

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 27 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Chicago Chop Shop, LLC
APPLICANT

117-13-S
CALENDAR NUMBER

2033 W. North Avenue
PREMISES AFFECTED

May, 17 2013
MINUTES OF MEETING

Rolando R. Acosta
APPEARANCE FOR APPLICANT

Nicholas Sommers
OBJECTOR

NATURE OF REQUEST

Application for a special use to permit the establishment of a proposed rooftop patio to serve a restaurant.

ACTION OF BOARD

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy Martinez-Faye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Rolando R. Acosta, counsel for the Applicant, summarized the facts of the history of the building at the affected property and explained the underlying basis for the relief sought; that there currently exists a building on the subject property; that the Applicant is renovating the building for a restaurant; that the Applicant requests a special use permit to establish a rooftop patio for this restaurant; and

WHEREAS, Mr. Nicholas Moretti testified in support of the application; that he is one of the Applicant's four partners; that two of the Applicant's partners have substantial experience in the butchering and restaurant industry; that the Applicant intends to use the existing building to house a butcher shop and restaurant; that the current building has a

APPROVED AS TO SUBSTANCE

CHAIRMAN

two-story section in the front portion; that the Applicant plans to raise the elevation of the rear portion of the building; that the proposed outdoor rooftop patio would be located between the front two-story section and the rear elevated portion; that the proposed rooftop patio would therefore be located on the second-story of the building; that the proposed rooftop patio would have walls on all four sides but have no roof; that the Applicant intends to operate both the restaurant and the proposed rooftop patio in compliance with all the rules and regulations of the City of Chicago and other applicable laws; and

WHEREAS, Mr. Sebastian Obrescu testified in support of the application; that he is the architect for the project; that he has designed the project to comply with all applicable codes, including the Chicago Building Code; that he has received a building permit for the project, excluding the proposed special use; that the project is currently under construction, excluding the proposed special use; and

WHEREAS, Mr. Peter Paulos testified in support of the application; his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has reviewed the subject property as well as the surrounding area; that he had prepared a report on the subject property; that his report on the subject property was submitted to and accepted by the Board; that his report fully addresses all the criteria identified in the Zoning Ordinance which must be addressed in support of such an application, and he orally testified to certain pertinent highlights: (1) the proposed special use would not have a significant adverse impact on the general welfare of the neighborhood or community; (2) the proposed special use is consistent with the character of the surrounding area as the subject property is located in a very strong entertainment district with other bars, restaurants, and outdoor patios in the area; (3) the proposed special use would be consistent with the operating characteristics of the surrounding area; (4) as the proposed special use would be accessed through the existing building, there would be no detrimental impact on pedestrian safety and comfort; and

WHEREAS, Mr. Acosta submitted these documents as exhibits, and they were introduced into the record: (a) Letter of Support from the Wicker Park Committee; (b) Letter of Support from the Wicker Park-Bucktown Chamber of Commerce, and (c) Letter of Support from Alderman Joe Moreno; and

WHEREAS, Mr. Acosta summarized the main issue from the community as noise; that in the Wicker Park Committee's Letter of Support, the Committee requested a condition on the proposed special use that noise emanating from the rooftop patio could not exceed the sound of conversation, defined as sixty decibels at 100'; that as this condition mirrors the City's current Noise and Vibration Ordinance, the Applicant is bound by this condition regardless; and

WHEREAS, Mr. Nicholas Sommers testified in opposition to the application; that Mr. Sommers lives at 1558 North Hoyne Avenue; that he is worried because the Applicant has mentioned it will pipe in music to the proposed rooftop patio; that in a one block radius, there are thirteen restaurants and bars, three nightclubs, and several outdoor

patios that already contribute to a high noise level in the area; that he is concerned about the cumulative effect on noise levels if the proposed special use were permitted; that several people at the Wicker Park Committee meeting expressed similar concerns; and

WHEREAS, Mr. Acosta assured the Board that the only music on the proposed rooftop patio would be background music and not live music; that although the Applicant was applying for a Public Place of Amusement license ("PPA"), live entertainment would be limited to the first floor; that the PPA would be an incidental PPA; and

WHEREAS, Mr. Acosta was given leave to recall Mr. Morretti to answer questions raised by the Objector and the Board; that Mr. Moretti further testified that the first floor of the proposed building is not designed to be a concert venue; that he would agree to the condition that the speakers in the outdoor space would not pipe in live music or music driven by a music manager; 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 of the Department of House and Economic Development recommended approval of the application provided that the development is constructed consistent with the floor plan dated May 17, 2013, by Dacre & Youngquist, LLC; therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for a Special Use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;
2. The proposed special use is in the interest of the public convenience as shown by the Letters in Support of the proposed special use and will not have a significant adverse impact on the general welfare of the neighborhood or community;
3. The proposed special use will be located in an existing building and therefore will not change the character of the surrounding area in terms of site planning and building scale and project design;
4. The proposed special use will have similar hours of operation to existing restaurants, bars, and nightclubs in the area and therefore will be 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

5. The proposed special will not impact pedestrian safety and comfort as it will be accessed through the existing building.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit this Special Use subject to the condition that neither live music nor music driven by a music manager be permitted on the outdoor patio, including any music piped in via the outdoor patio's speaker system.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
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TEL: (312) 744-5777



JUN 26 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Feast, Inc. DBA Goddess and Grocer
APPLICANT

149-13-S
CALENDAR NUMBER

1649 N. Damen Avenue
PREMISES AFFECTED

May 17, 2013
MINUTES OF MEETING

Sara Barnes
APPEARANCE FOR APPLICANT

George Blakemore
OBJECTOR

NATURE OF REQUEST

Application for a special use to permit the establishment of an outdoor patio for a retail and accessory restaurant 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"/>
Judy Martinez-Faye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Sara Barnes, counsel for the Applicant, summarized the facts of the history of the building at the affected property and explained the underlying basis for the relief sought; that the subject site is presently improved with a vacant two-story commercial building with an existing outdoor rooftop patio on the front portion of the building; that the Applicant would like to utilize the existing patio to provide seasonal seating for its patrons; that operating a patio above grade in a B3-2 Zoning District requires a special use permit; and

WHEREAS, Ms. Debbie Sharpe testified in support of the application; that she is the owner of the Applicant; that the Applicant currently operates across the street from the

APPROVED AS TO SUBSTANCE

CHAIRMAN

subject property; that due to the Applicant's success at this location, the Applicant has outgrown this space and is relocating to the subject property; that she intends to operate her business on the first floor of the building and provide customer seating on the second floor; that she does not require any additional zoning relief to operate her business at the subject property; that she will operate her business with a packaged goods liquor license; that she will not be obtaining any BYOB or incidental tavern license at the subject property; that liquor will not be permitted on the patio; that she will comply with all provisions of the Outdoor Patio Ordinance; that she will close the outdoor patio at 10:00 PM on weekdays and 11:00 PM on weekends; that she will not have any music speakers on the proposed outdoor patio; and

WHEREAS, Ms. Barnes submitted these documents as exhibits, and they were introduced into the record: (a) Letter of Support from the Bucktown Community Organization; (b) Letter of Support from the Wicker Park Committee; (c) Letter of Support from the Wicker Park-Bucktown Chamber of Commerce; and (d) Letter of Support from Alderman Fioretti; and

WHEREAS, Mr. Paul Woznicki testified in support of the application; his credentials as an expert in real estate appraisal were acknowledged by the Board; Mr. Woznicki testified that he had physically inspected the subject property and its surrounding properties; that his report on the subject property was submitted and accepted 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 orally testified to certain pertinent highlights: (1) the proposed special use is in the interest of the public convenience and would not have a significant adverse impact on the general welfare of the neighborhood or community because it is an existing business that is relocating; (2) the proposed special use is compatible with the character of the surrounding areas in terms of site planning as the Applicant is not modifying the exterior of the existing building; (3) the proposed special use is very much compatible with the character of the surrounding areas in terms of operating characteristics as this portion of North Damen Avenue has forty-two operating businesses, fourteen of which are restaurants and three of which have outdoor patio licenses; and (4) the ingress and egress to the existing building is designed to promote pedestrian safety and comfort; and

