

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

APPLICANT: Trust of Gertrude Kerbis,

CAL NO.: 90-13-Z

APPEARANCE FOR:

MINUTES OF MEETING:
March 15, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 55 W. Schiller Street

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 (with neither less than 2') from 4' to zero, reduce the front yard setback from 20' to 12.5' for a proposed parking space with front driveway access and a rear three-story addition and a fourth floor addition with a front and rear open deck on the fourth level and rear open deck to an existing three-story single family residence.

ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
SAM TOIA
JUDY MATRINEZ-FAYE
SHEILA O'GRADY

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED BY 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:
September 20, 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-

WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

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 three-story, three-unit building, provided the development is established consistent with the design, layout, materials and plans prepared by Baranyak 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.

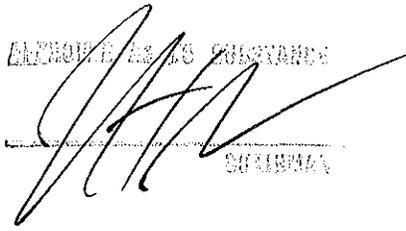
ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

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

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

ALYNNE B. BOGGS

SECRETARY

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

APPLICANT: Checkers Drive Through Restaurants, Inc. **CAL NO.:** 197-13-S

APPEARANCE FOR: Lawrence Lusk **MINUTES OF MEETING:**
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6401 W. Archer 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 for a proposed restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

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

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

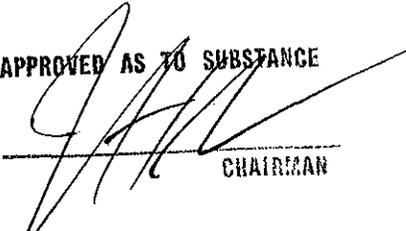
THE RESOLUTION:

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 17-13-0107B and by publication in the Chicago Sun-Times on June 6, 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 one-lane drive through facility for a 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 ; 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 one-lane drive-through facility for a proposed restaurant provided the development is established consistent with the design, layout, materials and plans prepared by Ilekis Associates and dated September 20, 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
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-5777



NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

240-13-S

CALENDAR NUMBER

Peter Vokovic c/o Victoria Vukovic-Bradley

APPLICANT

September 20, 2013

MINUTES OF MEETING

527 North Racine Avenue, Unit 1

PREMISES AFFECTED

Jim Banks

APPEARANCE FOR APPLICANT

Sam Martorina & Others

OBJECTORS

NATURE OF REQUEST

Application for a special use to permit the establishment of a business live/work space unit on the ground floor of an existing four-story building,

ACTION OF BOARD

THE VOTE

The application for a special use is approved.

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"/>
Sheila O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AFFIRMATIVE NEGATIVE ABSENT

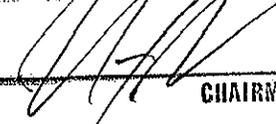
THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 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. Jim Banks, 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 unit occupies the first floor of the subject property; that the applicant would like to establish a business live/work space in the unit; and

WHEREAS, Ms. Victoria Vukovic, the Applicant, testified in support of the application; that the subject property is currently improved with a four-story brick building; that this building contains a separate condominium unit on each floor; that the original developer of the property went into foreclosure; that she and her family purchased the first floor unit of the building from the bank; that when she and her family

APPROVED AS TO SUBSTANCE


CHAIRMAN

purchased the unit, they were unaware that the unit could not be used as a residential unit; that they subsequently learned that the subject property is located in a C2-2 zoning district and residential use is not a permitted use below the second floor in a C district; that she initially sought a special use to establish a residential unit below the second floor but withdrew her application due to community objection; that after working with Alderman Moreno on the business work/live unit zoning ordinance, she is now seeking to establish a business work/live unit on the subject property and that this business work/live unit requires a special use; and

WHEREAS, Ms. Vukovic further testified that to comply with the business live/work unit ordinance requirements, she will reduce the unit from two bedrooms to one bedroom; that if the special use were granted, she would substantially renovate the unit to comply with the business work/live unit zoning ordinance; that when the renovation is complete, the front 462 sq. ft. of the 1100 sq. ft. unit will be a business office while the rear 640 sq. ft. of the unit will be her living space; that she owns a parking space for her unit and therefore meets the parking requirements of the ordinance; that she is a licensed real estate broker with over 10 years of real estate experience; that she intends to establish her main office in the front 462 sq. ft. of the unit; that she would hold two to three client meetings a day in the unit; that she would maintain business hours of 9:00 AM to 6:00 PM; that as she usually only meets with one or two clients at a time, her business would have no impact on the other unit owners or the rest of the block; that the three other condominium unit owners on the subject property are in support of the application; that she paid \$92,000 for the property and will be investing another \$85,000-90,000 in renovations should the special use be granted; and

WHEREAS, Mr. Bill Kokalias testified in support of the application; that he is a licensed architect in the state of Illinois; that he is familiar with the subject unit; that he has been retained by the Applicant to prepare plans for the business live/work unit; that he is not associated with the original developer; that the unit was originally built as a two-bedroom, residential unit; that he has redesigned the unit as a business live/work unit; that the residential portion of the unit meets all the requirements for residential use under the Zoning Ordinance; and

WHEREAS, Mr. Terrence O'Brien 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) that the proposed special use complies with all applicable standards of the Zoning Ordinance; (2) that the proposed special use is in the interest of the public convenience; (3) because the proposed special use is harmonious and compatible with the residential uses of the area, it will not have an adverse impact on the general welfare of the neighborhood; (4) the proposed special use is compatible with the character of the area in terms of site planning and building scale and project design as the commercial portion of the special use can exist by right and the residential portion of

the special use is consistent with the residential use of the other units on the subject property; (5) that the proposed special use will be compatible with the residential character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation as a real brokerage office will not have extended hours of operation or outdoor lighting; and (6) that the proposed special use will not affect pedestrian safety; and

WHEREAS, Mr. Marcin Mikolajczyk, resident of 527 North Racine Unit 4; Mr. John Tsoutsies, owner of the building at 1053 West Grand; Ms. Maryann Coram, resident of 527 North Racine Unit 3; Mr. Austin Freeman, resident of 527 North Racine Unit 3; Mr. Tim Bradley, resident of 456 North Green; Ms. Diana Slepowronski, resident of 527 North Racine Unit 2, Ms. Denise Nino; Ms. Saujanya Gumidyala, resident of 1518 West Huron; and Ms. Lauren Anderson all testified they supported the application; and

WHEREAS, Mr. Sam Martorina testified in opposition to the application; that he is the president of Neighbors Riverwest, the neighborhood group of the area; that he also owns property close to the subject property; that Neighbors Riverwest objects to the proposed special use; that Neighbors Riverwest would like the subject unit to be 100% commercial use rather than a business live/work unit; that Alderman Burnett is against the proposed special use; and

WHEREAS, Ms. Judy Grief, resident of 509 North Racine Apt. 4S; Mr. Rocco Saliano, resident of 515 North Racine; Mr. Greg Cholewa, resident of 509 North Racine; Ms. Patricia Perez, resident of 1215 West Racine; Mr. Larry Gage, member of Neighbors Riverwest; and Mr. Mike Wyosen, resident of 555 West Kinzie all testified they opposed the application;

WHEREAS, in response to questions from the Board, Mr. Martorina testified that throughout the area, people were residing in illegal ground floor units; that these units had been illegally developed as residential units by the developer even though the units should have been developed as commercial space; that as far as he was aware, the bank owned all of these illegal ground floor units; that his issue was with the bank but as he could not sue the bank personally, he came to the hearing to object to the proposed special use; and

WHEREAS, in response to the objectors' testimony, Mr. Banks stated that if the proposed special use were granted, the applicant would be making a commercial use out of the space; and

WHEREAS, the staff of the Department of Housing and Economic Development recommended approval of the special use so long as it is built consistent with the design, layout, materials and plans prepared by Axios Architects and Consultants; 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; now, 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 will provide commercial use to a currently vacant commercial space. Further, because the proposed special use is harmonious and compatible with the residential land use of the immediate area, it will not have an adverse impact on the general welfare of the community.
3. The proposed special use will not change the character of the surrounding area in terms of site planning and building scale and project design because it will utilize an existing building;
4. The proposed special use will be compatible with the residential uses in the immediate area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation because half of the use will be residential while the other half will be a real estate brokerage firm with regular business hours and no outdoor lighting; and
5. The proposed special use will not affect 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.

