRMAN

seven years and that in conjunction with the banquet part of his business that it would be helpful to have a public place of amusement license which would allow activities that would facilitate additional business; and

WHEREAS, the applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0905 A 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; and

WHEREAS, Mr. Jack Carroll testified in opposition to the application; Mr. Carroll stated that he lives down the block and across the street from the Subject Premises; his objections were that previous owners allowed customers to be loud, disruptive especially after closing and that he fears that the grant of a variation allowing for a PPA license will result in more of the same disruptive behavior; 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 17-13-1107A through C of the Chicago Zoning Ordinance.
2. The Board finds that the applicant has proved a prime facie case by testimony and evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create particular hardships for the subject property, and the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.
3. The Board finds that pursuant to 17-13-1107 B that hardships exist was established by the Applicant (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance in that it is not viable to operate the subject restaurant without the PPA license that will be obtained pursuant to the variation being granted, (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property in this restaurant at this location presents unique circumstances and cannot compete with other similarly situated businesses, and (3) the variation will not alter the essential character of the neighborhood in that the restaurant is already consistent in size and appearance with the businesses in the surrounding area.
4. The Board finds that the applicant has proved a prime facie case by testimony and evidence covering the six specific criteria of 17-13-1107 C and recognizes that sufficient evidence has been presented substantiating the facts upon which the board has based its decision.

5. The Board in granting the variance imposes a condition upon the applicant: some security arrangement, preferably a security guard, must be present on the exterior of the premises, particularly at and immediately after closing time, to insure that customers upon exiting the Subject Premises do not engage in loud and disruptive behavior

RESOLVED, the Board finds that the applicant has proved a prime facie case by testimony and evidence covering the specific criteria of Section 17-13-1107 of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid application for a variation be and it hereby is approved subject to the condition specified above in Section "5." 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: Jennifer and Jeremy Berg

CAL NO.: 259-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 2915 W. Morse Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the east side setback from 4.2' to 2.2' , the west side setback to be 4.9' and to reduce the total side setback combination form the required 12.7' to 6.11' to allow construction of a two-story addition and a front attached garage with to an existing single-family residence.

ACTION OF BOARD-
CASE CONTINUED TO SEPTEMBER 21, 2012

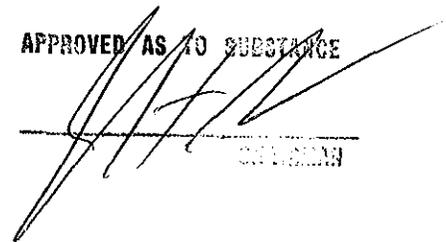
THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE



JONATHAN SWAIN

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

APPLICANT: Keeshin Charter Service, Inc. **CAL NO.:** 260-12-S

APPEARANCE FOR: Chris Leach **MINUTES OF MEETING:**
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4400 S. Racine

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval to expand an existing bus storage facility with accessory repair garage.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

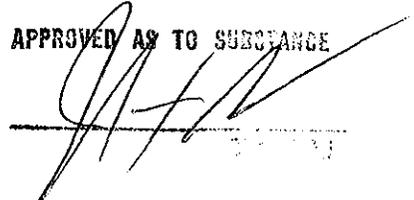
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 2012; and

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 bus storage facility within an accessory repair garage; 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 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 expansion of the existing bus storage facility, provided the development is constructed consistent with the site/ landscape plan and building elevations dated July 20, 2012 by Albazi Architects .

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: Gary Markle CAL NO.: 261-12-Z
APPEARANCE FOR: John Pikarski MINUTES OF MEETING: July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1307 W. 16th 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 four-story single-family residence with an attached garage on an irregular size lot.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show 'X' marks for Jonathan Swain, Gigi McCabe-Miele, Lori Healey, Lynette Santiago, 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 July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 to zero to allow a four-story single-family residence with an attached garage on an irregular size lot; 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]

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

APPLICANT: LHC Operative LLC, dba Lakeshore Sports and Fitness **CAL NO.:** 262-12-S

APPEARANCE FOR: Gary Wigoda

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1320 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of the expansion of an existing special use (addition of paddle ball courts and outdoor use) in a existing four-story with roof deck sport and fitness center.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

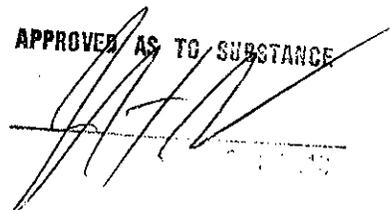
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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 special use with the addition of a paddle ball court and outdoor use which shall be located within an existing four-story building with a roof deck sports and fitness center; 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 sports and recreation facility, provided the development is constructed with the site and landscape plan dated April 25, 2012 by Hammersley Architecture.