WHEREAS, Mr. George Blakemore testified in opposition to the application; Mr. Blackmore testified that he knew nothing negative about the Applicant; that his objection concerned his general uneasiness with buildings owned by limited liability companies; that the Zoning Board of Appeals should make investigations as to any building violations the owner of the building might have; 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 of the Department of Housing and Economic Development recommended approval of the application for the special use provided that the development is constructed consistent with the floor plan dated May 17, 2013; therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for a Special Use:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;
2. The proposed special is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community because it is an existing business that is relocating;
3. The proposed special use will be located in an existing building and therefore will not change the character of the surrounding area in terms of site planning and building scale and project design;
4. The proposed special will have similar hours of operation to existing businesses in the area and therefore will be 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
5. The proposed special not effect pedestrian safety and comfort as it will reuse an existing structure with sufficiently designed egress and ingress.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said Special Use.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

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

APPLICANT: Marillac Social Center

CAL NO.: 155-13-S

APPEARANCE FOR: Chris Leach

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2847-59 W. Jackson Boulevard

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a proposed community center within an existing two-story building with a proposed one-story addition.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 25 2013

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

JONATHAN SWAIN
GIGI McCABE-MIELE
SAM TOIA
JUDY MARTINEZ_FAYE
SHEILA O'GRADY

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

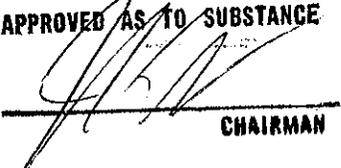
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

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 which shall be located within an existing two story 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 Department of Housing and Economic Development recommends approval of the community center provided the development is constructed consistent with the site/landscape plan and building elevation dated May 17, 2013 by Worn Jerabeck Architects, PC.

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: Marillac Social Center **CAL NO.:** 156-13-S
APPEARANCE FOR: Chris Leach **MINUTES OF MEETING:**
 May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2905-07 W. Jackson Boulevard

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a required accessory off-site parking lot to serve a proposed community center located at 2847-59 W. Jackson Blvd.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	ONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

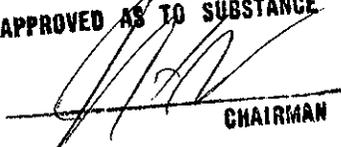
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site parking lot which shall serve the community center that is located at 2847-59 W. Jackson Blvd. (Cal. No.155-13-S); 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 parking lot, provided the development is constructed consistent with the site/landscape plan dated may 17, 2013 by Worn Jerabeck Architects, PC.

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: Marillac Social Center **CAL NO.:** 157-13-Z
APPEARANCE FOR: Chris Leach **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2905-07 W. Jackson Boulevard

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of for shared parking within an existing parking lot to serve a social center located at 212 S. Francisco and a community center located at 2847-59 W. Jackson Boulevard.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
JUN 25 2013	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

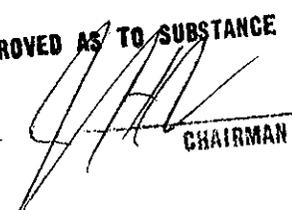
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 and

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 in (Cal. No. 156-13-S) to permit the establishment of an off-site parking lot that shall serve a community center (Cal No.155-13-S); the applicant shall now be permitted to establish shared parking which shall also serve a social center which is located at 212 S. Francisco; 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: Jamar Group Properties, LLC

CAL NO.: 158-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 1753-1757 W. 87th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one-lane drive-through facility for a proposed restaurant within a proposed three-unit commercial building.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 21, 2013

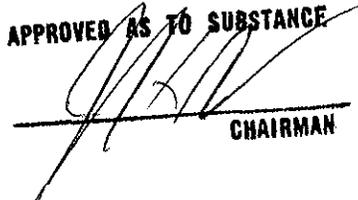
THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

~~JUN 25 2013~~

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: McDonald's Corporation **CAL NO.:** 159-13-S

APPEARANCE FOR: Brandon Calvert **MINUTES OF MEETING:**
May 17, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1657 W. 95th Street

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 drive-through facility to a two-lane drive-through facility to serve an existing restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO	SAM TOIA	RECUSED		
ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

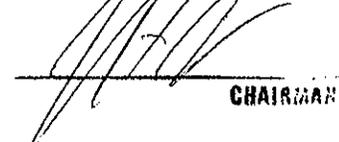
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

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 drive-through with a two lane drive-through which shall serve the existing fast food restaurant; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Housing and Economic Development recommends approval of the drive-through facility provided the development is constructed consistent with the site/ landscape plan and building elevations dated may 17, 2013 by Lingle Design Group.

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



JUN 26 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Checkers Drive-In Restaurants, Inc.
APPLICANT

160-13-S
CALENDAR NUMBER

**3808 W. Roosevelt Rd. /1148 S.
Independence Blvd.**
PREMISES AFFECTED

May 17, 2013
MINUTES OF MEETING

Lawrence M. Lusk
APPEARANCE FOR APPLICANT

No Objectors

NATURE OF REQUEST

Application for a special use to permit the establishment of a one-lane drive-through facility for a proposed restaurant within an existing one-story building.

ACTION OF BOARD

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy Martinez-Faye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Toia (recused)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

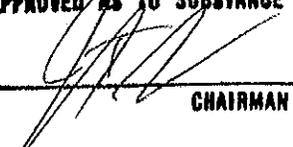
THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Lawrence Lusk, counsel for the Applicant, submitted these documents as exhibits, and they were introduced into the record: (a) Letter of Support from Alderman Chandler and (b) CV of Mr. Neil Renzi, Illinois State Certified Real Estate Appraiser; and

WHEREAS, Mr. Scott Nierman testified in support of the application; that he is in charge of acquisitions, development, and initial start-up for the Applicant in the Chicago area; that it is the Applicant's intention to develop a drive-through restaurant facility at the subject property; that the subject property is currently improved with a vacant building; that this vacant building previously had been a drive-through restaurant; that

APPROVED AS TO SUBSTANCE


CHAIRMAN

there will be outdoor patio seating on the subject property; that the Applicant anticipates hiring twenty-five to thirty construction workers for a three to four month period to renovate the existing building; that the Applicant anticipates hiring thirty to thirty-five employees from the neighborhood to work at the proposed drive-through restaurant; that the hours of operations for the facility will be from 8:00 AM – 3:00 AM; that the Applicant will conform to the Department of Housing and Economic Development's recommendation in regards to its landscaping plan; that the Applicant would provide additional landscaping to act as a sound buffer to the nearby residential buildings if the Board so required; and

WHEREAS, Mr. Eric S. Hawkins testified in support of the application; that he is the Regional Manager for the Applicant; that the outside patio will shut down at 10:00 PM; that this 10:00 PM closure is standard business practice for the Applicant; that this closure will be enforced by the Applicant's on-site private security; that the sound of the menu-board has a specific night setting that will be utilized; that the Applicant will be respectful of the neighborhood in terms of customer created noise; and

WHEREAS, Mr. Neil Renzi testified in support of the application; his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that 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 orally testified to certain pertinent highlights: (1) based upon the review by the Applicant's architect, the proposed special use of the subject property complies with all applicable standards of the Zoning Ordinance; (2) a one-lane drive-through facility at this location will be in the interest of the public convenience as it will offer another dining choice in the area and will have a positive impact on the neighborhood as the Applicant is repurposing a vacant building; (3) as the Applicant is reusing an existing building, the proposed special use will not change the character of the surrounding area in terms of site planning and building scale and project design; (4) the proposed special use will be similar and compatible to other restaurants in the area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and (5) as the proposed special use is reusing an existing drive-through facility, there will be no increase in curb cuts or driveways and therefore pedestrian comfort and safety will not be affected; 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 of the Department of Housing and Economic Development recommended approval of the application for the Special Use drive-through facility provided that the structure is built consistent with the site and landscape plan dated May 17, 2013, by Ilekis Associates; and

WHEREAS, the staff of the Department of House and Economic Development has not approved the building elevations or building materials and requested that the final building elevations utilizing face brick and stone be approved by the Department prior to building permit application; therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for a Special Use pursuant to Section 17-13-905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;
2. The proposed special use is in the interest of the public convenience as it provides another dining choice for the neighborhood. As the drive-through facility on the subject property is currently vacant, the proposed special use will have a positive impact on the general welfare of the neighborhood and community by replacing the vacant building with a national restaurant chain. The proposed special use will also positively impact the general welfare of the neighborhood by its creation of community jobs;
3. The proposed special use will be located in an existing building and therefore will not change the character of the surrounding area in terms of site planning and building scale and project design;
4. The proposed special use will have similar hours of operation to existing businesses in the area and therefore will be 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
5. The proposed special use will not affect pedestrian safety and comfort as it will reuse an existing structure and therefore not increase curb cuts or driveways.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said Special Use subject to following conditions:

1. The Applicant will provide additional landscaping between its drive-through facility and nearby residential buildings, and this additional landscaping shall be designed to act as a sound buffer for its drive-through facility; and

2. The final building elevations and building materials must be approved by the Department of Housing and Economic Development prior to building permit application.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 26 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Checkers Drive-In Restaurants, Inc.