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: Chicago Industrial Catalytic LTD. **CAL NO.:** 264-13-S
APPEARANCE FOR: Jack Reichel **MINUTES OF MEETING:** September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4427 W. 45th Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
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 September 20, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 4, 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 Class IV-A recycling facility at this location; the applicant testified that there will be no car crushing performed at this site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

[Signature]
 CHAIRMAN

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

APPLICANT: Fremont Hotel Partners, LLC

CAL NO.: 279-13-S

APPEARANCE FOR: Andrew Scott

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1523 N. Fremont Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a six-story, 156-room hotel with ground floor retail space and 54 below-grade parking spaces.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

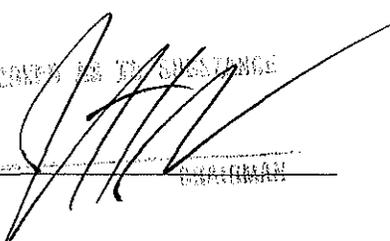
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on August 1, 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 six-story, 156-room hotel with ground floor retail space and 54 below-grade parking spaces; 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 six-story, 156-room hotel with ground floor retail space and 54 below grade parking spaces, provided the development is established consistent with the design, layout, materials and plans prepared by VOA Associates, Incorporated and dated June 21, 2013.

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


 JONATHAN SWAIN
 CHIEF CLERK

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

APPLICANT: Jammie Jones-Anderson, DBA Eimaj Salon **CAL NO.:** 283-13-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8214 S. Ashland Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
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 September 20, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on August 1, 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 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 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 and 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: Adam Milakofsky **CAL NO.:** 306-13-Z
APPEARANCE FOR: James Banks **MINUTES OF MEETING:**
September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1866 N. Halsted Street, Unit 3

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 15' to 11.44'; to reduce the south side yard setback from 2' to 0'; and, to reduce the front rooftop setback from the front building wall from 20' to 6.5' for a proposed rooftop stairway enclosure to a proposed open roof deck on an existing three story building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

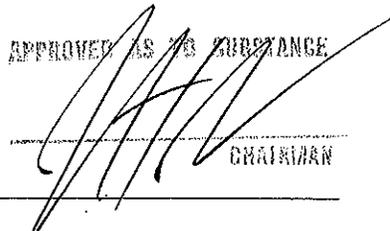
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013, after due notice thereof as provided under Section 1713-0107A and by publication in the Chicago Sun-Times on July, 2011 and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following the applicant shall be permitted to reduce the required front yard setback to 11.44'; to reduce the south side yard setback to 0'; and, to reduce the front rooftop setback from the front building wall to 6.5' for a proposed rooftop stairway enclosure to a proposed open roof deck on an existing three story 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 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 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: Masada of Chicago, Inc.

CAL NO.: 314-13-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2204-06 N. California Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of an outdoor patio on a rooftop to serve an existing restaurant

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		

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 September 5, 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 outdoor patio which shall be located on a rooftop and will serve the exiting 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; 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 outdoor patio on a rooftop to serve an existing restaurant, provided the development is established consistent with the design, layout, material and plans prepared by George W. Simoulis and dated June 6, 2006.

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

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Masada of Chicago, Inc.

CAL NO.: 315-13-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2129-47 N. California Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 5-space, accessory, off-site parking lot to serve an existing restaurant and apartment unit located at 2204-06 N. California.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 29 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		

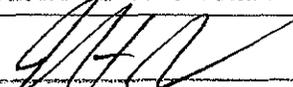
THE RESOLUTION:

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 17-13-0107B and by publication in the Chicago Sun-Times on September 5, 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 to the applicant in Cal. No. 314-13-S to permit the establishment of a rooftop patio; the applicant shall now be permitted to establish five offsite, accessory parking spaces that will fulfill the parking requirement for the existing restaurant as well as the parking for one dwelling unit for the building located at 220406 N. California Avenue; there will be a total of 6 parking spaces at the 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 six offsite, accessory parking spaces to fulfill the parking requirement for an existing restaurant and apartment unit located at 220406 N. California Avenue, provided the parking lot is improved consistent with the design, layout and plans approved by the Departments of Housing and Economic Development and Transportation. Provided further still, that the applicant enters into an agreement, also subject to approval by DHED, which provides said parking spaces to the above referenced restaurant and residential unit.

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


CHAIRMAN

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

APPLICANT: Heartland Illinois Food Corp., DBA Burger King CAL NO.: 316-13-S

APPEARANCE FOR: Jim Banks

MINUTES OF MEETING: September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2344 W. Chicago Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the re-establishment of a one lane drive-through facility for a renovated restaurant.

ACTION OF BOARD- APPLICATION APPROVED

THE VOTE

NOV 20 2013

CITY OF CHICAGO ZONING BOARD OF APPEALS

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show 'X' marks for affirmative votes and a 'RECUSED' row at the bottom.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held September 20, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 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 reestablish a one lane drive-through facility for a renovated 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; further expert testimony was also 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 reestablishment of a one-lane drive-through facility for a renovated restaurant, provided the development is established consistent with the design, layout, materials and plans prepared by Warren Johnson Architects and dated September 3, 2013.

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

APPROVED AS TO SUBSTANCE
[Signature]
[Name]

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

APPLICANT: Heartland Illinois Food Corp. DBA Burger King **CAL NO.:** 317-13-S

APPEARANCE FOR: James Banks **MINUTES OF MEETING:**
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4514 W. Diversey Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the re-establishment of a one-lane drive-through facility for a renovated restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		

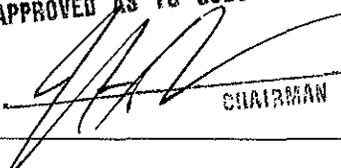
THE RESOLUTION:

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 September 5, 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 re-establish a one-lane drive-through facility which shall serve a renovated fast food restaurant; expert testimony was offered that the use would not have 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 re-establishment of a one-lane drive-through facility for a renovated restaurant, provided the development is established consistent with the design, layout, materials and plans prepared by Warren Johnson Architects and dated September 3, 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: Edison Learning, Inc

CAL NO.: 318-13-S

APPEARANCE FOR:

MINUTES OF MEETING:

September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 7037 S. Stony Island Avenue

NATURE OF REQUEST: Application for a Special Use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a high school.

ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

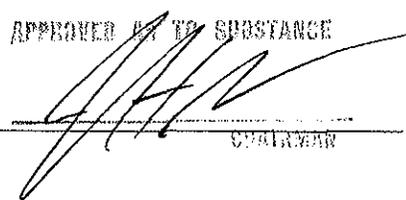
NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED BY TO SUBSTANCE



CHAIRMAN

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

APPLICANT: My Sister's Closet, Ltd

CAL NO.: 319-13-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
September 20, 2013

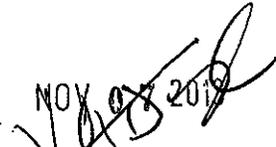
APPEARANCE AGAINST: None

PREMISES AFFECTED: 5413-17 W. Devon Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 07 2013

 NOV 13 2013
 CITY OF CHICAGO ZONING BOARD OF APPEALS
 CITY OF CHICAGO ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

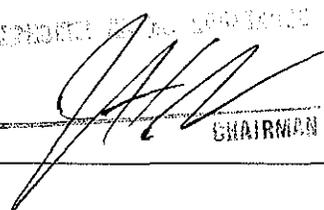
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 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 valuable objects dealer license; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was also offered that the use complies with all of the criteria 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 operation characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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


 CHAIRMAN

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

APPLICANT: Howard Frum, DBA Howard Frum Jewelers

CAL NO.: 320-13-S

APPEARANCE FOR: Mara Georges

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5 S. Wabash Avenue, Suite 814

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

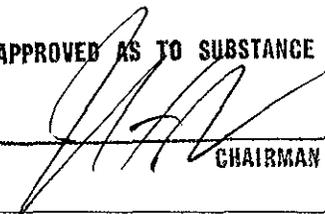
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 2013; and

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 valuable objects dealer license; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was also 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 sit planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Alin LLC. CAL NO.: 322-13-S
APPEARANCE FOR: Avni Shah MINUTES OF MEETING:
September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1397 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 a hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

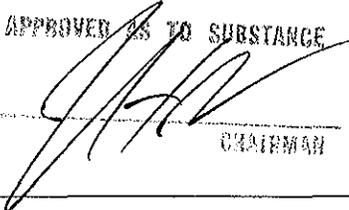
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 5, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 2013; and

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 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 also offered that the use complies with all of the criteria 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 operation 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: Daniela Comprindo DBA Hollywood Kids Salon CAL NO.: 323-13-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1736 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 a hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 9 0 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
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 September 5, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 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 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 hair salon at this location.