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:

James Andersen

CAL NO.: 263-12-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED:

2317 S. Leavitt Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval to permit the expansion of a special use for an existing two-story single-family residence for two rear one-story additions and a rear second floor addition for addition.

ACTION OF BOARD-

CASE CONTINUED TO AUGUST 17, 2012

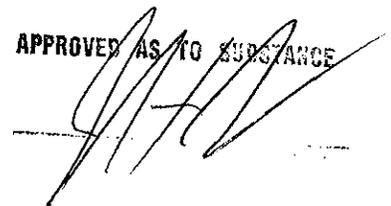
THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



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

APPLICANT: Imtiyaza Lakada CAL NO.: 264-12-Z
APPEARANCE FOR: Same MINUTES OF MEETING: July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6150 N. Harding 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 19.06' to 18.10', reduce the 4' north side yard setback to 3' and the 4' south side setback to 2.96', reduce the total side setback combination from 9' to 5.96' and increase the floor area ratio from .65 to .75 for a proposed second floor addition to an existing one-story single-family residence.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show votes for Jonathan Swain, Gigi McCabe-Miele, Lori Healey, Lynette Santiago, and Sam Toia, all marked with an 'X' in the Affirmative column.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 to 18.10', reduce the north side yard setback to 3' and the south side setback to 2.96', reduce the total side setback combination to 5.96' and increase the floor area ratio from .65 to .75 for a proposed second floor addition to an existing one-story 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

Handwritten signature over the 'APPROVED AS TO SUBSTANCE' stamp.

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

APPLICANT: Tiffany Graham **CAL NO.:** 265-12-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 10700-10720 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 an accessory off-site parking lot (total 4 spaces) to new day care center located at 10652 S. Michigan Avenue.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

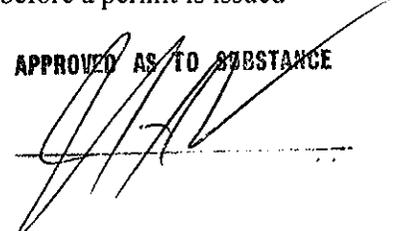
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 2012; and

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 accessory off-site parking (4 spaces) which shall be located in an existing parking lot and will serve a new day care facility which shall be located at 10652 S. Michigan Avenue; 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 accessory off-site parking spaces. .

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: Radiance Fine Jewelry, Inc. **CAL NO.:** 266-12-S
APPEARANCE FOR: Avni Shah **MINUTES OF MEETING:** July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2139 N. Damen Avenue, Unit C-1

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a secondhand/valuable objects facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
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X		
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X		

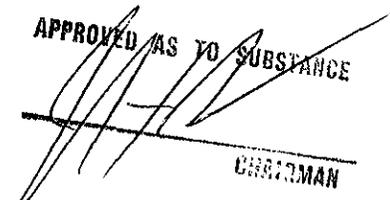
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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 secondhand / valuable objects dealers license; 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 valuable objects dealers license.

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: 6752 S. Michigan Holdings LLC **CAL NO.:** 267-12-Z
APPEARANCE FOR: Michel Ruiz **MINUTES OF MEETING:** July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6752-58 S. Michigan Ave.

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 20' to zero and the required north and south side yard setbacks from 8' to zero, and reduce the required combined side yard setback from 20' to zero to allow a 8' x 250 liner feet iron fence.