APPLICANT

161-13-S

CALENDAR NUMBER

6705 S. Halsted Street

PREMISES AFFECTED

May, 17 2013

MINUTES OF MEETING

Lawrence M. Lusk

APPEARANCE FOR APPLICANT

No Objectors

NATURE OF REQUEST

Application for a special use to permit the establishment of a one-lane drive-through facility for a proposed restaurant within an existing one-story building.

ACTION OF BOARD

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy Martinez-Faye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Lawrence Lusk, counsel for the Applicant, submitted these documents as exhibits, and they were introduced into the record: (a) Letter of Support from Alderman Sawyer and (b) CV of Mr. Neil Renzi, Illinois State Certified Real Estate Appraiser; and

WHEREAS, Mr. Scott Nieman testified in support of the application; that he is in charge of acquisitions, development, and the initial start-up for the Applicant in the Chicago area; that it is the Applicant's intention to develop a drive-through restaurant facility at the subject property; that the subject property is currently improved with a vacant building; that this vacant building previously had been a drive-through restaurant; that there will be outdoor patio seating on the subject property; that the Applicant

APPROVED AS TO SUBSTANCE

CHAIRMAN

anticipates hiring twenty-five to thirty construction workers for a three to four month period to renovate the existing building; that the Applicant anticipates hiring thirty to thirty-five employees from the neighborhood to work at the proposed drive-through restaurant; that the hours of operations for the facility will be from 8:00 AM – 3:00 AM; and

WHEREAS, Mr. Eric S. Hawkins testified in support of the application; that he is the Regional Manager for the Applicant; that the outside patio will shut down at 10:00 PM; that this 10:00 PM closure is standard business practice for the Applicant; that this closure will be enforced by the Applicant's on-site private security; and

WHEREAS, Mr. Neil Renzi testified in support of the application; his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that 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 orally testified to certain pertinent highlights: (1) based upon the review by the Applicant's architect, the proposed special use of the subject property complies with all applicable standards of the Zoning Ordinance; (2) a one-lane drive-through facility at this location will be in the interest of the public convenience as it will offer another dining choice in the area and will have a positive impact on the neighborhood as the Applicant is repurposing a vacant building; (3) as the Applicant is reusing an existing building, the proposed special use will not change the character of the surrounding area in terms of site planning and building scale and project design; (4) the proposed special use will be similar and compatible to other restaurants in the area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and (5) as the proposed special use is reusing an existing drive-through facility, there will be no increase in curb cuts or driveways and therefore pedestrian comfort and safety will not be affected; 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 of the Department of Housing and Economic Development recommended approval of the application for the special use drive-through facility provided that the structure is built consistent with the site and landscape plan dated May 17, 2013, by Ilekis Associates; and

WHEREAS, the staff of the Department of House and Economic Development has not approved the building elevations or building materials and requested that the final building elevations utilizing face brick and stone be approved by the Department prior to building permit application; therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings

with reference to the Applicant's application for a Special Use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;
2. The proposed special use is in the interest of the public convenience as it provides another dining choice for the neighborhood. As the drive-through facility on the subject property is currently vacant, the proposed special use will have a positive impact on the general welfare of the neighborhood and community by replacing the vacant building with a national restaurant chain. The proposed special use will also positively impact the general welfare of the neighborhood by its creation of community jobs.
3. The proposed special use will be located in an existing building and therefore will not change the character of the surrounding area in terms of site planning and building scale and project design;
4. The proposed special use will have similar hours of operation to existing businesses in the area and therefore will be 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
5. The proposed special use will not affect pedestrian safety and comfort as it will reuse an existing structure and therefore not increase curb cuts or driveways.

RESOLVED, the Board finds that the applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said Special Use subject to the condition that the final building elevations and building materials be approved by the Department of Housing and Economic Development prior to building permit application.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JUN 25 2013

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

434 West Melrose Co., LLC

APPLICANT

162-13-Z

CALENDAR NUMBER

434 W. Melrose Street

PREMISES AFFECTED

May, 17 2013

MINUTES OF MEETING

Jim Banks

APPEARANCE FOR APPLICANT

Greg Gochanour, Carrie Risatti

OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the required front yard south setback from 15' to 3', reduce the front yard (parking) setback from 20' to 8.5', reduce the east and west side yard setbacks from 11' to zero, reduce the rear yard setback from 49.8' to 34.52' and to waive the required 10' x 25' loading berth for a proposed nine-story twenty-three dwelling-unit building.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy Martinez-Faye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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 May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Jim Banks, counsel for the Applicant, submitted these documents as exhibits, and they were introduced into the record: (a) Letter of Support from Alderman Tunney; and (b) Letter in Opposition from neighborhood resident Bea Schutz; and

WHEREAS, Mr. Banks summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that the Applicant is proposing to develop the subject property; that this development plans to utilize an existing foundation; that the foundation is all that exists of a property development previously

APPROVED AS TO SUBSTANCE

CHAIRMAN

approved by the Board; that the Applicant is back before the Board with a revised plan to develop the property; that the revised plan requires a variation to reduce the front, side, and rear setbacks and to waive the required interior loading berth; and

WHEREAS, Mr. Chris Topps testified in support of the application; that he is the Project Manager for the Applicant; that the subject property is partially improved by a \$1.5 million foundation; that the original project stalled due to the collapse of the real estate market; that the Applicant is requesting to reduce the front setback to accommodate the proposed building's main lobby; that although the proposed lobby will be only 3' from the front property line, the front building wall of the residential tower will be set back 15' from the front property line; that the Applicant's practical hardship is in attempting to match the pattern of development on Melrose Street while using the existing foundation; that the Applicant is also requesting to waive the required interior loading berth; that the Applicant will maintain ownership of the building and be personally involved in its management; that the Belmont Harbor Neighbors Association gave its approval for the proposed design; and

WHEREAS, Mr. Bill Kokalias testified in support of the application; that he is the architect for this project; his credentials as an expert in architecture were acknowledged by the Board; that his proposed nine-story twenty-three dwelling-unit building plan incorporates the previously constructed two-story concrete foundation system; that as the foundation utilizes caissons put 70' deep, the foundation cannot be changed; that the front setback is keeping with the pattern of development on Melrose Street; that the rear setback reduction will allow for additional on-site parking spaces; that there is a dedicated interior loading berth in the garage; that the proposed variation will not: (1) be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; (2) impair an adequate supply of light and air to adjacent property; (3) substantially increase the congestion in the public streets; (4) increase the danger of fire, or endanger the public safety; (5) substantially diminish or impair property values within the neighborhood; and (6) alter the essential character of this locality which consists of large, multi-story, multi-unit residential buildings; and

WHEREAS, Mr. Paul Woznicki testified in support of the application; his credentials as an expert in land planning were acknowledged by the Board; that the subject property is located in a RM-6 Zoning District; that the side setback requirements of 17-2-309-A in a RM-6 Zoning District start at grade today while under the 2001 Zoning Code, they started at 30'; that the foundation as currently built complies with the 2001 Zoning Code 30' requirement; that a practical hardship exists for the Applicant today as the foundation dictates a proposed building that exceeds the required side setback; and