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: Christopher Turcios Headquarter's Barber Studio **CAL NO.:** 324-13-S

APPEARANCE FOR: Same **MINUTES OF MEETING:**
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3040 W. Irving Park Road

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

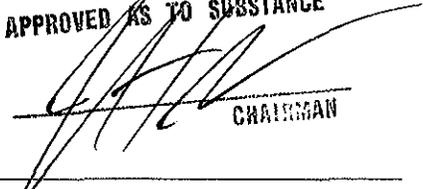
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 5, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 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 barber shop; expert testimony was offered that the use would not have a negative impact on the surrounding 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 barber shop at this location. .

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Go Spa LLC

CAL NO.: 325-13-S

APPEARANCE FOR:

MINUTES OF MEETING:

September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 1551 N. Mohawk 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 OCTOBER 18, 2013

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

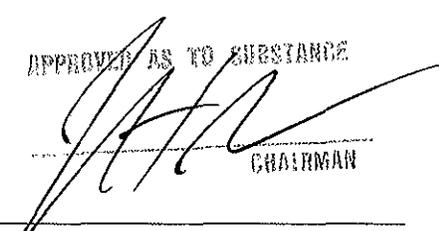
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

NOV 20 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: Luxe Blue, Ltd., DBA Luxe Blue Laser and Med Spa

CAL NO.: 326-13-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4016 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 a massage establishment.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

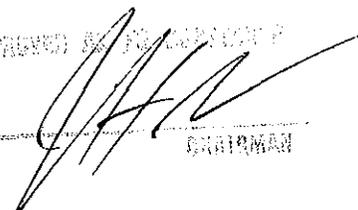
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 5, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 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 massage establishment; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Housing and Economic Development recommends approval of the proposed massage establishment at this location provided a clear and unobstructed view is maintained into the waiting area from the adjacent public right-of-way at all times

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

APPROVED BY THE BOARD OF APPEALS

CHAIRMAN

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

APPLICANT: Hang Nguyen

CAL NO.: 327-13-S

APPEARANCE FOR:

MINUTES OF MEETING:

September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 10505 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 a nail salon.

ACTION OF BOARD-
CASE CONTINUED TO NOVEMBER 15, 2013

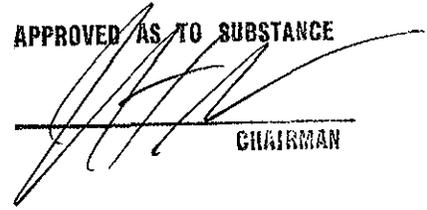
THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: William Gold

CAL NO.: 328-12-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1659 W. Grand Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 30' to 15' for a proposed four-story, 15 unit building with ground floor commercial space and garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

JONATHAN SWAIN
JUDY MARTINEZ-FAYE
SHEILA O'GRADY
SAM TOJA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

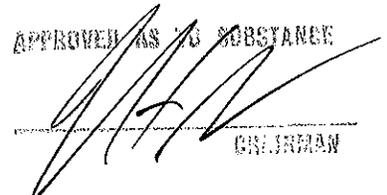
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 5, 2013 and

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 rear yard setback to 15' for a proposed four-story, 15 unit building with ground floor commercial space and 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



JONATHAN SWAIN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Raymond Young
APPLICANT

329-13-Z
CALENDAR NUMBER

1448-52 W. Fuller Street
PREMISES AFFECTED

September 20, 2013
MINUTES OF MEETING

John Pikarski
APPEARANCE FOR APPLICANT

NO OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the total combined side yard setback from 5' to 4.1' while maintaining the existing 0.1' west side setback for a proposed division of a lot with an existing single-story residence with a detached garage.

ACTION OF BOARD

THE VOTE

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

Jonathan Swain, Chair
Judy Martinez-Faye
Sheila O'Grady
Sam Toia

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

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 September 20, 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. John Pikarski, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; and

WHEREAS, Mr. Raymond Young testified in support of the application; that he is the Applicant and owns the property located at 1448 W. Fuller; that he sold the property located at 1452 W. Fuller in 2004 to Mr. Nelson Tam; that the property at 1448 W. Fuller is currently vacant but that Mr. Young would like to sell the property; that Mr. Young did not know he was breaching the Zoning Ordinance by dividing ownership of the two lots;

APPROVED AS TO SUBSTANCE

CHAIRMAN

that 1452 W. Fuller is currently improved with a one-story, single family house; that Mr. Young has Mr. Tam's permission to obtain a variation for the west side yard of 1452 W. Fuller; that the property at 1448 W. Fuller is worth about \$80,000 but if the variation is not granted, the property will be worthless as it will only be able to be used as a side yard for the improvement at 1452 W. Fuller; that the proposed variation of Mr. Tam's property at 1452 W. Fuller would not: (1) impair light and air, increase street congestions, increase danger of fire, impair public safety or impair property values; or (2) alter the essential character of the neighborhood; and

WHEREAS, in response to questions raised by the Board, Mr. Pikarski explained that the garage located at 1448 W. Fuller can remain on the property; that the garage on 1448 W. Fuller did not service Mr. Tam's house on 1452 W. Fuller; that the intent was to sell the property at 1448 W. Fuller and have the garage remain to service a house that would be built on 1448 W. Fuller once the lot was sold; that the 1448 W. Fuller lot was currently for sale; and

WHEREAS, the Board called upon Mr. Steven Valenziano, staff member of the Department of Housing and Economic Development, to answer further questions raised by the Board; that Mr. Valenziano testified the before a home could be built on the vacant lot of 1448 W. Fuller, the garage would have to be taken down; that an accessory building cannot precede a principal building on a lot; and

WHEREAS, Mr. Young agreed to take the garage down; 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 his case by testimony and other evidence that a practical difficulty and particular hardship exists regarding the proposed use of the subject property should the requirements of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding the side yard setback 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 proved by testimony and other evidence that: (1) the property located at 1448 W. Fuller cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of the Zoning Ordinance as it can currently only be sold as additional side yard property

to 1452 W. Fuller; (2) the practical difficulty or particular hardship of the property is due to the unique circumstance of dividing ownership of two lots, one of which that is currently improved with a home built before the present Zoning Ordinance; and (3) the reduced side yard setback at 1452 W. Fuller 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 topographical condition of the two lots, in particular the 100 year old improvement at 1452 W. Fuller, results in a particular hardship as distinguished from a mere inconvenience, if the strict letter of the Zoning Ordinance were carried out; (2) this current topographical condition is not generally applicable to other property within a RS-3 zoning district; (3) the purpose of the variation is not exclusively based upon a desire to make more money out of the property; (4) the Applicant did not create the current topographical condition of the two lots; (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 variation application is hereby approved, and the Zoning Administrator is authorized to permit said variation subject to the following condition:

1. The garage on the property located at 1448 W. Fuller must be torn down.

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: Antonio and Josefina Osorio **CAL NO.:** 330-13-Z
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4634 N. St. Louis Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 15' to 5.92' for a proposed second floor balcony on an existing three-unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
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 September 20, 2013, after due notice thereof as provided under Section 1713-0107A and by publication in the Chicago Sun-Times on September 5, 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 front setback from 15' to 5.92' for a proposed second floor balcony on an existing three-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.