**ACTION OF BOARD-
 VARIATION GRANTED**

FEB 19 2013

THE VOTE

CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

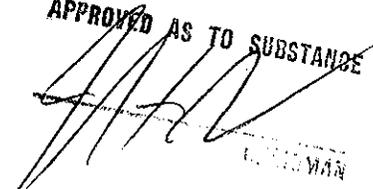
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 an 8' high wrought iron fence which would require the front setback to be reduced to zero, the north and south setback to zero and the combined side yard setback to be zero to allow a 250 liner foot iron fence that shall not exceed 8' in height; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 JONATHAN SWAIN

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

APPLICANT: Ryan Muldoon

CAL NO.: 268-12-Z

APPEARANCE FOR: John P. Brady

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 9216 S. Winchester Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required total combined side yards from 15' ,with neither less than 5' to 9.15' with a 4' north side yard and a 5.15' south side yard. Also proposing a rear two-story addition with basement and a south end addition to an existing two-story single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

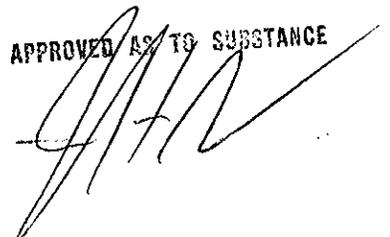
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2011, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 30, 2011 and

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 combined side yards to 9.15' with a 4' north side yard and a 5.15' south side yard also proposing a rear two-story addition with basement and a south end addition to an existing two-story 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



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

APPLICANT: Brito's Inc. dba La Concordia

CAL NO.: 269-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 3724 W. Montrose

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a public place of amusement license.

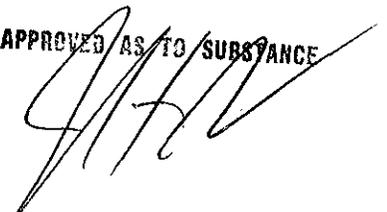
**ACTION OF BOARD-
CASE CONTINUED TO**

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



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

APPLICANT: Brito's Inc. dba La Concordia

CAL NO.: 269-12-Z

APPEARANCE FOR:

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST:

PREMISES AFFECTED: 3724 W. Montrose

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a public place of amusement license.

ACTION OF BOARD-

THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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: Christopher E. Roehm

CAL NO.: 270-12-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 640 W. Drummond Place

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the west side setback from 2' to 8" and to reduce the total side setback combination from the required 5' to 3' -8" to allow construction of a attached rear mudroom, rear attached enclosed stair, rear attached 2 car garage to a three-story single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

FEB 19 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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 July 15, 2011, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 30, 2011 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 west side setback to 8" and to reduce the total side setback combination to 3' -8" to allow construction of a attached rear mudroom, rear attached enclosed stair, rear attached 2 car garage to a three-story 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: Mike Bero **CAL NO.:** 271-12-Z

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
July 20, 2012

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1948 N. Cleveland

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the north and south side setbacks from the minimum 2' to zero and to reduce the total side setback combination from 5' to zero to allow construction of a new rear three-story open porch to a residential building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

FEB 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

THE RESOLUTION:

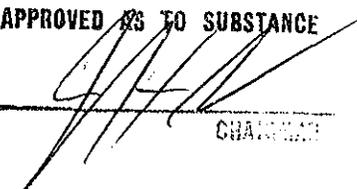
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 2012 and

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 north and south side setbacks from the minimum 2' to zero and to reduce the total side setback combination from 5' to zero to allow construction of a new rear three-story open porch to a residential 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

APPLICANT: John and Karen Herbst **CAL NO.:** 272-12-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:** July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1832 W. Rice Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required total combined side yards from 7.5" with neither less than 3' to 3.33', with an existing .33' west side yard and a proposed 3' east side yard and to reduce the required front setback from 20' to 17' for a proposed rear and side addition

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

FEB 19 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 LORI HEALEY
 LYNETTE SANTIAGO
 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 July 20, 2012, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 5, 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 combined side yards from 7.5" with neither less than 3' to 3.33', with an existing .33' west side yard and a proposed 3' east side yard and to reduce the required front setback from 20' to 17' for a proposed rear and side addition; 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]

 SECRETARY

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

APPLICANT: AB Partners, Inc. CAL NO.: 273-12-S
APPEARANCE FOR: James Banks MINUTES OF MEETING:
July 20, 2012
APPEARANCE AGAINST: None
PREMISES AFFECTED: 11100 S. State Street/ 7 W. 111th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the expansion of an existing gas station with a one-story addition.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

FEB 18 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
LORI HEALEY
LYNETTE SANTIAGO
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 July 20, 2012 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 5, 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 gas station with a one story addition; 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 gas station, provided the development is constructed consistent with the site and landscape plan dated July 18, 2012 and building elevations dated April 27, 2012 by Eduardo Proenza..

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

APPROVED AS TO SUBSTANCE