WHEREAS, Mr. Greg Gochanour and Ms. Carrie Risatti testified in opposition to the application; that they are the President and Vice-President of the Eddystone Condominium Association at 421 W. Melrose Street; that the proposed building design sets detrimental precedent for the further development of the area; that waiving the loading berth will crowd the street; that the Association has two principal concerns with regards to the front setback: (1) the main entranceway's proximity to the sidewalk will

potentially give rise to pedestrian accidents; and (2) the nearness of the lobby to the sidewalk will crowd the streetscape and make landscaping not feasible; that the aesthetics of the proposed building are not consistent with the tone of the neighborhood; that the existing foundation is the result of the Applicant's own poor judgment and mismanagement; that therefore the existing foundation is not a hardship that would require a variation; and

WHEREAS, Ms. Diane Kuta testified in support of the application; that she lives at 442 West Melrose Street; that she is authorized to speak for her condominium building; that the variation discussed today was approved by the Board ten years ago; that the concrete foundation is already in place; that her building is not going to object to using the existing foundation as it makes sense to use it; that the new design is a great improvement and much more attractive than the original project; and

WHEREAS, Alderman Tom Tunney testified in support of the application; that Melrose Street is a very congested street; that the redesigned project is of much lower density than the original project and therefore not as much of a burden on the street; that this development created a lot of angst with its neighbors because of its poor management; that he has had extensive negotiations with the Applicant in regards to landscaping the proposed building and believes the landscaping will be an asset to the street; that the proposed loading berth is a disaster; that despite the loading berth, he is in support of the proposed building as it of higher quality than the original project; and

WHEREAS, Mr. Banks was granted permission to recall Mr. Woznicki to further clarify the loading berth requirement; Mr. Woznicki further testified the Zoning Ordinance requires a 10' x 25' loading berth with a 14' height; that the proposed building design incorporates this requirement; that the Zoning Ordinance does not reference the aisle width required to access the loading berth; that 17-10-1106-B is concerned with how a vehicle accesses the public way not the internal circulation of a vehicle in a building; that due to the vagueness of the ordinance in regards to access aisle width requirements, the Applicant decided to seek a variation as a preemptive measure; and

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

WHEREAS, 17-13-1101-D of the Chicago Zoning Ordinance grants the Zoning Board of appeals the authority to grant a variation to reduce off-street parking or loading requirements; therefore

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

1. The Board finds that pursuant to 17-13-1107-A the Applicant has proved its case by testimony and other evidence; that a practical difficulty and particular hardship would be created regarding the proposed construction on the subject property should the setback and loading berth requirements of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding the setbacks and loading berth is consistent with the stated purpose and intent of the Zoning Ordinance;

2. The Board finds that pursuant to 17-13-1107-B that the Applicant has established by testimony and other evidence that: (1) that the property in question cannot yield a reasonable rate of return if the variation is not granted as the Applicant has substantial equity in the existing foundation; (2) that the hardship of removing the current, non-compliant foundation on the subject property constitutes unique circumstances not generally applicable to other similarly situated property; and (3) the proposed construction will not alter the essential character of the neighborhood as the design, size, and front setback of the proposed building are consistent with other buildings on Melrose Street;

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship exists, took into account that evidence was presented that: (1) the current existing foundation on the subject property creates a hardship for the Applicant as it is not feasible to remove and therefore dictates the dimensions of any proposed building; (2) the current existing foundation on the subject property is a unique situation which would not be found in most other properties which conform to the Zoning Ordinance's setback and loading berth requirements; (3) as the Applicant will continue to own and manage the subject property, profit is not the sole motive for the application, (4) the Applicant did not create the situation intentionally as the Zoning Ordinance has changed since the Applicant erected the foundation; (5) the variation being granted will not be detrimental to the public welfare or injurious to other property; and (6) the variation will not impair an adequate supply of light or air to the neighboring properties, 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.

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

RESOLVED, the aforesaid application for a variation to reduce the required front yard south setback from 15' to 3', reduce the front yard (parking) setback from 20' to 8.5', reduce the east and west side yard setbacks from 11' to 0', reduce the rear yard setback from 49.8' to 34.52' and to waive the required 10' x 25' loading berth for a proposed nine-story twenty-three dwelling unit building is approved, and the Zoning Administrator is authorized to permit said variation.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

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

APPLICANT: Paul McHugh **CAL NO.:** 163-13-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6357 N. Ravenswood Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the west front yard setback from 4.79' to 3'-5", the east rear yard setback from 8.39' to 3', reduce the north side yard setback to zero, reduce the south side yard setback from 6.72' to 3', reduce the total side yard combination from 16.8' to 3' and reduce the rear yard open space from 225 square feet to zero for a two-story single family residence with a detached garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
JUN 25 2013	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	AM TOIA	X		
	JDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

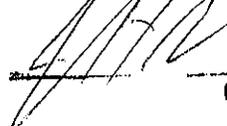
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 and

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 front yard setback to 3'-5", the east rear yard setback to 3', reduce the north side yard setback to zero, reduce the south side yard setback to 3', reduce the total side yard combination to 3' and reduce the rear yard open space to zero for a 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



CHAIRMAN

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

APPLICANT: Kelley and Barry Brookins

CAL NO.: 164-13-Z

APPEARANCE FOR: Sarah Barnes

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3211 S. Calumet Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required total side yard combination from 6' to 4.67' (south side yard 4.67' and zero north side yard), reduce the east front yard setback from 20' to 2' for a proposed two-story single-family residence with a detached one-story garage (through lot with frontages on both S. Calumet and S. Dr. Martin Luther King Jr. Drive).

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
JUN 25 2013	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

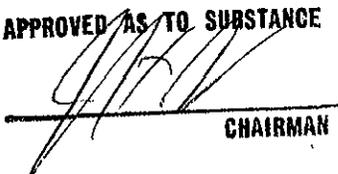
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required total side yard combination to 4.67' (south side yard 4.67' and zero north side yard), reduce the east front yard setback to 2' for a proposed two-story single-family residence with a detached one-story garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JUN 25 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

2031 W. Webster, Inc.
APPLICANT

165-13-Z
CALENDAR NUMBER

2031 W. Webster Avenue
PREMISES AFFECTED

May, 17 2013
MINUTES OF MEETING

Jim Banks
APPEARANCE FOR APPLICANT

No Objectors

NATURE OF REQUEST

Application for a variation to reduce the required rear yard setback from 21.36' to 18.8' and to reduce the minimum 20' setback to 12' for an overhead garage door facing a public street for a proposed three-story single-family residence with a front interior garage and a front second level deck and entry stair.

ACTION OF BOARD

THE VOTE

The application for a variation is denied.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy Martinez-Faye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Jim Banks, counsel for the Applicant, summarized the facts of the history of the building at the affected property and explained the underlying basis for the relief sought; that the subject property is currently improved with a two-story single-family home; that the Applicant is proposing to raze this improvement and redevelop the property with a new single-family home; that in order to develop the new home, the Applicant is seeking a variation to reduce the front setback for an overhead garage door that faces the public street and a variation to reduce the rear setback; and

APPROVED AS TO SUBSTANCE

CHAIRMAN

WHEREAS, Mrs. Irina Druk testified in support of the application; that she is the President of the Applicant; that the proposed design for the new single-family home specifically addresses the fact that the subject property has no access to a public alley; that due to the lack of an alley, the only way to provide access to a garage is from Webster Avenue; that the short lot depth of 76' and the lack of alley creates a hardship on the Applicant; that the requested reduction of the front and rear setbacks provides a workable solution to this hardship; that the Applicant's request for a front setback reduction is compatible with the other setbacks on the block; that the proposed building design otherwise complies with the Chicago Zoning Ordinance; that the Applicant paid \$240,000 for the property; that the Applicant anticipates it will cost \$350,000 to build the proposed home; that the Applicant hopes to sell the property for about \$675,000, thus making a 15% return on its investment; and

WHEREAS, Mr. John Hanna testified in support of the application; that he is the architect for this project; his credentials as an expert in architecture were acknowledged by the Board; that he is familiar with the subject property; that the lot is smaller, shorter, and narrower than a standard City lot; that currently the property has no on-site parking; that he has designed a two-story single-family home for the Applicant to build on this property; that he could not design a garage in the rear of the property as there is no alley access; that there is no requirement for on-site parking on the subject property; and