[Handwritten Signature]
CHIEF CLERK

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

APPLICANT: MHF Chicago MC IV, LLC **CAL NO.:** 331-13-Z
APPEARANCE FOR: Katie Jahnke Dale **MINUTES OF MEETING:**
 September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 66 E. Wacker Place

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to eliminate one required off street loading space for a proposed 27-story hotel.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

NOV 20 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

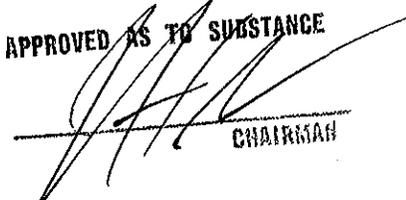
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013, after due notice thereof as provided under Section 1713-0107A and by publication in the Chicago Sun-Times on September 5, 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 eliminate one required loading berth (10 x 50 x 14) for the 27 story hotel; the Board finds 1) strict compliance with the regulations and standards of the 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 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



NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

332-13-Z

CALENDAR NUMBER

741 Armitgace, LLC

APPLICANT

1970 N. Burling Street

PREMISES AFFECTED

September 20, 2013

MINUTES OF MEETING

Jim Banks

APPEARANCE FOR APPLICANT

Allan Mellis

OBJECTOR

NATURE OF REQUEST

Application for a variation to reduce the front setback from 7.35' to 0' and the south side yard setback from 4.5' to 0' for a proposed 8' high masonry and wrought iron fence.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

Jonathan Swain, Chair
Judy Martinez-Faye
Sheila O'Grady
Sam Toia

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 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. Jim Banks, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that currently the site is improved with a three-story, two-unit residential building; that this building had been approved by the Board under Calendar Nos. 450-09-Z and 456-09-Z; that the plans approved under these calendar numbers contemplated a garden wall around the property; that the garden wall is built and runs the length of the subject property on Armitage Avenue and runs the width of the property on North Burling Street; that because of the residential zoning of the lot immediately south of the subject property, a setback for the fence is required; that this setback requirement is what triggers the

APPROVED AS TO SUBSTANCE

CHAIRMAN

variation; that under the previous calendar numbers, the Board had granted a 0' south side setback; that this, however, was before the garden wall had been built; and

WHEREAS, in response to questions by the Board, Mr. Steven Valenziano, staff member of the Department of Housing and Economic Development, testified that after an Applicant's setback relief had been granted, if there were any subsequent change to the Applicant's plans, an Applicant would have to come back to the Board for new setback relief; and

WHEREAS, Mr. John Novak testified in support of the application; that he is the managing member of the Applicant; that he resides on the subject property; that he has invested over \$3 million into the subject property; that he intends to continue residing on the subject property; that the subject property is located in a B1-3 zoning district; that the only required setback for the subject property is on North Burling Street; that this setback is required because the subject property abuts a lot in a RM-4.5 zoning district on North Burling Street; that were it not for the abutting residential district, there would be no setback requirement; that this is the practical hardship that necessitates the requested variation; that despite the 0' setback, there would still be 18' of open space on the subject property; that the garden wall provides both security and privacy as the subject property is located at a very busy intersection; that the subject property is directly across the street from Lincoln Park High School and a block east of the Halsted/Armitage intersection; and

WHEREAS, Ms. Erica Weeder testified in support of the application; that she holds a master's degree in architecture and is employed by the licensed architectural firm of Liederbach and Graham; that Liederbach and Graham designed the improvements on the subject property; that part of these improvements included a garden wall; that the garden wall is approximately 8' tall and incorporates decorative wrought iron features along the North Burling Street façade; that the garden wall not only provides privacy to the subject property but also that its design helps transition from the more business character of Armitage Avenue to the more residential character of North Burling Street; that because of the residential district that abuts the subject property, a front setback is imposed upon the Applicant; that this is a hardship; that the proposed variation allows the Applicant to overcome a hardship created by the zoning map; and

WHEREAS, in response to questions raised by the Board, Mr. Banks further explained that the hardship created by the zoning map was unique because the garden wall was permitted one side of the subject property but not the other side; that the subject property is also unique because it's a transitional point between the commercial character of Armitage Avenue and the residential character of North Burling Street; that the top 2' of the garden wall is transparent wrought iron on North Burling Street but not on the Armitage Avenue side; and

WHEREAS, Ms. Weeder further testified that in her professional opinion: (1) the garden wall is proportionate to the principal building on the subject property; (2) the proposed variation would not be detrimental to the public welfare or injurious to other

property or improvements in the area; (3) the proposed variation would not impair an adequate supply of light and air to the adjacent property; (4) the proposed variation would not increase the danger of fire or endanger the public safety; (5) the proposed variation would not substantially increase congestion to the public streets in the area; (6) the proposed variation would not diminish or impair property values in the area; and (7) the proposed variation would not alter the essential character of the locality; and

WHEREAS, Alderman Michelle Smith testified in support of the application; that based on the Board's previous resolutions in regards to the subject property, the Applicant's belief that it had the right to build the garden wall was reasonable albeit mistaken; that the subject property is located on a very busy corner and has a school with 2,400 students across the street; that the subject property's location therefore necessitates this type of garden wall; that because the garden wall is elegant, graceful and beautifully designed, there is neighborhood support for the fence; that this garden wall is the part of a settlement to a dispute between the Applicant and the neighborhood; that this dispute involved the removal of a very large sculpture from the Applicant's property; that because this sculpture has been removed, the garden wall should be allowed; and

WHEREAS, Mr. Allan Mellis testified in opposition to the application; that he has been a Lincoln Park community leader for over 35 years; that he then quoted Alderman Smith from a April 4, 2013 article in the *Lincoln Park Patch* in which she stated that Mr. Nowak is the head of a large construction company and therefore certainly knew the garden wall was illegal; that Mr. Mellis then testified the City should not reward someone who knowingly ignored the City's Zoning Ordinance; that he personally does not have a problem with the variation and feels Alderman Smith has done a good job negotiating the dispute between the Applicant and the neighborhood; that because the garden wall along Armitage Avenue is solid, has no openings, and is 8' high, he believes it is against the Zoning Ordinance; that he therefore requests that if the Board grants the variation, it will make the applicant lower the wall to comply with the Zoning Ordinance; and

WHEREAS, the Board reminded Mr. Mellis that the solid, 8' high garden wall along Armitage Avenue is allowed by the Zoning Ordinance; 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; now, 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 his case by testimony and other evidence that a practical difficulty and particular hardship exists

regarding the proposed use of the subject property should the requirements of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding reducing the front and side yard setbacks for the garden wall 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 proved by testimony and other evidence that: (1) whether the property can yield a reasonable return is not material as the applicant intends to continue to own and Mr. Nowak intends to continue to reside on the subject property; (2) the practical difficulty or particular hardship of the property is due to the unique circumstance of the subject property serving as the transition between a very busy commercial street and a residential district, resulting in the situation where the garden wall is allowed by right on one side of the property but not allowed on the side of the property that abuts the residential district; and (3) the garden wall will not alter the essential character of the neighborhood because although the garden wall is solid on the business-oriented Armitage Avenue, the garden wall's top 2' are transparent, wrought-iron on the residential North Burling 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 fact that the subject property abuts both business and residential zoning on a very busy corner with a large high school results in particular hardship upon the Applicant if the strict letter of the regulations for the subject property's front and side yard setbacks were carried out; (2) the unique zoning situation on this particular corner of Armitage Avenue and North Burling Street is not generally applicable to other property zoned B1-3; (3) as the applicant will continue to own and Mr. Nowak will continue to reside on the subject property, profit is not a motive for the application; (4) the applicant did not create the zoning situation in question; (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 variation application is hereby 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: Jay Kopfer **CAL NO.:** 333-13-Z

APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2047 W. Cuyler Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the total combined side yard setback from 5' to 3' with zero west side yard setback and 3' east side yard setback for a proposed rear two-story addition to a former three-unit building that will become a single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

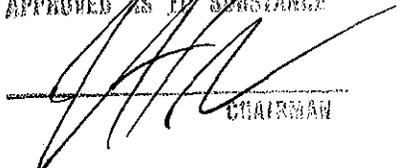
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013, after due notice thereof as provided under Section 1713-0107A and by publication in the Chicago Sun-Times on September 5, 2013 and

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

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request 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: 850 LLC

CAL NO.: 334-13-S

APPEARANCE FOR:

MINUTES OF MEETING:

September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 850 N. DeWitt Place

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of 68 public, leased or rented parking spaces for an existing garage.