WHEREAS, Mr. Banks addressed questions raised by the Board and explained that with no on-site parking, there would be a marketing issue; that no one was likely to purchase the proposed \$675,000 home without on-site parking; that the proposed design would be an improvement to this block of Webster Avenue; that there is no pattern of development for this block; that the lots on this part of Webster Avenue appear to have been cut in half, leading to the current substandard lot depth of 76'; and

WHEREAS, Mr. Banks was granted permission to recall Mr. Hanna; Mr. Hanna further testified that the proposed design diminishes the appearance of the garage door; that in his opinion the proposed variation: (1) would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; (2) would not impair an adequate amount of light and air to the adjacent property; (3) would not increase the danger of fire or endanger the public safety; (4) would not increase congestion in the public streets in the area; (5) would not diminish or impair property values; and (6) would not alter the essential character of the neighborhood; and

WHEREAS, Mr. Banks explained that Mr. Bob Pearl had signed in as an Objector; that the Applicant had met with Mr. Pearl; that Mr. Pearl owned the property immediately to the west of the subject property; that Mr. Pearl was concerned about the visual effect of the garage and driveway; that the Applicant had agreed to certain conditions should the variation be granted; that Mr. Pearl authorized Mr. Banks to withdraw his objection; that the signed accord between Mr. Pearl and the Applicant was submitted and acknowledged by the Board; and

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

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

1. The Board finds that pursuant to 17-13-1107-A the Applicant has not proved its case by testimony and other evidence that a practical difficulty and particular hardship exists regarding the proposed construction on the subject property should the setback requirements of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding the setbacks is not consistent with the stated purpose and intent of the Zoning Ordinance because the requested variation does not protect the character of the established residential neighborhood;
2. The Board finds that pursuant to 17-13-1107-B that the Applicant has not proved that the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of the Zoning Ordinance. The Applicant proposes to construct a single-family home upon the property and requests a variation to do so; however, the subject property is currently improved with a single-family home that complies with the standards of the Zoning Ordinance. Further, the Applicant's attorney represented that many of the lots in the surrounding area are also substandard lots, indicating that any hardship the substandard lot size imposes upon the Applicant is not unique. In addition, as the neighborhood does not currently have front-facing attached garages, granting the Applicant's proposal would alter the essential character of the neighborhood; and
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship exists, took into account that the Applicant has not established by testimony and other evidence that the lack of alley and substandard lot size are anything more than a mere inconvenience to the Applicant. The Board further took into account that the Applicant's purpose of the proposed variation is based exclusively upon a desire to yield a higher sales price for the property which is contrary to the Zoning Ordinance standards that the purpose of a variation cannot be exclusively based upon a desire to make more money out of the property.

RESOLVED, the Board finds that the Applicant has not sufficiently established by testimony and other evidence covering the specific criteria for a variation to be granted pursuant to Sections 17-13-1107- A, B and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid variation application is hereby denied.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

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

APPLICANT: 741 Armitage, LLC

CAL NO.: 166-13-Z

APPEARANCE FOR:

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 1970 N. Burling Street

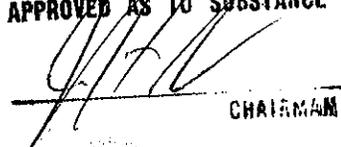
NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the required east front yard setback from 7.35' to zero and reduce the south yard setback from 4.5' to zero for a proposed 3' masonry and wrought iron fence.

ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

APPROVED AS TO SUBSTANCE



CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 27 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Timothy Boudreau
APPLICANT

167-13-Z
CALENDAR NUMBER

347 W. Menomonee Street
PREMISES AFFECTED

May, 17 2013
MINUTES OF MEETING

Joseph P. Gattuso
APPEARANCE FOR APPLICANT

Philip Graff
OBJECTOR

NATURE OF REQUEST

Application for a variation to reduce the required total combined side yard combination from 5' to 2' (with neither less than 2' – west side yard zero and 2' east side yard) and reduce the rear south yard setback from 29.2' to 4' for two rear second floor additions to an existing two-story single-family residence.

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"/>
Judy Martinez-Faye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Joseph Gattuso, counsel for the Applicant, submitted these documents as exhibits, and they were introduced into the record: (1) plat of survey; (2) site plan; (3) floor plans; (4) building elevations and sections; (5) photographs of subject property and surrounding area; (6) aerial photograph depicting subject property and surrounding area; (7) drawings depicting five previous design proposals for building addition; (8) drawings depicting the proposed addition in comparison to the existing partial second floor; (9) shadow study drawings depicting subject property and property next west; (10) shadow study drawings depicting subject property and property next east;

APPROVED AS TO SUBSTANCE


CHAIRMAN

(11) photograph depicting mock-up of proposed addition; (12) copies of messages from neighbors and from the Old Town Triangle Association; (13) CV of Kathryn Quinn, AIA, LEED AP, Principal, Kathryn Quinn Architects; and

WHEREAS, Mr. Gattuso summarized the facts of the buildings at the affected property and explained the underlying basis for the relief sought; that the Applicant proposed a second-story addition to a one-to-two-story single-family residence; that the single-family residence consists of two vintage brick buildings joined by garden walls; that at present one must exit the front building and pass through an open courtyard to access the rear building; that part of the proposed addition consisted of an enclosed passage that would connect the front building to the rear building; that therefore the proposed second-story addition would be situated at the rear of the subject property; that the subject property is located in the Old Town Triangle Historic District; and

WHEREAS, Mr. Timothy Boudreau, the Applicant, testified in support of the application; that he owns and resides at the subject property; that he has owned and resided at the subject property for thirteen years; that the buildings on the property were not originally built to accommodate residential use; that the buildings had been collectively converted for single-family residential use prior to his purchase of the subject property; that as a result of the adaptive reuse of the buildings the living space of the residence is extremely unconventional; that at present to gain access to the rear building, one must exit his bedroom into the open courtyard; that the lack of proper bedroom space in his home constitutes a hardship; that he has made every effort to ensure the proposed addition is sensitive to the subject property's surroundings and consistent with the appropriate landmark regulation and guidelines; that he continues to reside at the subject property and has no intention of selling; that he seeks the proposed variation for lifestyle rather than financial return; that without the variation, he would have no relief from the current hardship; that he has received letters of support from several of his neighbors and the Old Town Triangle Association; and

WHEREAS, Ms. Kathryn Quinn testified in support of the application; that she is the architect for this project; her credentials as an expert in architecture were acknowledged by the Board; that the proposed addition is a net 350 square foot addition to the existing rear structure; that the proposed addition will be 2' closer to the rear property line; that shade studies show the proposed addition will have no appreciable effect on adjacent properties; that the unconventional configuration of the Applicant's home and the substandard size of the subject property combined with the siting of the buildings upon it and its location in the Old Town Triangle Historic District constitutes unique circumstances; that these unique circumstances result in practical difficulties and impose particular hardship upon the Applicant if strict conformance to the Chicago Zoning Ordinance were required; that the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance; that the requested variation, if granted, would not alter the essential character of the neighborhood; and

WHEREAS, Mr. Philip Graff testified in opposition to the application; that Mr. Graff owns two properties in the neighborhood: (1) 332 West Willow, a property directly

behind the subject property; and (2) 330 West Willow; that Mr. Graff also represented the objections of Mr. Adam Schwerner, the owner of the property east of the subject property; that he and Mr. Schwerner had collaborated on a written statement; that the written statement made the following objections: (1) the proposed addition would decrease the amount of sunlight on Mr. Schwerner's house and back garden and (2) the proposed addition would block Mr. Schwerner's view of St. Michael's Tower; Mr. Graff further testified that open space would be significantly impacted if the variation was granted; that he did not believe the Old Town Triangle Association had granted approval of the proposed addition; and

WHEREAS, Mr. Gattuso was granted permission to recall Ms. Quinn to answer questions raised by Board and the Objector's testimony; Ms. Quinn further testified that the proposed second-story addition to the rear structure would be 11.5" taller than the existing partial second-story on the rear structure; that the proposed second-story addition would be 7'10.5" taller than the parapet of the rear structure;