ACTION OF BOARD-
CASE CONTINUED TO NOVEMBER 15, 2013

THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO REGULARITY

CHICAGO

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

APPLICANT: Kasper Development, LLC

CAL NO.: 335-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 3918-20 S. Rockwell Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a residential use below the second floor of a proposed two-story, single family residence with an attached garage.

ACTION OF BOARD-
CASE CONTINUED TO OCTOBER 18, 2013

THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

[Handwritten signature]
RECEIVED BY THE BOARD
SEP 20 2013

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

APPLICANT: Kasper Development, LLC

CAL NO.: 336-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 3922-24 S. Rockwell Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a residential use below the second floor of a proposed two-story, single family residence with an attached garage.

ACTION OF BOARD-
CASE CONTINUED TO OCTOBER 18, 2013

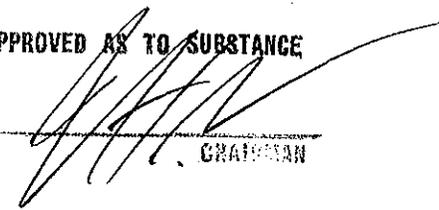
THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT:

Deer Rehabilitation Services, Inc.

CAL NO.: 337-13-S

APPEARANCE FOR:

MINUTES OF MEETING:

September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED:

3645-47 W. Douglass Boulevard

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

ACTION OF BOARD-

CASE CONTINUED TO NOVEMBER 15, 2013

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

JONATHAN SWAIN

JUDY MARTINEZ-FAYE

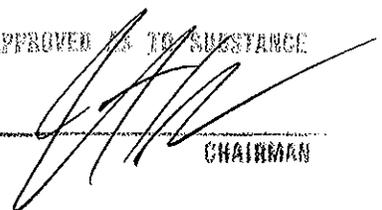
SHEILA O'GRADY

SAM TOIA

NOV 20 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:

Guru Ohm, LLC

CAL NO.: 338-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED:

1455 W. Taylor Avenue

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

ACTION OF BOARD-

CASE CONTINUED TO NOVEMBER 15, 2013

THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED BY THE CHAIRMAN

CHAIRMAN

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

APPLICANT: Claire's Boutique, Inc DBA Icing CAL NO.: 339-13-S
APPEARANCE FOR: Patrick Turner MINUTES OF MEETING:
September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 133 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 an ear piercing facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

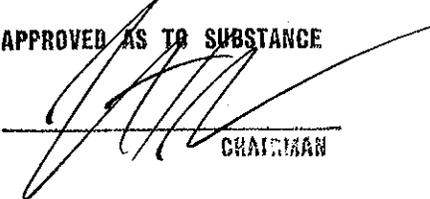
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 1713-0107B 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 an ear piercing establishment; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria 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 operation 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 ear piercing establishment at this location.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Brendan James Corporation

CAL NO.: 340-13-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3169 N. Broadway

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the expansion of an existing tavern to the lower level.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 18 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

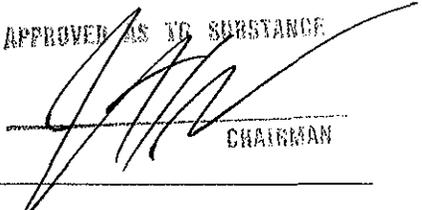
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 1713-0107B and by publication in the Chicago Sun-Times on September 5, 2013; and

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 the existing tavern into the lower level of the existing 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 this 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 this complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Housing and Economic Development recommends approval of the proposed expansion of an existing tavern to the lower level of the existing commercial space at this location.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Darlington Hotel LLC

CAL NO.: 341-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 4700 N. Racine Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of establish a three-story 58-unit, single room occupancy building.

ACTION OF BOARD-
CASE CONTINUED TO OCTOBER 18, 2013

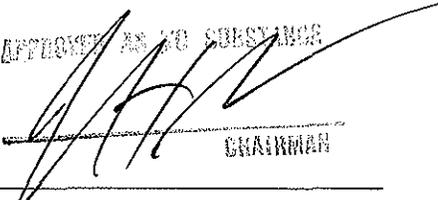
THE VOTE

NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS NO SUBSTANCE

CHAIRMAN

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

APPLICANT: 4011 N Paulina, LLC

CAL NO.: 342-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 4007 N. Paulina Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a residential use below the second floor of a proposed four-story, eight unit building with a detached garage.

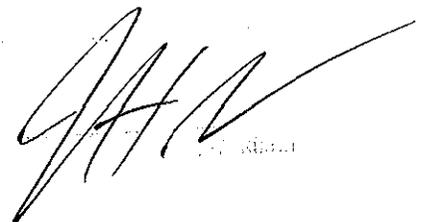
ACTION OF BOARD-
CASE CONTINUED TO OCTOBER 18, 2013

THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		



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

APPLICANT:

4011 N. Paulina LLC

CAL NO.: 343-13-S

APPEARANCE FOR:

MINUTES OF MEETING:

September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED:

4011 N. Paulina Street

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

ACTION OF BOARD-

CASE CONTINUED TO OCTOBER 18, 2013

THE VOTE

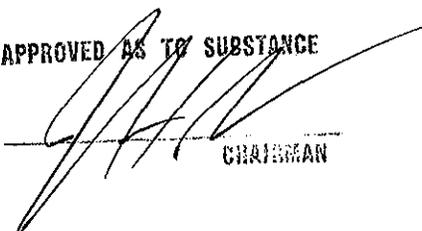
NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



Nov 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Bobb, LLC
APPLICANT

344-13-S
CALENDAR NUMBER

3636-58 N. Western Avenue
PREMISES AFFECTED

September 20, 2013
MINUTES OF MEETING

Rolando Acosta
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 coffee shop.

ACTION OF BOARD

THE VOTE

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

Jonathan Swain, Chair
Judy Martinez-Faye
Sheila O'Grady
Sam Toia

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 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. Rolando Acosta, 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 subject property is currently vacant; that the Applicant proposes to redevelop the subject property with a two building, retail shopping center; that one of the buildings will house a Starbucks coffee shop; that the proposed drive-through for the Starbucks necessitates the special use; and

WHEREAS, Mr. Philip Golding testified in support of the application; that he is a representative of the Applicant; that based on Starbucks customer patterns, the Applicant believes the drive-through will be in the interest of the public convenience and necessity;

APPROVED BY THE BOARD

CHAIRMAN

that the Applicant's anticipated hours of operation for the subject property are 5:00 AM to 11:00 PM; and

WHEREAS, Mr. Howard Hirsch testified in support of the application; that he is the architect for the proposed redevelopment; that he has designed the redevelopment to conform with all applicable zoning regulations; and

WHEREAS, Mr. Peter Lemmon testified in support of the application; that he is with Traffic Analysis & Design, Inc. and undertook a traffic study for the potential impact of the proposed drive-through on Western Avenue and the immediate area traffic; that he submitted this traffic study to the City of Chicago Department of Transportation ("CDOT"); that based on comments received from CDOT, Mr. Lemmon modified the traffic plan for the proposed drive-through; that CDOT agrees with the modified traffic plan and does not believe the proposed drive-through lane would cause any detrimental impact to area traffic flow; that Mr. Lemmon does not believe the proposed drive-through would have any potential impact on pedestrian safety; and

WHEREAS, Mr. Peter Poulos 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) that the proposed drive-through is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (2) that the proposed drive-through 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; (3) that the proposed drive-through is designed to promote public safety and comfort; and (4) that the proposed drive-through would not have a significant adverse impact on the general welfare of the neighborhood or community; and