WHEREAS, Mr. Gattuso was granted permission to cross-examine Mr. Graff; that under cross-examination, Mr. Graff stated he had four bedrooms between the two homes he owned; that his 330 West Willow home is 19.75' from the rear property line; that it had taken him three years to receive a permit for this distance; that any comparison between his zoning situation such that he obtained a variation and the Applicant's own request was a fallacy; that the distance between his property at 332 West Willow and the subject property is 47' and that the distance between his property at 330 West Willow and the subject property is approximately 30'; and

WHEREAS, Mr. Graff was allowed one further objection by the Chair; Mr. Graff further objected to the proposed addition as it would be much closer to his property than the present second-story on the rear building; and

WHEREAS, Mr. Gattuso was granted permission to recall Ms. Quinn to answer questions raised by the Objector's final testimony; that Ms. Quinn further testified it was not architecturally possible for the proposed addition to affect the light and air quality of a building 30' to 50' away; and

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

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

1. The Board finds that pursuant to 17-13-1107-A the Applicant has proved its case by testimony and other evidence that a practical difficulty and particular hardship exists regarding the proposed construction on the subject property should the setback requirements of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding the setbacks is consistent with the stated purpose and intent of the Zoning Ordinance;
2. The Board finds that pursuant to 17-13-1107-B that the Applicant has established by testimony and other evidence that (1) that whether the property can yield a reasonable return is not material as the applicant intends to continue residing on the subject property; (2) that the hardship of the current existing structures on the subject property is a unique circumstance not generally applicable to other similarly situated property; and (3) the proposed construction with the requested setbacks will not alter the essential character of the neighborhood;
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship exists, took into account that evidence was presented that: (1) the current existing structures on the subject property create a hardship for the Applicant in that his home currently lacks a proper bedroom and he must go outside to access the rear portion of his home; (2) the configuration of living space between two separate buildings on the subject property is a unique situation which would not be found in most other properties which conform to the Zoning Ordinance's setback requirements; (3) as the Applicant will continue to reside on the subject property, profit is not a motive for the application, (4) the Applicant did not create the situation of the setbacks intentionally as it resulted from previous owners to the property; (5) the variation being granted will not be detrimental to the public welfare or injurious to other property; and (6) the variation will not impair an adequate supply of light or air to the neighboring properties, 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;

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

RESOLVED, the aforesaid application for a variation to reduce the required total combined side yard combination from 5' to 2' (with neither less than 2' – west side yard zero and 2' east side yard) and reduce the rear south yard setback from 29.2' to 4' for two rear second floor additions to an existing two-story single-family residence is approved, and the Zoning Administrator is authorized to permit said variation.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

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

APPLICANT: 3518 LLC **CAL NO.:** 168-13-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3518 N. Wilton Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required front east setback from 8.94' to 5.94' , reduce the rear west yard setback from 22.35' to 11.17' and reduce the rear yard open space from 146 sq. ft. to zero for a proposed four-story four dwelling-unit building with an attached rear garage.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO	SAM TOIA	X		
ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

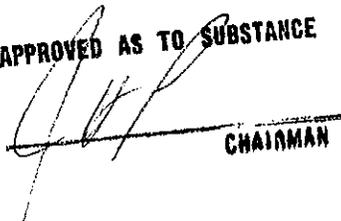
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 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 east setback to 5.94' , reduce the rear west yard setback to 11.17' and reduce the rear yard open space from 146 sq. ft. to zero for a proposed four-story four dwelling-unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1K Fulton, LLC **CAL NO.:** 169-13-Z
APPEARANCE FOR: Mariah Digrino **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 320 N. Morgan Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the number of required 10' x 25' loading berths from four to three for the conversion of an existing building for office and retail use.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	RIGI McCABE- MIELE	X		
CITY OF CHICAGO	SAM TOIA	X		
ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

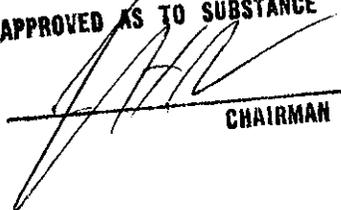
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 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 number of required loading berths from four to three; the applicant shall convert the existing building for office and retail use; 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: Ruby Emerald Inc. DBA Wellness Nail Spa **CAL NO.:** 170-13-S
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:** May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2228 N. Lincoln Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO	SAM TOIA	X		
ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

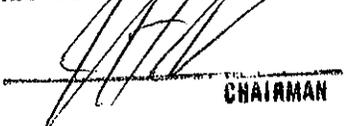
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

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 personal service salon at this location; 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 personal service salon.

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

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: Ana C. Sanchez **CAL NO.:** 171-13-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3809 W. 26th Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	NATHAN SWAIN	X		
	JIGI McCABE- MIELE	X		
	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; 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 property and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE


C. J. ...

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

APPLICANT: Brandy Barnes **CAL NO.:** 172-13-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 11254 S. State Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAVE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

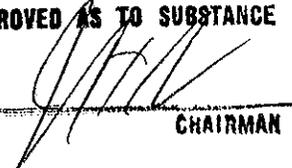
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair braiding service; 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 hair braiding salon.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Paul Brown **CAL NO.:** 173-13-S
APPEARANCE FOR: Peter Lewis **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5754 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 hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	NATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

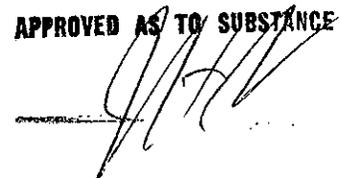
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a hair 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 hair 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: Mitazi One Inc. **CAL NO.:** 174-13-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
 May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2433 N. Clark Street

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

ACTION OF BOARD-
 APPLICATION APPROVED

THE VOTE

JUN 25 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 SAM TOIA
 JUDY MARINEZ-FAYE
 SHEILA O'GRADY

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

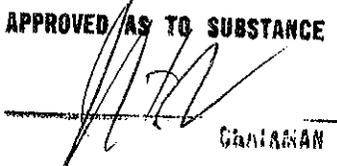
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

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

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Mitazi One Inc.

CAL NO.: 175-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 2433 N. Clark Street

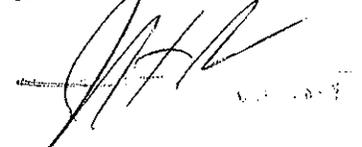
NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of massage establishment.

ACTION OF BOARD-
CASE CONTINUED TO JULY 19, 2013

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	ONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

APPROVED AS TO SUBSTANCE



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

APPLICANT: Lorena Magana Leon **CAL NO.:** 176-13-S
APPEARANCE FOR: Same **MINUTES OF MEETING:** May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 7013 S. Pulaski Road

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

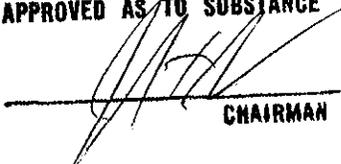
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

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


CHAIRMAN

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

APPLICANT: Ilda Quizhpi

CAL NO.: 177-13-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2709 W. Lawrence Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

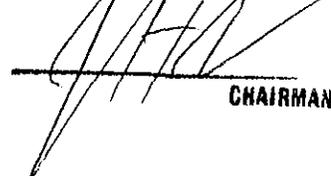
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

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 hair salon.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Pasha Page **CAL NO.:** 178-13-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2625 W. 71st Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	"JDY MARTINEZ-FAYE	X		
	"HEILA O'GRADY			X

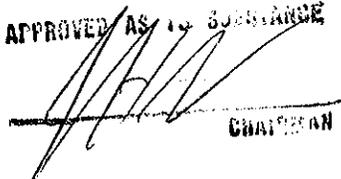
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; 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

 CHAIRMAN

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

APPLICANT: Value Pawn Inc. **CAL NO.:** 179-13-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
 May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 9028 S. Commercial Avenue

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

ACTION OF BOARD-
 APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
JUN 25 2013	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

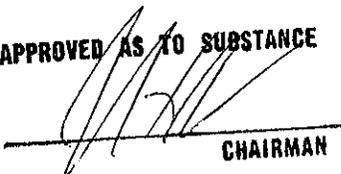
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; 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 in this matter testified that he currently operates pawn shops at other suburban locations and that he has been in the pawn business for many years; he testified that he will comply with all of the laws that are applicable to the pawn industry and will operate his business in a fashion that will not have a detrimental impact on the area; he testified that in his opinion there is a need for this service because there are no other pawn shops located in immediate vicinity of this location; 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 pawn shop.

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: 3606 Hospitality LLC **CAL NO.:** 180-13-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
 May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3458 N. Clark Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of required a10-space accessory off-site parking lot to serve a restaurant located at 3506 N. Clark St.

ACTION OF BOARD-
 APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	KICI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	AM TOIA	RECUSED		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

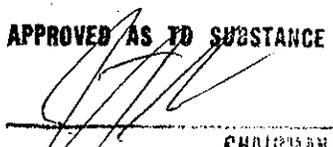
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site parking lot with ten sparking spaces that shall serve the restaurant located at 3506 N. Clark Street; expert testimony was offered that the use would not have a negative impact on the 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 parking lot, provided the development is consistent with the site plan dated May 17, 2013.

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: British School of Chicago, LLC **CAL NO.:** 181-13-S
APPEARANCE FOR: Fred Agustin **MINUTES OF MEETING:** May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1440-46 N. Dayton Street/ 834-48 W. Eastman Street

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 school by 1,810 sq. ft. 6, 745 sq. ft. on the first floor of an existing three-story building.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

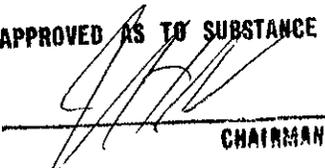
		AFFIRMATIVE	NEGATIVE	ABSENT
JUN 25 2013	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant has previously appeared before the Board to establish a school at this location as well as an expansion of the existing special use; the applicant is now requesting to expand on the existing use again due to the growth of the student and staff population; 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 school expansion, provided the development is consistent with the floor plan dated March 11, 2013 by Epstein Architecture.

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



JUN 26 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Speedy Cash Illinois, Inc. DBA Speed Cash
APPLICANT

182-13-S
CALENDAR NUMBER

**11841-55 S. Ashland Ave. /1548-56 W.
119th Street**
PREMISES AFFECTED

May 17, 2013
MINUTES OF MEETING

Sylvia C. Michas
APPEARANCE FOR APPLICANT

George Blakemore
OBJECTOR

NATURE OF REQUEST

Application for a special use to permit the establishment of a payday loan facility.

ACTION OF BOARD

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy Martinez-Faye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geraldine McCabe-Miele	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 May 17, 2013, after due notice thereof as provided under MCC Section 17-13-0107-B and by publication in the *Chicago Sun-Times*; and

WHEREAS, Ms. Sylvia Michas, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that the property is located at the northeast corner of South Ashland Avenue and West 119th Street; that the property is currently vacant; that if the special use is granted, the subject property will be partially improved by a free-standing, one-story masonry building, sixteen on-site parking spaces, concrete and asphalt pavement, and a storm water management area; that the Applicant is seeking to establish a payday loan facility in the building and that the sixteen on-site parking spaces will serve the Applicant's

APPROVED AS TO SUBSTANCE

CHAIRMAN

customers; that a special use is sought to locate and establish a payday loan facility within a M2-2 zoning district; and

WHEREAS, Mr. Jeffery Hitz testified in support of the application; that he is the Director of Real Estate for the North American Region for the Applicant; that although a payday loan facility is not a permitted use in an M2-2 zoning district, it is an allowed use as long as the proposed square footage of the payday loan facility does not exceed 3000 gross square feet; that the proposed payday loan facility on the subject property would contain 1120 square feet; that the Applicant does not provide typical currency exchange services, such as check-cashing, or services such as those provided at a pawn shop; that should the special use be granted, the hours of operation would be Monday - Friday, 8 AM - 8 PM, Saturday 9 AM - 6 PM, and Sunday 10 AM - 4 PM; that the Applicant would be hiring eight to ten fulltime employees from the community to operate the proposed facility; that the proposed facility would be secured with an alarm with radio backup as well as with security cameras; that the Applicant would be investing over \$1.5 million in capital for the proposed payday loan facility; and

WHEREAS, Ms. Michas was granted permission to recall Mr. Hitz to answer questions raised by the Board; Mr. Hitz further testified that the Applicant would keep cash in the proposed facility; that that Applicant would accept the condition of a security guard on the subject property if the Board believed such a security guard necessary; and

WHEREAS, Mr. Sylvester J. Kerwin, Jr. testified in support of the application; his credentials as an expert in real estate appraisal were acknowledged by the Board; that he is familiar with the subject property and its surrounding area; that his report on the subject property was submitted and accepted by the Board; that 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 orally testified to certain pertinent highlights: (1) that the subject property is located at an intersection already improved with a gas station and a shopping plaza; (2) that the payday loan facility will offer consumers another choice for short term loans and financial services as there are no other payday loan facilities in the area; (3) that the proposed use would provide competition in the marketplace that would benefit local consumers; (4) that as the proposed facility would be a significant improvement to the currently vacant lot, there is no evidence of adverse influence to the welfare or value of the existing businesses in the area; (4) that the proposed payday loan facility would be subject to governmental regulation such that the public health, welfare, and safety would be protected; (6) that the proposed facility is compatible with the existing businesses in the area in terms of site planning and building scale and project design; (7) that the proposed facility is compatible with existing businesses in the area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and (8) that the project would promote pedestrian safety and comfort; and

WHEREAS, Sylvia Michas, counsel for the Applicant, submitted a Letter of Support from Alderman Carrie Austin for the proposed special use, and it was introduced into the record; and

WHEREAS, Mr. George Blakemore testified in opposition to the application; that the target demographic for the proposed facility is people of color; that there is no economic development that the proposed facility would bring to the community; that payday loans have a negative effect on the community; that he would like the record to reflect a person of color testified against this application and against the exploitation of people of color; 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 of the Department of House and Economic Development recommended approval of the application provided the construction is consistent with the site and landscape plan dated May 10, 2013, by Krogstad Land Design Ltd. and the building elevation plan dated May 13, 2013, by Winter Architects; therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for a Special Use permit pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;
2. The proposed special use in the interest of the public convenience as it will offer consumers another choice for short term loans and financial services. Further, the proposed special use will have a positive impact on the general welfare of the neighborhood or community by replacing the vacant lot with the proposed facility. The proposed special use will also positively impact the general welfare of the neighborhood by its creation of community jobs;
3. The proposed special use is compatible with existing businesses in the surrounding area in terms of site planning and building scale and project design;
4. The proposed special use will have similar hours of operation to existing businesses in the area and therefore be compatible in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation in that it is near a shopping mall and gas station; and
5. The proposed special use is designed to promote pedestrian safety and comfort.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said Special Use subject to the condition that the Applicant hires a security guard for the payday loan facility.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

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

APPLICANT: DDMB Inc. **CAL NO.:** 183-13-S
APPEARANCE FOR: Thomas Murphy **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1368 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 the expansion of an existing tavern to 1368 N. Milwaukee Ave. with an accessory amusement arcade.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
JUN 25 2013	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

THE RESOLUTION:

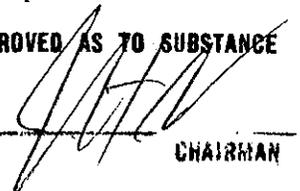
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant has appeared before the Board previously to establish a tavern as well as a public place of amusement license to serve the tavern; the applicant would now like to expand the existing tavern; 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 tavern expansion with an accessory amusement arcade, provided the development is constructed consistent with the site and floor plan dated April 16, 2013 by JH Design.

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: AAA Quick Mart, Inc. DBA Express Grocery Mart **CAL NO.:** 184-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 6128 S. Western Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one-lane drive-through facility to serve an existing retail grocery store.

**ACTION OF BOARD-
CASE CONTINUED TO**

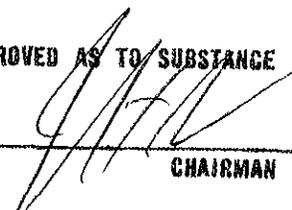
July 19, 2013

THE VOTE

IONATHAN SWAIN
GIGI McCABE-MIELE
SAM TOIA
SHEILA O'GRADY

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 1622 W. Nelson, LLC

CAL NO.: 185-13-S

APPEARANCE FOR: James J. Banks

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1908 W. Belmont Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
SAM TOIA	X		
JUDY MARTINEZ-FAYE	X		
SHEILA O'GRADY			X

THE RESOLUTION:

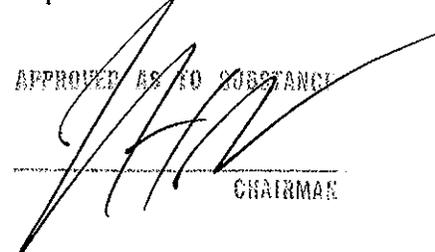
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on May 2, 2013; and

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 for a three story, threeunit building; 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 residential use below the second floor for a threestory, three-unit building, provided the development is established consistent with the design, layout, materials and plans prepared by Baranyk Associates, Limited and dated September 19, 2013.