WHEREAS, in response to questions raised by the Board about sufficient car stacking at the proposed drive-through, Mr. Howard further testified that the window placement of the proposed drive-through allows the Applicant's staff to take orders and prepare drinks on a faster basis; that the window placement is standard across the country; that in the Applicant's experience, the car stacking occurs between the window and the menu board/speaker box; and

WHEREAS, the Board called Mr. Steven Valenziano, staff member of the Department of Housing and Economic Development to testify on this issue; that Mr. Valenziano testified in the Department's experience, the longer it takes to prepare an order, the larger the traffic back-up is at the menu board/speaker box because cars are not reaching the window; that if the speaker box were moved closer to the window, although there would be shorter car stacking between the window and the menu board/speaker box, there would be less of a problem with cars stacking into the parking lot or out into the street; and

WHEREAS, Mr. Howard indicated that although the Applicant would be amenable to moving the menu board/speaker box one car length closer to the window, the Applicant's designers had studied this issue at length; that based on a study of the Applicant's 12,000 stores, the Applicant believed the current distance between the menu board/speaker box and window for the proposed drive-through to be best for its business needs; 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 design, layout materials and plans prepared by Daniel Weinbach and Associates; 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; 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 in the area. Further, the proposed special use will not have an adverse impact on the general welfare of the community;
3. The proposed special use will not change the character of the surrounding area in terms of site planning and building scale and project design; and
4. The proposed special use 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 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 following condition:

1. The Applicant will move its menu board/speaker box one car length closer to the window of the drive-through.

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: Donald Hampton

CAL NO.: 345-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 4651 S. Michigan Avenue, 1st, Flr

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

ACTION OF BOARD-

CASE CONTINUED TO NOVEMBER 15, 2013

then continued to January 17, 2014

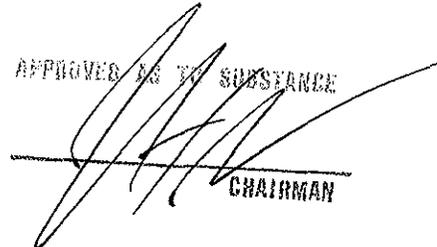
THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Sohail Bawany **CAL NO.:** 346-13-S
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 822 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 beauty/ nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

NOV 20 2013
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
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X		

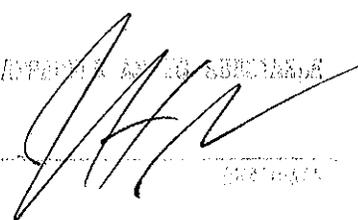
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 5, 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/ nail 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 beauty /nail salon.

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


 JONATHAN SWAIN
 CHAIRMAN

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

APPLICANT: Tuan Trung Le / John Ngo

CAL NO.: 347-13-S

APPEARANCE FOR:

MINUTES OF MEETING:
September 20, 2013

APPEARANCE AGAINST:

PREMISES AFFECTED: 3920 N. Broadway

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-
CASE CONTINUED TO NOVEMBER 15, 2013

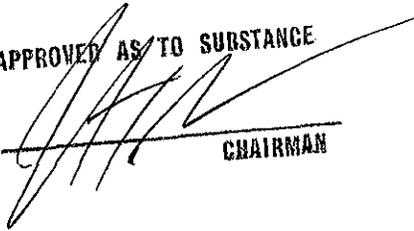
THE VOTE

NOV 20 2013
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ADSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



NOV 20 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

RP Solutions, LLC
APPLICANT

348-13-Z
CALENDAR NUMBER

7313-33 North Sheridan Road
PREMISES AFFECTED

September 20, 2013
MINUTES OF MEETING

Andrew Scott
APPEARANCE FOR APPLICANT

Eve Brownstone & Others
OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the rear yard setback from 2.7' to 1' and reduce the northwest side yard setback from 5.58' to 1' on a reverse corner lot for a proposed four-story, five-level, 250 non-accessory, non-required parking garage.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

Jonathan Swain, Chair
Judy Martinez-Faye
Sheila O'Grady
Sam Toia

AFFIRMATIVE	NEGATIVE	ABSENT
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THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 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. Andrew Scott, 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 subject property is irregularly shaped and is zoned B1-5; that the applicant intends to build a 250 non-accessory parking garage on the subject property; that non-accessory parking garages are permitted by right in a B1-5 zoning district; that the rear and side yard variation sought is due to site constraints; that then he submitted a Letter of Support from Alderman Moore into the record; and

APPROVED AS TO SUBSTANCE

CHAIRMAN

WHEREAS, Mr. Chris Talsma testified in support of the application; his credentials as a licensed architect were acknowledged by the Board; that he is the architect for the proposed parking garage; that currently the subject property is improved with a deteriorating, single-family home that has been converted into a mediation center and a deteriorating, surface parking lot; that the surrounding area is predominately residential with some commercial mixed in; that the property next south is improved with a eight or nine story residential building with no setback; that the front and side setbacks on this part of Sheridan Road vary from 0' to 30'; that four or five story buildings are the average on this part of Sheridan; that therefore, the size and scope of the proposed garage is within the context and scale of the surrounding area; and

WHEREAS, Mr. Talsma further testified that the proposed project is a permitted use under the Zoning Ordinance and that except for the requested variation, the project otherwise meets all other requirements of the Zoning Ordinance; that the proposed project is well below the floor area ratio (FAR) of a B1-5 zoning district; that the proposed variation will not increase the danger of fire; that the proposed variation will not impair adequate light or air to adjacent properties; that although there is no front setback requirement for the garage under the B1-5 zoning, the applicant has agreed to provide a 6' front setback to satisfy the community; that consequently, the applicant can no longer meet the rear yard requirements and this is what necessitates the request for a rear yard setback variation; that there are several Sprint Telecom facilities on the southern side of the property; that the applicant is legally obligated to allow Sprint Telecom access to its equipment; that these facilities take up a 7'x 50' portion of the subject property's south side; that additionally, the proposed project must be set back at least 12' from the property line in order to meet the fire code; that but for the fire code and the Sprint Telecom equipment, the proposed project could meet the side yard setback requirements;

WHEREAS, Mr. Talsma further testified that the subject property is irregularly shaped; that a triangular portion of the subject property was excluded during a prior transfer of land; that this irregular shape, combined with the unusual conditions of the Sprint Telecom equipment and the agreement to provide a 6' front setback, results in particular hardship to the applicant; that if the strict letter of the Zoning Ordinance were carried out with respect to this property, there would be significant adverse impact on the safety and utility of the proposed parking garage; that both the irregular shape and unusual conditions of the subject property are not generally applicably to other similarly situated properties; that the applicant did not create the irregular shape or the unusual conditions; that the requested variation is consistent with the purposes and intent of the Zoning Ordinance because it promotes public safety and welfare by having a safe and functional parking structure; that additionally the front setback along Sheridan Road contributes to the quality of life and character of the neighborhood; and

WHEREAS, Mr. Sean McGowen testified in support of the application; that he is the Chief Operating Officer for the Applicant; that he is very familiar with the area, the subject property, and the subject property's improvements; that there is a substantial demand for safe, convenient public parking in the area as there are several new

residential developments in the area with no on-site parking; that the Applicant has received many inquiries from residential buildings in the area about the availability of parking spaces in the proposed parking garage; that the Applicant had a parking study of the area prepared which supports a demand for off-street parking in the area; that the proposed parking garage will be a benefit to the general public and other improvements in the area; that, therefore, the proposed variation will not diminish or impair property values; that due to the street to the north of the subject property, a twenty-foot easement to the east of the property, and the Sprint Telecom equipment to the south of the property, there is considerable separation between the subject property and the residential buildings surrounding it; that if the proposed parking garage was built in strict accordance with the Zoning Ordinance, the subject property could not yield a reasonable return; that without the requested variations, the proposed parking garage would lose drive aisle width; that this loss of drive aisle width would diminish safety and utility of the garage; that therefore, a reasonable return on the subject property would not be reached; that the Applicant is not requesting the relief solely to make more money out of the property but instead is requesting the relief to ensure the utility and functionality of the proposed parking garage; that the Applicant agrees with Mr. Talma's testimony in regards to the unique circumstances of the subject property; and

WHEREAS, Mr. Tim Doron testified in support of the Applicant; that he is the Director of Transportation for Dewalt Hamilton Associates; that Dewalt Hamilton Associates is a professional traffic engineering and planning firm with offices at 53 W. Jackson, Chicago; that he has been a traffic consultant for over 20 years; that he is familiar with the subject property and its proposed improvements; that in his professional opinion, the proposed variation will not increase traffic congestion, be detrimental to the public welfare, or injurious to other property in the neighborhood;

WHEREAS, Mr. Gary Koch testified in support of the Applicant; that he is a vice-president of Walker Parking Consultants; that he has 34 years experience in performing parking facility design and market analysis; that he is familiar with the subject property and its proposed improvements; that without the requested variation, the proposed parking garage would have to reduce the drive aisle width; that in consequence, the proposed parking garage would lose 4 parking stalls per level; that as there are 4 levels, 16 parking stalls would be lost in total and the overall parking garage would be much less efficient; and

WHEREAS, in response to questions by the Board, Mr. Scott explained that the Applicant would like to have the proposed parking garage built at the front property line; that this would make the proposed parking garage more consistent with the other buildings along this part of North Sheridan Road; that the Applicant agreed to the 6' front yard setback to show its commitment to the community; that there is nothing specific about the 6' setback; that this was merely the number negotiated as the community originally wanted 15' and the Applicant wanted 0'; that the Applicant does not believe the 6' setback is a self-created hardship because the 6' setback was what was required for community support of the proposed parking garage; and

WHEREAS, Mr. Koch further testified that the proposed parking garage would not be bringing new cars to the area but instead serving the area residents' demand for safe and convenient parking options; that due to the proposed parking garage, there will be less demand for public street parking; that the proposed parking garage is a complimentary use to all the residential buildings in the area; and

WHEREAS, Ms. Eve Brownstone testified in opposition to the application; that she resides at 1225 West Jarvis and has lived in the area for 18 years; that cars coming in and out of the proposed parking garage would be a safety hazard for the seniors in the area; and

WHEREAS, Mr. Don Gordon testified in opposition to the application; that he resides at 1228 West Lunt and has lived in the area for 40 years; that he attends many mediation sessions in the existing house on the subject property; that the existing house on the subject property is not deteriorating; that there are 9 or 10 single-family homes in the area; that just because some buildings along Sheridan Road are built to the lot line, does not justify the 6' setback for the proposed parking garage; that if the variation is granted, there should be a 15' front setback required; that the variation should be denied because of the history of Rogers Park and because the neighbor next south of the subject property has a beautiful front lawn; and

WHEREAS, Ms. Susan Olin testified in opposition to the application; that she has resided at the corner of Chase and Sheridan Road for the past 17 years; that she has written several articles on the history of Sheridan Road; that when the Applicant changed the zoning of the subject property from its former residential zoning to its current B1-5 zoning, the community was locked out of the discussions; that the property at 7301 North Sheridan, adjacent to the subject property, has been similarly upzoned; that this was also done with no notice to the community; and

WHEREAS, the Board reminded Ms. Olin to focus on the requested variation for the subject property as the variation was what was before the Board; and

WHEREAS, Ms. Olin further testified that the variation should not be allowed because it is against the 1990 Sheridan Road Plan ("the Plan"), implemented by former Alderman David Orr; that due to the Plan, Sheridan Road is beautiful; that she is also concerned about the noise from the planned horn at the entry/exit of the proposed garage; that she will not be able to open her windows ever again on account of the noise; that there are no other multilevel garages in the area; that she does not want to live next to a multilevel garage; that the proposed parking garage will create a shadow and impair light; that the proposed structure is too big for the residential area and should not be allowed; and

WHEREAS, Ms. Margaret Meiser testified in opposition to the application; that she resides at 1309 West Fargo and has lived in the area for 18 years; that the proposed parking garage is not appropriate in size or scale for a residential neighborhood; that the proposed parking garage will cause traffic congestion and be a danger to pedestrians and

cyclists; that the proposed parking garage will be a nuisance; that there should be protection of the lakefront; and

WHEREAS, the Board reminded Ms. Meiser that lakefront protection was not an issue before the Board but instead was an issue before the Chicago Plan Commission; and

WHEREAS, Ms. Mesier further testified that open air garages promote crime; that Rogers Park already has much crime due to drugs, gangs, and prostitution; that she has witnessed such crime in her own parking lot; that by allowing the proposed parking garage, crime in the area would be promoted; that there are many alternatives to the proposed parking garage, such as large trees and green space; and

WHEREAS, the Board again reminded Ms. Meiser that the only issue before the Board was the requested variation; and

WHEREAS, Ms. Meiser further testified that the neighborhood is pedestrian and residential; that the neighborhood would like a seat at the table in any discussions regarding use of the subject property; and

WHEREAS, Ms. Ursula Tripp testified in opposition to the application; that she lives across the street from the subject property and has done so for 30 years; that due to all the fire department trucks that come to the neighborhood, there will be much traffic congestion should the proposed parking garage be built; that in consequence, the neighborhood will become very unsafe; that the proposed parking garage is going to be made of glass and this will be detrimental to migrating birds; and

WHEREAS, Ms. Autumn Davids testified in opposition to the application; that she is the secretary of the Rogers Park Chamber of Commerce; that she resides at 7010 North Ashland; that the proposed parking garage will be bad for business owners in the neighborhood; that she has over 300 signatures from neighborhood business owners and their customers against the proposed parking garage; and

WHEREAS, Mr. Bill Morton testified in opposition to the application; that he is the president of the Rogers Park Chamber of Commerce; that he resides at 1206 West Jarvis Street; that the Rogers Park Chamber of Commerce board unanimously voted against the proposed parking garage; that if the proposed parking garage is built, many local businesses will close; that street parking spaces will be lost due to the proposed parking garage; that there are many local businesses that sell parking space so there is no need for a parking garage; that the Rogers Park Builders Group is also against the proposed parking garage; and

WHEREAS, Ms. Eva McCann testified in opposition to the application; that she resides at 1538 West Jonquill Terrace; that she is a 31 year resident of Rogers Park; that she then read in a letter from Mr. John Norquist of 6707 North Newguard Avenue; that Mr. Norquist believed a 250 car parking garage was vastly overscaled for the

neighborhood; that the proposed garage would be an obstacle for positive development in the neighborhood; and

WHEREAS, Mr. Steve Townshend testified in opposition to the application; that he resides at 1230 West Chase and has done so for the past 10 years; that the proposed parking garage is unjust for the people who have spent hundreds of thousands of dollars to live in this neighborhood; and

WHEREAS, Mr. Larry Fox testified in opposition to the application; that he resides at 1205 West Sherwin Avenue and owns the garage directly east of the subject property; that the proposed parking garage will make it impossible for him to maintain his garage; and

WHEREAS, the Board informed Mr. Fox that his garage was an illegal, non-conforming use of the property as there was no principal building to which the garage was an accessory; that the Board encouraged Mr. Fox to speak to the staff members of the Department of Housing and Economic Development on this issue; and

WHEREAS, Mr. Justin Haugins testified in opposition to the application; that he had been a member of the 2012 traffic and public safety committee for the ward; that based on the traffic report provided by Dewalt Hamilton, there would be at least a 2% increase in traffic for the area; that this increased traffic congestion was not necessary as there was no need for any new parking in the area; and

WHEREAS, in response to questions raised by the Board, Mr. Scott explained that if the variation for the northwest side yard setback was not granted, it would severely undermine the utility of the proposed parking garage; and

WHEREAS, in response to questions raised by the Board, Mr. Talsma testified that 4 parking spaces per level would be lost if the proposed parking garage had to be built without the requested variations; and

WHEREAS, in response to questions raised by the Board, Mr. Scott explained that losing these parking spaces would change the reasonableness of the rate of return, especially due to the amount of investment the Applicant proposes to invest in the property with the proposed garage; that as the cars utilizing the proposed garage would not be new, additional cars but cars that already existed in the neighborhood, there would be no additional noise, light, or traffic added to the neighborhood by the proposed garage; that the Applicant had met extensively with the senior center in the area and due to their concerns about safety, the Applicant agreed to put flashing lights and horns at the entrance/exit of the proposed parking garage; that the Applicant can control the time of day these lights and horns are utilized for the comfort of the neighborhood residents; that there will be 24 hour security at the proposed garage to deal with the issues of crime, drugs, and prostitution; there are also several safety features included in the plans for the proposed garage, such as security boxes in the stairwells;

WHEREAS, in response to further questions raised by the Board, Mr. Scott further explained that the Applicant requested the zoning change on the subject property from RT-4 to B1-5; that due to suggestions made by the Chicago Department of Transportation, the Applicant had made several changes to its plans for the proposed parking garage; and

WHEREAS, in response to further questions raised by the Board, Ms. Olin further testified that the Alderman did not really explain the zoning change process to the community; that the Alderman did not explain that he would put forward the zoning change to City Council; that there was one public meeting in regards to the zoning change; and

WHEREAS, in response to further questions raised by the Board, Mr. Michael Land, staff assistant to Alderman Moore testified; that the Applicant had several meetings with the Alderman's zoning and land use advisory committee; that after much discussion between the committee and the Applicant about the design, the Alderman held a public meeting in regards to the proposed parking garage; that there was then a meeting between the senior center, the Alderman, and the Applicant about the senior center's concerns; that there was also an additional meeting for those people who live on the 1200 block of Sherwin; that the City's Committee on Zoning heard the matter back in July, with proper notice given; that the Alderman did not introduce the zoning change; that the Applicant applied for the zoning change; that the Alderman supported both the zoning change and the proposed variation for the same reasons set forth in his Letter of Support; and

WHEREAS, in response to further questions raised by the Board, Mr. Steven Valenziano, staff member of the Department of Housing and Economic Development testified; that the Applicant first had to appear before the Board before appearing before the Chicago Plan Commission; that the City of Chicago Department of Law has determined that before an Applicant goes before the Chicago Plan Commission for a Lakefront Protection Ordinance matter, it must be fully compliant with the Zoning Ordinance; that therefore, the Applicant is before the Board for its setback relief; that the Applicant had applied for and City Council had passed a Type 1 zoning change for the subject property; that in consequence, the change from RT-4 to B1-5 was tied to the Applicant's plans for the proposed garage; that these proposed plans reflect the 6' front setback negotiated between the Applicant and the community; that if the Board were to deny the requested variation, the Applicant would have to go back to City Council for a zoning change from a B1-5 with the current site plan to a B1-5 with a new site plan; and

WHEREAS, in response to further questions raised by the Board, Mr. Land further testified that the 6' front setback was an agreement between the Applicant and the Alderman; that the Applicant had agreed to such a setback after the community meeting where the setback had been made an issue; that the Alderman's support of the zoning change was contingent upon this 6' front setback; 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; now, 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 use of the subject property should the requirements of the Zoning Ordinance be strictly complied with, and, further, the requested variation regarding the rear and side yard 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 proved by testimony and other evidence that: (1) 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 because any parking garage built without the requested variation would lose aisle width, and consequently, parking stalls; (2) the practical difficulty or particular hardship of the property is due to the irregularly shaped lot, the Sprint Telecom equipment on the south side of the property, and the 6' front setback submitted as part of the applicant's Type 1 zoning application; and (3) the reduced side and rear yard setbacks will not alter the essential character of the neighborhood because many other buildings in the neighborhood have reduced setbacks; 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 evidence was presented that: (1) the fact that the subject property is irregularly shaped, has Sprint Telecom equipment on its south side, and has a 6' front setback tied to its present zoning results in particular hardship upon the Applicant if the strict letter of the regulations for the subject property's rear and side yard setbacks were carried out; (2) the subject property's irregular shape, Sprint Telecom equipment and 6' front setback tied to its present zoning are not conditions generally applicable to other property within the B1-5 zoning district; (3) as the Applicant will continue owning the subject property, the purpose of the variation is not exclusively based upon a desire to make more money out of the property; (4) the Applicant did not create the particular hardship of the subject property; (5) the variation being granted will not be detrimental to the public welfare or injurious to other property as adequate safety measures such as 24 on-site security, security boxes, and flashing lights and horns will be part of the proposed parking garage; 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 as the unique conditions of the subject property ensure that the proposed parking garage will be well-set off from its immediate neighbors.

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 variation application is hereby 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: PLD, LLC Series A **CAL NO.:** 349-13-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1905-07 N. Bissell Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the total combined side yard setback from 5' to 2.79' with a north side setback of zero for a proposed division of a lot with an existing seven-unit building and also to allow for a proposed three-unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

NOV 18 2013

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

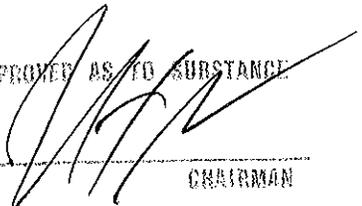
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 1713-0107A and by publication in the Chicago Sun-Times on September 5, 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 total combined side yard setback to 2.79' with a north side setback of zero for a proposed division of a lot with an existing seven-unit building and also to allow for a proposed three-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: Savane Properties
APPEARANCE FOR: Adam Penkhus
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1921 N. Dayton Street

CAL NO.: 350-13-Z

MINUTES OF MEETING:
 September 5, 2013

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the total combined side yard setback from 5' to 3' with a south side setback of 1' for a proposed three-story single family residence with a detached garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

NOV 19 2013

CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

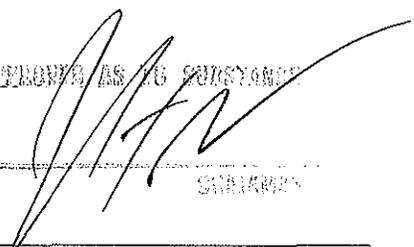
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013 after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 5, 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 total combined side yard setback from 5' to 3' with a south side setback of 1' for a proposed three-story single family residence with a detached garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and 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: 8809 S. Wood Associates
APPEARANCE FOR: Edward Grossman
APPEARANCE AGAINST: None
PREMISES AFFECTED: 8809 S. Wood Street

CAL NO.: 351-13-Z

MINUTES OF MEETING:
 September 20, 2013

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the south yard setback from 5' to 2.59' and to reduce the front setback from 20' to 13.7' for a proposed second story addition to an existing single-family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

NOV 20 2013

CITY OF CHICAGO
 ZONING BOARD OF APPEALS

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

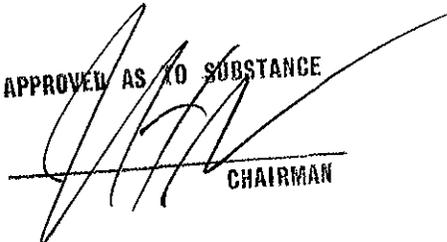
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013, after due notice thereof as provided under Section 1713-0107A and by publication in the Chicago Sun-Times on September 5, 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 south yard setback to 2.59' and to reduce the front setback to 13.7' for a proposed second story addition to an existing single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request 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: Zev Salomon and Pau Florian **CAL NO.:** 352-13-Z
APPEARANCE FOR: Bernard Citron **MINUTES OF MEETING:**
September 20, 2013
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1327-29 N. Wolcott Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the north side setback from 7.5' to 2.6' , the south side setback from 20' to zero and the rear setback from 22.12, to zero for a proposed three-story, three unit building with an attached garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

NOV 19 2013

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

APPIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

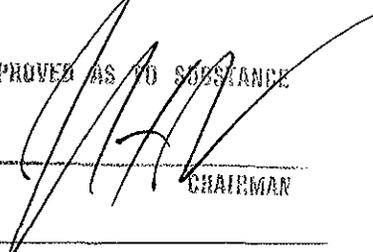
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2013, after due notice thereof as provided under Section 1713-0107A and by publication in the Chicago Sun-Times on September 5, 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 north side setback from 7.5' to 2.6' , the south side setback from 20' to zero and the rear setback from 22.12, to zero for a proposed three-story, three unit building with an attached 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 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