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: 1622 W. Nelson, LLC

CAL NO.: 186-13-Z

APPEARANCE FOR:

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST:

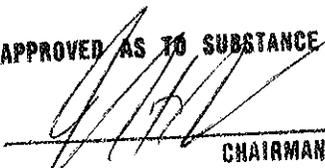
PREMISES AFFECTED: 1908 W. Belmont Avenue

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 2.8' to zero, reduce the west side yard setback from 2' to zero and increase the allowable floor area of an accessory building by not more than 10% for a proposed three-story three dwelling-unit building.

ACTION OF BOARD-
CASE CONTINUED TO JULY 19, 2013

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
JUN 25 2013	ONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Roland Derylo and Brett Gaca **CAL NO.:** 187-13-Z
APPEARANCE FOR: Timothy Rowells **MINUTES OF MEETING:**
 May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1531 W. Victoria Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required west side yard setback from 2' to 1' (east side yard to remain at 2.63'), reduce the total side yard combination from 5' to 3.63' and increase the allowable building height by 10% from 30 to 33' for a proposed west side dormer addition to an existing two dwelling- unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	CHARLA O'GRADY			X

THE RESOLUTION:

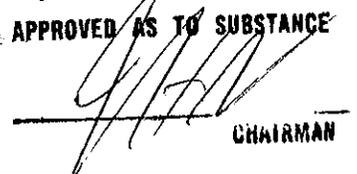
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 and

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 west side yard setback to 1' (east side yard to remain at 2.63'), reduce the total side yard combination to 3.63' and increase the allowable building height by 10% from 30 to 33' for a proposed west side dormer addition to an existing two dwelling- unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: John Gavin **CAL NO.:** 188-13-Z

APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
May 17, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6323 W. Fullerton Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to establish a third dwelling unit in a building with insufficient lot area by reducing the required 3,000 sq. ft. of minimum lot area to 2,916 sq. ft. (Not less than 90% of the required area) to allow for the conversion from two dwelling units to three dwelling units within an existing two-story building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

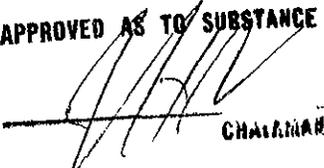
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 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 minimum lot area from 3,000 square feet to 2,916 square feet; the applicant shall be permitted to convert the existing two dwelling units to a three dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Castleview Construction Inc.

CAL NO.: 189-13-Z

APPEARANCE FOR:

MINUTES OF MEETING:
May 17, 2013

APPEARANCE AGAINST:

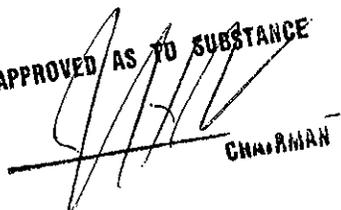
PREMISES AFFECTED: 1847-49 N. Halsted Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the required north and south side yard setbacks from 5.76' to 5', reduce the combined total side yard combination from 14.4' to 10' and to permit a proposed front driveway off of a pedestrian retail street.

ACTION OF BOARD-
CASE CONTINUED JULY 19, 2013

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
	GIGI McCABE- MIELE	X		
JUN 25 2013	SAM TOIA	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	"JDY MARTINEZ-FAYE	X		
	"HEILA O'GRADY			X


APPROVED AS TO SUBSTANCE
 CHAIRMAN

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

APPLICANT: John Paschke

CAL NO.: 190-13-Z

APPEARANCE FOR:

MINUTES OF MEETING:

May 17, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 1416 W. Henderson Street

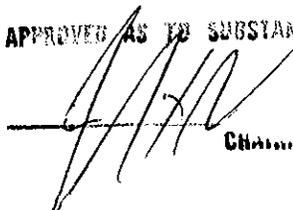
NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to allow the expansion of proposed floor area not to exceed 15% of floor area in existence for over 50 years on a non-conforming lot with two building, for a fourth floor addition to the existing three-story two dwelling-unit front building (site also has another three-story two dwelling unit building with that existing floor area included).

ACTION OF BOARD-
CASE CONTINUED TO JUNE 21, 2013

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
	SAM TOIA	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Kyle B. Sneed **CAL NO.:** 192-13-Z
APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1239 N. Paulina Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required north side yard setback from 2' to zero for a proposed three-story single-family residence with a detached garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO	SAM TOIA	X		
ZONING BOARD OF APPEALS	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

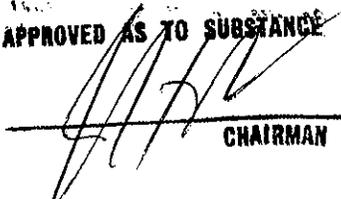
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 2, 2013 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required north side yard setback to zero for a proposed three-story single-family residence with a detached garage; a special use for this property was also granted in Cal. No 84-13-S to permit a residential use below the second floor; 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: Krause Construction Services, Inc. **CAL NO.:** 193-13-Z

APPEARANCE FOR: **MINUTES OF MEETING:**
May 17, 2013

APPEARANCE AGAINST:

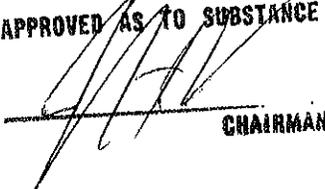
PREMISES AFFECTED: 9850-56 S. Ball Avenue/ 2238 W.99th Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required side setback from 5' to 2.3' and reduce the minimum lot area from 6,250 sq. ft. to 6,210 sq. ft. to allow for the subdivision of one zoning lot into two zoning lots (50' x 124.21') for a proposed two-story single-family residence.

ACTION OF BOARD-
CASE CONTINUED TO JULY 19, 2013

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	JONATHAN SWAIN	X		
JUN 25 2013	GIGI McCABE- MIELE	X		
CITY OF CHICAGO ZONING BOARD OF APPEALS	SAM TOIA	X		
	JUDY MARTINEZ-FAYE	X		
	SHEILA O'GRADY			X

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Verizon Wireless **CAL NO.:** 405-12-S
APPEARANCE FOR: Richard Riley **MINUTES OF MEETING:** May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 10001 S. Pulaski Road

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of proposed 104' tall wireless communication facility.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 25 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
GIGI McCABE-MIELE
JUDY MARTINEZ-FAYE
SAM TOIA
SHEILA O'GRADY

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

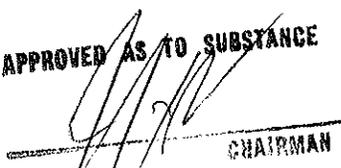
THE RESOLUTION:

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 104' wireless communication facility; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; a variation was also granted (Cal. No. 406-12-Z) to increase the height of the tower to 104'; 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 wireless communication facility, provided the development is constructed consistent with the site/ landscape plan dated May 14, 2013 by KM Talty Design.

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: Verizon Wireless **CAL NO.:** 406-12-Z
APPEARANCE FOR: Richard Riley **MINUTES OF MEETING:**
May 17, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 10001 S. Pulaski Road

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of for a proposed 104' tall wireless communication facility to exceed the required 75'.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 25 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

JONATHAN SWAIN
 GIGI McCABE-MIELE
 JUDY MARTINEZ-FAYE
 SAM TOIA
 SHEILA O'GRADY

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

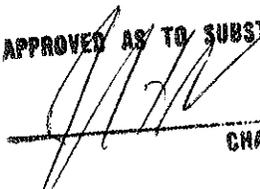
THE RESOLUTION:

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; a special use was granted to the subject site (Cal. No. 405-12-S) to permit the establishment of a wireless communication facility; the applicant shall now be permitted to exceed the permitted height to 104' instead of 75'; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN