

ZBA
RESOLUTIONS
JANUARY 19, 2018

MINUTES OF MEETING

Date: January 19, 2018

Cal. No. 565-16-S

Kathleen A. Duncan, Attorney for the Applicant, presented a written request for an extension of time in which to establish an eight story, fifty-four residential units (forty-four dwelling and ten efficiency units) with eleven ground floor parking spaces at the subject property located at 3928 N. Sheridan Road. The special use was approved on December 19, 2016 in Cal. No. 565-16-S.

Ms. Duncan stated that her client is in the process of identifying a construction and financing strategy for the project and will not be able to obtain the necessary permits within the one year validity period.

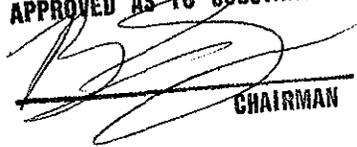
Blake Sercye moved the request be granted and the time for obtaining the necessary permit be extended to December 19, 2018.

Yeas – Sercye, Toia, Williams. Nays – None. Absent-Doar, Flores.



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Anne Berger

CAL NO.: 1-18-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3754 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 14' to 0.08', north setback from 3.2' to 0.08' (south to be 0.25'), combined side setback from 8' to 0.33' for a proposed two-story addition and a rear porch to the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to 0.08', north setback to 0.08' (south to be 0.25'), combined side setback to 0.33' for a proposed two-story addition and a rear porch to the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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) 744-3888



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Sudz Express Car Wash Inc.
APPLICANT

2-18-S
CALENDAR NUMBER

4607 W. Fullerton Avenue
PREMISES AFFECTED

January 19, 2018
HEARING DATE

ACTION OF BOARD	THE VOTE	THE VOTE		
		AFFIRMATIVE	NEGATIVE	ABSENT
The application for the special use is approved subject to the conditions specified below.	Blake Sercye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shaina Doar	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Sol Flores	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Amanda Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 4607 W.
FULLERTON AVENUE BY SUDZ EXPRESS CAR WASH INC.**

I. BACKGROUND

Sudz Express Car Wash Inc. (the "Applicant") submitted a special use application for 4607 W. Fullerton Avenue (the "subject property"). The subject property is currently located in Planned Manufacturing District 9 ("PMD-9") and is vacant. The Applicant proposed to establish a car wash in a proposed one-story building ("car wash"). To permit such car wash, the Applicant sought a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed special use provided that: (1) such special use was issued solely to the Applicant; and (2) the development was consistent with the design and layout of both the site and landscape plan dated December 8, 2017, prepared by Alan R. Schneider Architects.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on January 19, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and

APPROVED AS TO SUBSTANCE

CHAIRMAN

by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's president Mr. Sean Fearon and its attorney Mr. Nick Ftikas were present. The Applicant's traffic engineer and consultant Mr. Michael Werthmann and its MAI real estate appraiser Mr. Sylvester J. Kerwin, Jr. were also present. Testifying in opposition to the application were Mr. Robert Stelnicki and Mr. Andreas Vassilos. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney reminded the ZONING BOARD OF APPEALS that due to the subject property being located in PMD-9, a special use was required for the Applicant to operate a car wash.

The Applicant presented the testimony of its president Mr. Sean Fearon. Mr. Fearon testified that the Applicant proposed to establish an automated car wash facility on the subject property. He testified that the Applicant's plan of development for said car wash incorporated twelve (12) on-site parking spaces as well as three (3) stacking lanes with stacking capacity for four (4) cars each. He testified that access to the car wash would be provided via Fullerton Avenue at the northeast corner of the subject property. He testified on-site traffic would be directed to pay stations and from there cars would form a line to enter the car wash building. He testified that the car wash would be entirely contained in a proposed one-story building. He testified that the car wash would take approximately three (3) minutes after which cars would exit the building on the east of the subject property. He testified that from there, cars would use the public alley to either access the on-site parking spaces for additional drying or vacuuming or exit directly onto Fullerton Avenue. He testified that the Applicant planned to initially hire six (6) employees but would hire additional employees if the Applicant's business grew. He testified that the Applicant's proposed hours of operation would be seven (7) days a week from 7:00 AM to 10:00 PM.

The Applicant presented the testimony of its traffic engineer and consultant Mr. Michael Werthmann. The ZONING BOARD OF APPEALS recognized Mr. Werthmann as an expert in traffic engineering. Mr. Werthmann testified that he was familiar with the subject property. He testified that there was queuing for twelve (12) cars at the pay station and queuing for another four (4) to five (5) cars after the pay station but before entering the car wash. He testified that after going through the car wash, primary egress from the subject property will be onto West Fullerton Avenue. He testified that the ingress and egress plan incorporated the public alley along the east side of the subject property. He testified that Alderman Villegas had already issued a letter of alley access support to facilitate this ingress and egress plan. He testified that Applicant's proposed site plan would allow the car wash to function in an orderly and proper manner because: (a) primary access to the subject property will be from Fullerton Avenue; (b) the Applicant would be not only using the existing public alley but improving said alley by widening it to provide one inbound lane and two outbound lanes; and (c) the Applicant would not be asking for any new curb cuts off of Fullerton Avenue. He testified that while there would be an access drive onto Knox Street from the southwest corner of the

subject property, this access drive would be for outbound access only and would be an emergency way to exit the car wash if after entering the subject property a driver decided he no longer wished to go through the car wash. He testified that the car wash, as previously testified, would have three (3) pay stations and internal stacking for eighteen (18) to twenty (20) vehicles. He testified that this internal stacking was more than one would find at most car washes in the City. He testified that none of this stacking would be in the public alley. He testified that the Applicant's proposed special use would not overburden or increase traffic congestion on West Fullerton as car washes are low generators of traffic. He testified that while car washes do have peak days, these days happen about ten (10) times a year. He testified that as a large portion of car wash traffic is generated from the traffic already on the roadway system, the Applicant's car wash would generate less than one percent (1%) increase of traffic on Fullerton Avenue. He testified that there would be no access into the car wash from the residential streets off of Fullerton Avenue. He testified that the Applicant's proposed site plan would promote pedestrian safety and comfort due to: (a) no new curb cuts on Fullerton; and (b) all traffic would be exiting onto Fullerton and thus staying away from the residential areas.

The Applicant presented the testimony of its MAI real estate appraiser Mr. Sylvester J. Kerwin, Jr. The ZONING BOARD OF APPEALS recognized Mr. Kerwin as an expert in real estate appraisal. Mr. Kerwin testified that he had physically inspected the subject property and evaluated whether the requested special use would comply with the criteria for special uses set forth under the Chicago Zoning Ordinance. He testified that the subject property was located in the Belmont Cragin community area, just south of the Kelvyn Park neighborhood. He testified that the subject property was located along the southeast corner of Fullerton Avenue and Knox Avenue and was just two short blocks east of Cicero Avenue. He testified that this portion of Fullerton Avenue has industrial manufacturing plants, smaller industrial machine shops and commercial, auto-related service uses. He testified that Fullerton Avenue is a 100 foot right-of-way at this location. He testified that the subject property is a corner lot located in PMD-9. He testified that the subject property adjoins a north/south railroad right-of-way and has 180 feet of frontage. He testified that there is an older self-service car wash along the northeast corner of Fullerton Avenue and Kilpatrick Avenue. He testified that across the street and to the west of the subject property was commercial industrial use. He testified that the subject property was previously improved with a one-story commercial building but that said building was razed in 2004.

Mr. Kerwin testified that the proposed special use would be a compatible use at the subject property as it is a permitted use under the Zoning Ordinance as well as a low traffic generator. He testified that the proposed special use will allow the property to contribute the economic vitality of the neighborhood. He testified that the car wash use is already well-established along Fullerton Avenue and other arterial streets such as Cicero Avenue in the area. He again testified to the existing older self-service car wash on the north side of Fullerton Avenue and there were other hand car washes in the area. He testified that there is a demand for automatic car washes and that he has seen such automatic car washes in other parts of the City. He testified that the Applicant's proposed plan of development was compatible with the other existing business

characteristics along this portion of Fullerton Avenue as the proposed building will be one-story and have attractive landscaping. He testified that the proposed special use will be compatible with the surrounding neighborhood in terms of operating characteristics as the car wash itself will be contained within an enclosed one-story building. He further testified that there is ample on-site vehicle queuing, that the ingress and egress will be off of Fullerton Avenue and that there will be outdoor lighting fixtures for customer safety. He testified that the subject property was a very good location for a car wash because although located in PMD-9 the proposed car wash would operate as a transitional use between the industrial uses in PMD-9 and the residential uses to the south of the subject property on the west side of Knox Avenue. He testified that he did not believe that the proposed special use would negatively affect the marketing of other properties within PMD-9 but would instead contribute to said marketing as it would offer another service to people in the area. He then submitted and the ZONING BOARD OF APPEALS received into evidence a written report further detailing his findings on the application.

Mr. Andreas Vassilos, owner of 4616 W. Fullerton and 2412-18 N. Kenton, testified in objection the application. He testified he did not believe there had been adequate notice with respect to the project. He testified that traffic congestion was bad in the area and that he believed the proposed special use would increase said traffic congestion. He testified that the alley referred to by the Applicant was currently blocked off due to gang activity. He testified that in his opinion the proposed special use had low employment potential, would generate much traffic, and would be unsafe due to said traffic generation.

Mr. Robert Stelnicki, of 2343 N. Knox Avenue, testified in opposition to the application. He testified that he lived directly to the south of the subject property. He testified that he did not believe that those using the car wash would exit eastbound and would instead turn directly west onto Fullerton Avenue. He testified that drivers have a tendency to turn down Knox Avenue to avoid the traffic signals at Cicero Avenue and Kilpatrick Avenue. He further testified that he did not want carbon monoxide from thirty (30) idling cars coming into his home. He testified that he was also concerned about graffiti in the public alley.

In response to concerns raised by Mr. Vassilos and Mr. Stelnicki, Mr. Ftikas explained that the Applicant provided written notice in accordance with Section 17-13-107-A of the Chicago Zoning Ordinance. He then stated that the primary access point for on-site traffic is from Fullerton. He stated that although this portion of Knox Avenue is in PMD-9 there are a few nonconforming residential properties on Knox. He stated that the Applicant had conversations with the Alderman when developing its proposed plan of development and this is why there is no direct access from the Applicant's proposed car wash to Knox Avenue. Instead, Mr. Ftikas explained to the ZONING BOARD OF APPEALS, the curb cut onto Knox is an escape route for vehicles if the car wash broke down. He stated that the pay stations are only accessible from Fullerton and therefore there would be no reason to use Knox for access to the subject property.

Mr. Vassilos then submitted to the ZONING BOARD OF APPEALS a petition against the proposed special use.

Mr. Werthmann then further testified that the Applicant had worked closely with the City's Department of Transportation ("CDOT") and that CDOT had approved the Applicant's proposed access plan to the subject property. He testified that the Applicant would have more stacking than one would find at most car washes, especially hand car washes as hand car washes typically do not have any vehicle stacking. He testified that the subject property is in a PMD and there are many different uses for the subject property that would result in truck access directly onto Knox Avenue.

Mr. Justin Heath, Director of Policy for Alderman Villegas ("Alderman"), testified in support of the application. He testified that the Alderman requested changes to the original site plans which were made by the Applicant. He testified that the subject property was on the market for thirteen (13) years and that the Alderman has been actively pursuing businesses for the subject property since he took office in 2015. He testified that in 2017, the Alderman sent out 400 brochures highlighting business opportunities in the ward. He testified that this is the first time since 2015 that anyone has been interested in the subject property. He testified that the fence across the alley was unofficially put up by the previous alderman and is not legal. He testified that CDOT has instructed that said fence must be taken down.

B. Criteria for a Special Use in a Planned Manufacturing District

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it 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 (5) it is designed to promote pedestrian safety and comfort.

Pursuant to Section 17-13-0905-C of the Chicago Zoning Ordinance, in acting on any application within a planned manufacturing district, the ZONING BOARD OF APPEALS must apply the general criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance and make specific findings on the probable effects of the proposed use on: (1) existing manufacturing activities, including the potential for land use conflicts and nuisance complaints; and (2) efforts to market other property within the planned manufacturing district for industrial use.

III. FINDINGS OF FACT

Mr. Vassilos then submitted to the ZONING BOARD OF APPEALS a petition against the proposed special use.

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B. Criteria for a Special Use in a Planned Manufacturing District

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Pursuant to Section 17-13-0905-C of the Chicago Zoning Ordinance, in acting on any application within a planned manufacturing district, the ZONING BOARD OF APPEALS must apply the general criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance and make specific findings on the probable effects of the proposed use on: (1) existing manufacturing activities, including the potential for land use conflicts and nuisance complaints; and (2) efforts to market other property within the planned manufacturing district for industrial use.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS 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 the Chicago Zoning Ordinance.*

Due to the conditions imposed by the ZONING BOARD OF APPEALS, the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use is in the interest of the public convenience as it will provide the area with an automatic car wash. Further, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood because as Mr. Kerwin very credibly testified this section of Fullerton has – in addition to industrial uses – commercial auto-related uses, including other car washes. In addition, as the subject property has been vacant and unused since 2004, the proposed special use will contribute to the economic vitality of the neighborhood.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The proposed special use will be located in a one-story building with attractive landscaping. As Mr. Kerwin very credibly testified, the proposed special use is compatible with the other existing businesses on this section of Fullerton. Further, the proposed special use is a transitional use from the more industrial uses of the PMD to the nonconforming residential uses on Knox Avenue. Moreover, as Mr. Werthmann very credibly testified, the Applicant worked very closely with CDOT when developing its proposed access plan to the subject property.

4. *The proposed special use 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.*

The proposed special use will be entirely contained in a one-story enclosed building and so noise will not be a factor. As Mr. Werthmann very credibly testified, the proposed special use will generate less than one percent (1%) increase of traffic on Fullerton Avenue as a large portion of its traffic will be generated

from traffic already on the roadway system. With the exception of the emergency access drive onto Knox Avenue, all ingress and egress to the proposed special use will be off of the arterial road of Fullerton Avenue. Outdoor lighting fixtures will be provided for customer safety.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

Mr. Werthmann very credibly testified that due to the lack of additional curb cuts onto Fullerton Avenue, the proposed special use is designed to promote pedestrian safety and comfort. Moreover, there is ample car stacking as well as twelve on-site parking spaces.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-C of the Chicago Zoning Ordinance:

1. *The proposed special use will have no negative effect on existing manufacturing activities, including the potential for land use conflicts and nuisance complaints.*

As Mr. Kerwin very credibly testified, due to the subject property abutting the north/south railroad right-of-way, the proposed special use will have no negative effect on the existing manufacturing activities directly to the east of the subject property.

2. *The proposed special use will have no negative effect on efforts to market other property within the planned manufacturing district for industrial use.*

As Mr. Kerwin very credibly testified, the proposed special use will not have a negative effect on efforts to market other property within the planned manufacturing district for industrial use but will rather contribute to said marketing as the proposed special use is a service being provided for those working in the area.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be nontransferable and limited solely to Sudz Express Car Wash Inc.; and
2. The special use shall be developed consistently with the design and layout of both the site and landscape plan dated December 8, 2017, prepared by Alan R. Schneider Architects.

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

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

APPLICANT: Integrity 2, LLC

CAL NO.: 3-18-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6818 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to reduce the required minimum lot area per unit from 143.25* square feet to 149.85* square feet which is not less than 90% of the required minimum lot area for the proposed conversion of a thirty-nine efficiency and two dwelling unit building to a thirty-nine efficiency and four* dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required minimum lot area per unit from 143.25* square feet to 149.85* square feet which is not less than 90% of the required minimum lot area for the proposed conversion of a thirty-nine efficiency and two dwelling unit building to a thirty-nine efficiency and four* dwelling unit building; an additional variation was granted to the subject property in Cal. No. 4-18-Z; 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):

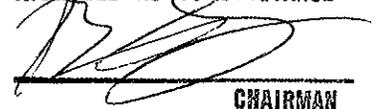
That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended at Hearing

FEB 20 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Integrity 2, LLC

CAL NO.: 4-18-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6818 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off street parking from four spaces to zero to allow the conversion of a thirty-nine efficiency and two dwelling unit building to a thirty-nine efficiency and four* dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 off street parking to zero to allow the conversion of a thirty-nine efficiency and two dwelling unit building to a thirty-nine efficiency and four* dwelling unit building; an additional variation was granted to the subject property in Cal. No. 3-18-Z; 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.

*Amended at Hearing

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

APPLICANT: Chicago, Illinois Windsor Park Congregation of Jehovah's Witnesses Inc. **CAL NO.:** 5-18-S

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:** January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2833 E. 79th Street

NATURE OF REQUEST: Application for a special use to establish a religious assembly with one hundred and fifty seats.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

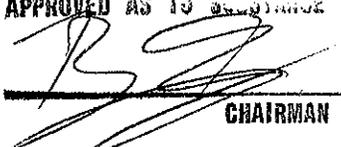
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; two additional special uses were granted in conjunction with the subject property in Cal. Nos. 6-18-S and 7-18-S; the applicant shall be permitted to establish a religious assembly with one hundred and fifty seats; 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): provided the development is consistent with the design and layout of the plans and drawings, including the landscape plan, all dated January 12, 2018, prepared by JW Congregation Support, Inc.

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

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO ACCURACY

CHAIRMAN

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

APPLICANT: Chicago, Illinois Windsor Park Congregation of Jehovah's Witnesses Inc. **CAL NO.:** 6-18-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2835-45 E. 79th Street

NATURE OF REQUEST: Application for a special use to establish an off-site parking lot with thirty-two spaces to meet the parking requirement for a religious assembly located at 2833 E. 79th Street.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

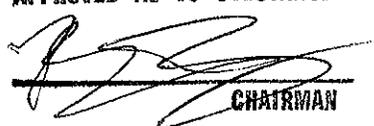
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site parking lot with thirty-two spaces to meet the parking requirement for a religious assembly located at 2833 E. 79th Street; two additional special uses were granted in conjunction with the subject property in Cal. Nos. 5-18-S and 7-18-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings, including the landscape plan, all dated January 12, 2018, prepared by JW Congregation Support, Inc.

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

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Chicago, Illinois Windsor Park Congregation of Jehovah's Witnesses Inc. **CAL NO.:** 7-18-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2807-11 E. 79th Street

NATURE OF REQUEST: Application for a special use to establish an off-site parking lot with nineteen spaces to meet the parking requirement of the religious assembly located at 2833 E. 79th Street.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 12, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site parking lot with nineteen spaces to meet the parking requirement of the religious assembly located at 2833 E. 79th Street; two additional special uses were granted in conjunction with the subject property in Cal. Nos. 5-18-S and 6-18-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings, including the landscape plan, all dated January 12, 2018, prepared by JW Congregation Support, Inc.

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: L & C Boxing, LLC

CAL NO.: 8-18-S

APPEARANCE FOR: Francis Ostian

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 410 N. Oakley Boulevard, 2nd FL.

NATURE OF REQUEST: Application for a special use to establish a sports and recreation, participant facility for a boxing gym and fitness facility.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE			X
SHAINA DOAR	X		
SOL FLORES			X
SAM TOIA	X		
AMANDA WILLIAMS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on January 5, 2018; and

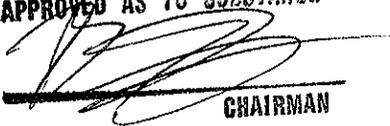
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a sports and recreation, participant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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, L & C Boxing, LLC, and the development is consistent with the design and layout of the plans and drawings dated November 3, 2017, prepared by Natalie L. Perry.

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO ACCURACY

CHAIRMAN

APPLICANT: Brian Anderson **CAL NO.:** 9-18-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
 January 19, 2018
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1646 W. Bloomingdale Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 18.06' to 14.69', west setback from 2' to 1.03' (east to be 2.66'), combined side setback from 5.02' to 3.69' for a proposed second floor addition with new open porch and balcony to the existing single family residence.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
 SHAINA DOAR
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

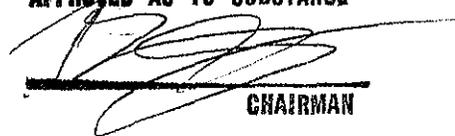
AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 14.69', west setback to 1.03' (east to be 2.66'), combined side setback to 3.69' for a proposed second floor addition with new open porch and balcony to the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

APPLICANT: 1245 W Nelson, LLC

CAL NO.: 10-18-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1245 W. Nelson Street

NATURE OF REQUEST: Application for a variation to increase the existing floor area ratio by 12.8% (not to exceed 15% of the existing floor area ratio) by 583.36 square feet, for a proposed third floor addition, front open porch, rear open deck and porch front the existing front , two-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 increase the existing floor area ratio by 12.8% (not to exceed 15% of the existing floor area ratio) by 583.36 square feet, for a proposed third floor addition, front open porch, rear open deck and porch front the existing front , two-story, two dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 11-18-Z and 12-18-Z; 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1245 W Nelson, LLC

CAL NO.: 10-18-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1245 W. Nelson Street

NATURE OF REQUEST: Application for a variation to increase the existing floor area ratio by 12.8% (not to exceed 15% of the existing floor area ratio) by 583.36 square feet, for a proposed third floor addition, front open porch, rear open deck and porch front the existing front , two-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 increase the existing floor area ratio by 12.8% (not to exceed 15% of the existing floor area ratio) by 583.36 square feet, for a proposed third floor addition, front open porch, rear open deck and porch front the existing front , two-story, two dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 11-18-Z and 12-18-Z; 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 1245 W Nelson, LLC

CAL NO.: 11-18-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1245 W. Nelson Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 13.43' to 11', east setback from 2' to 1.12', combined side setback from 5' to 3.95' for a proposed third floor addition, front open porch, rear open deck and porch for the existing front, two-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

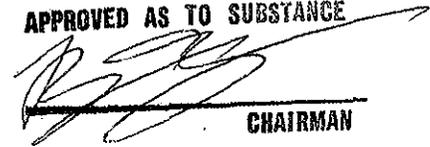
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 11', east setback to 1.12', combined side setback to 3.95' for a proposed third floor addition, front open porch, rear open deck and porch for the existing front, two-story, two dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 10-18-Z and 12-18-Z; 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

APPLICANT: 1245 W Nelson, LLC

CAL NO.: 12-18-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1245 W. Nelson Street

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 30' by no more than 10% to 33' for a proposed third floor addition, front open porch, rear open deck and porch front the existing front , two-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

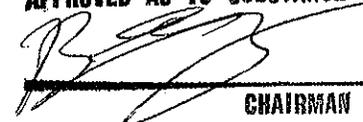
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the building height from the maximum 30' by no more than 10% to 33' for a proposed third floor addition, front open porch, rear open deck and porch front the existing front, two-story, two dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 10-18-Z and 11-18-Z; 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

APPLICANT: Patrick Sebring

CAL NO.: 13-18-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1803 W. Wabansia Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 2' to 0.5' for a proposed detached one-car garage with roof deck.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Patrick Sebring
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1803 W. Wabansia Avenue

CAL NO.: 14-18-Z

MINUTES OF MEETING:
January 19, 2018

NATURE OF REQUEST: Application for a variation to relocate the required rear yard open space to the roof of a proposed one car garage with a roof deck.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Patrick Sebring

CAL NO.: 15-18-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1803 W. Wabansia Avenue

NATURE OF REQUEST: Application for a variation to relocate the required rear yard open space to the roof of a proposed one car garage with a roof deck.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

APPLICANT: Diversey Wine, LLC

CAL NO.: 16-18-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3023 W. Diversey Avenue

NATURE OF REQUEST: Application for a special use to establish a liquor store.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a liquor store at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at 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): provided the special use is issued solely to the applicant, Diversey Wine, LLC.

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



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: APS MGMT, LLC

CAL NO.: 17-18-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 701-05 S. Clark Street

NATURE OF REQUEST: Application for a special use to establish a non-accessory parking lot outside the central parking area with less than 249 parking spaces.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-accessory parking lot outside the central parking area with less than 249 parking spaces at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

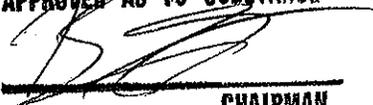
RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, APS MGMT, LLC, and the development is consistent with the design and layout of the site plan dated July 23, 2015, prepared by ABD and Associates, Ltd.

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Montana-Lincoln Park, LLC

CAL NO.: 18-18-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 934 W. Montana Street

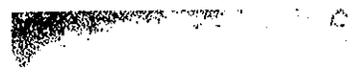
NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 11.94' to 8.5', rear setback from 34.5' to 2', east from 4' to zero (west to be zero) for a proposed four-story, seven dwelling unit building and garage which shall also contain the 301.88 square feet of rear yard open space.

ACTION OF BOARD-
Continued to March 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 3258 N. Sheffield, LLC

CAL NO.: 19-18-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3258 N. Sheffield Avenue

NATURE OF REQUEST: Application for a special use to expand an existing ground floor tavern with an enclosed canopy over the existing outdoor patio.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

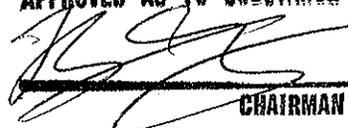
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, 3258 N. Sheffield, LLC.

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

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Lawndale Christian Health Center **CAL NO.:** 21-18-Z
APPEARANCE FOR: Richard Baker **MINUTES OF MEETING:**
 January 19, 2018
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2129 S. Harding Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 7.25'*, south setback from 7.26' to 5.66'* (north to be 6.11') combined side setback from 18.15' to 11.69', the front property line setback from 20' to 7.25'* for a non-accessory, parking lot with thirty spaces.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

FEB 28 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SHAINA DOAR
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

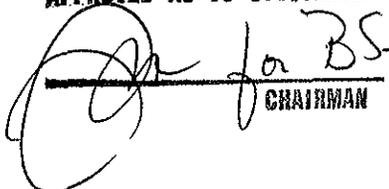
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 7.25'*, south setback to 5.66'* (north to be 6.11') combined side setback to 11.69', the front property line setback to 7.25'* for a non-accessory, parking lot with thirty spaces; a special use was granted to the subject property in Cal. Nos. 20-18-S; 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.

*Amended at hearing
 Scrivener's error

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: McDonald's Corporation

CAL NO.: 22-18-S

APPEARANCE FOR: Tim Hinchman

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3540 N. Harlem Avenue

NATURE OF REQUEST: Application for a special use to establish a dual lane drive-through to serve an existing restaurant.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
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 January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 dual lane drive-through to serve an existing restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the landscape plan dated November 28, 2017, prepared by V3 Companies.

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



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 1522 West Huron Condominium Association **CAL NO.:** 23-18-Z

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1520-22 W. Huron Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 36.9' to zero, west setback from 4' to zero to allow for an existing rolling metal gate which is 9.67' tall along the rear property line and a privacy fence that is 6.16' tall along the west yard setback for the existing three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to zero, west setback to zero to allow for an existing rolling metal gate which is 9.67' tall along the rear property line and a privacy fence that is 6.16' tall along the west yard setback for the existing three-story, six dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Terry Alexander

CAL NO.: 24-18-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2041 W. Dickens Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 28' to zero, east setback from 4' to 1.67', combined side setback from 9.6' to 2.15' for a proposed second floor addition with a roof top stairway with attached garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

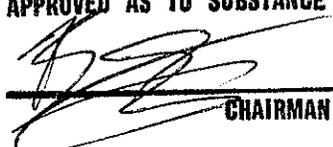
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to zero, east setback to 1.67', combined side setback to 2.15' for a proposed second floor addition with a roof top stairway with 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 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 2035 Wolcott, LLC

CAL NO.: 25-18-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2035 N. Wolcott Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 23' for a landing extension between the existing three-story, rear open porch and a proposed roof deck above the existing detached garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to 23' for a landing extension between the existing three-story, rear open porch and a proposed roof deck above the existing detached garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

APPLICANT: Threading Point, LLC

CAL NO.: 26-18-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1507 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use to establish a hair / nail salon.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
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 January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Threading Point, LLC.

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


FEB 20 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Jennifer Mulvhill

CAL NO.: 27-18-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1903 W. Erie Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.02' to 1.55', west from 2' to 0.77', combined side setback from 4.8' to 3.66' for a proposed roof side walls, roof deck which shall contain the 225 square feet of relocated rear yard open space and exterior stairs for the existing detached garage which serves the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

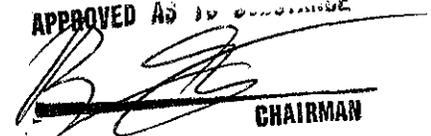
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to 1.55', west to 0.77', combined side setback to 3.66' for a proposed roof side walls, roof deck which shall contain the 225 square feet of relocated rear yard open space and exterior stairs for the existing detached garage which serves the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO CORRECTNESS

CHAIRMAN

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

APPLICANT: Pratima Patel

CAL NO.: 28-18-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 739 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use to establish a body art service (permanent makeup tattoo).

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 body art service (permanent makeup tattoo) at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the special use is issued solely to the applicant, Pratima Patel.

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

10

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

APPLICANT: Mohammed Shah

CAL NO.: 29-18-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3201 S. Archer Avenue

NATURE OF REQUEST: Application for a variation to reduce the required parking from two spaces to zero to allow the conversion of a seventeen single room occupancy building to a twenty one building single room occupancy building.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Jozef Nowak

CAL NO.: 30-18-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2910 N. Parkside Avenue

NATURE OF REQUEST: Application for a variation to increase the area occupied by an accessory building in the rear setback from the allowable 626.58 square feet to the as built 628.41 square feet for a detached two car garage with attic space.

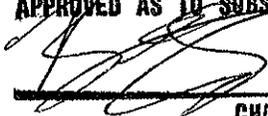
ACTION OF BOARD-
Continued to March 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 1101 Granville, LLC

CAL NO.: 31-18-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1101-17 W. Granville Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero for a proposed six-story building with ground floor retail and twenty dwelling units above.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

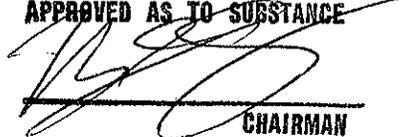
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero for a proposed six-story building with ground floor retail and twenty dwelling units above; an additional variation was granted to the subject property in Cal. No. 32-18-Z; 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

APPLICANT: 1101 Granville, LLC

CAL NO.: 32-18-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1101-17 W. Granville Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one required loading space for a proposed six-story building with ground floor retail and twenty dwelling units above.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 the one required loading space for a proposed six-story building with ground floor retail and twenty dwelling units above; an additional variation was granted to the subject property in Cal. No. 31-18-Z; 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.



FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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) 744-3888



FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Once Upon a Party Banquet, Inc.
APPLICANT

33-18-Z & 34-18-S
CALENDAR NUMBERS

5911 & 5942-44 W. Montrose Ave.
PREMISES AFFECTED

January 19, 2018
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition set forth in this decision. The application for the variation is approved subject to the conditions set forth in this decision.

Blake Sercye
Shaina Doar
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 5942-44 W.
MONTROSE AVENUE AND THE VARIATION APPLICATION FOR 5911 W.
MONTROSE AVENUE BY ONCE UPON A PARTY BANQUET, INC.**

I. BACKGROUND

Once Upon a Party Banquet, Inc. (the "Applicant") submitted: (1) a special use application for 5942-44 W. Montrose Avenue ("parking lot property"); and (2) a variation application for 5911 W. Montrose Avenue ("banquet hall property"). The parking lot property is zoned B3-1 and is currently improved with a one-story building and a parking lot. The banquet hall property is zoned B3-2 and is improved with a one-story building ("existing building"). The Applicant proposed to establish a banquet hall in the existing building on the banquet hall property. To permit said banquet hall, the Applicant sought: (1) a variation to establish a public place of amusement license within 125' of a residential district; and (2) a special use to establish off-site parking with eight parking spaces to serve the proposed banquet hall. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed special use, provided the special use was issued solely to the Applicant.

II. PUBLIC HEARING

A. The Hearing

APPROVED AS TO SUBSTANCE

CHAIRMAN

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on January 19, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's principal Ms. Ivelisse ("Ivy") Linares and its attorney Mr. Gordon Gault were present. The Applicant's real estate appraiser Mr. Andrew Hartigan was also present. Testifying in support of the applications was Mr. Ben Eng.

The Applicant's attorney Mr. Gordon Gault stated that although the banquet hall property is zoned business, there is residential property on the other side of the street. He stated that this was what necessitated the Applicant's request for variation. Further, he stated that as the banquet hall property had no on-site parking, the Applicant also sought a special use to establish its required parking on the parking lot property. He stated that the parking lot property was currently home to a law office and that parking would be shared by the law office and the Applicant. He stated that there would not be much conflict with respect to use of the parking spaces as the law office would be in operation during the day and the Applicant would have most of its business during the afternoon and evening.

The Applicant presented the testimony of its principal Ms. Ivelisse ("Ivy") Linares. Ms. Linares testified that the Applicant provided party planning services. She testified that as many of the Applicant's clients had inquired about a space to host parties, the Applicant decided to lease the banquet hall property. She testified that the Applicant had previously been in operation as she did not know she needed a public place of amusement license ("PPA"). She testified that the Applicant had ceased operation once it had learned of the need for the PPA. She testified that the Applicant's proposed banquet hall would be for eighty (80) people or less and that the majority of the Applicant's business was hosting baby showers. She testified that when the Applicant hosted an event, the Applicant would be providing the food and the music. However, she testified that in the event that a customer did not wish the Applicant to provide its services, the Applicant would rent said customer the premises and the customer would provide its own food and music.

In response to questions by the ZONING BOARD OF APPEALS, Ms. Linares testified that in addition to baby showers, the Applicant also hosted kids' parties. She testified that the Applicant's proposed hours of operation would be 12:00 PM – 12:00 AM, Monday – Saturday, and 12:00 PM – 10:00 PM, Sunday. She testified that she understood that due to the Applicant's lease of the subject property being quite short the ZONING BOARD OF APPEALS would tie the variation to the Applicant. She testified that she understood that if the Applicant left the banquet hall property, the banquet hall use would cease and the new operator of the building would need to return before the ZONING BOARD OF APPEALS and request a new variation. She testified that the Applicant had a surround sound system so that no DJ was necessary. She testified that

she had spoken with the neighboring property owners and had agreed that if a customer wished to bring a DJ, the Applicant would have to approve said DJ. She testified that the Applicant would ensure that only small equipment and a certain volume level would be approved.

Ms. Linares then testified that the parking lot property was across the street and about 347 feet away from the banquet hall property. She testified that the parking lot property had a little over ten (10) parking spaces but that the Applicant would only be using eight (8) of these spaces. She testified that two (2) of these eight (8) spaces were handicapped spaces. She testified that she understood that no cooking or food preparation could be done on the banquet hall property. She testified that she understood under City ordinance that if a customer wished to have food at the banquet hall, the Applicant would need to order food from the City's approved list of caterers. She testified that her son used to attend school in the neighborhood and she felt it was a very safe neighborhood. She testified that this is why the Applicant chose this neighborhood for its banquet hall.

In response to further questions from the ZONING BOARD OF APPEALS, she testified that the Applicant would not be applying for a liquor license at the banquet hall property. She testified that while the Applicant's events would not serve alcohol, the Applicant would allow customers renting solely the space (and not purchasing the Applicant's hosting services) to BYOB. She testified that the Applicant hired security guards for all events. She testified that she was amenable to the ZONING BOARD OF APPEALS requiring a security guard when liquor was present on the banquet hall property.

The Applicant presented the testimony of its real estate appraiser Mr. Andrew Hartigan. Mr. Hartigan testified as to his inspection of the neighborhood and his conclusions with respect to the Applicant's proposed plan of operations.

Mr. Ben Eng, of 5907 W. Montrose, testified in support of the applications. He testified that he was initially concerned with the Applicant's applications but these concerns were alleviated after his discussions with Ms. Linares. He testified that he was therefore withdrawing the letter of objection he had submitted previously to the ZONING BOARD OF APPEALS.

A. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following: (1) complies with all applicable standards of the Chicago Zoning Ordinance; (2) is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) 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 (5) is designed to promote pedestrian safety and comfort.

B. Criteria for a Variation

Pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance, no variation application may be approved unless the ZONING BOARD OF APPEALS finds, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS 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 the Chicago Zoning Ordinance.*

Due to the condition imposed by the ZONING BOARD OF APPEALS, the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use is in the interest of the public convenience as it will allow the Applicant to operate its banquet hall business. As Ms. Linares testified, the Applicant's customers have requested that in addition to its party planning services, the Applicant provide a space to host its parties. Further, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood because the parking lot property is already improved with an active parking lot.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

As noted above, the parking lot property is already improved with an active parking lot. Therefore, the use of said parking lot by the Applicant will be compatible with the character of the surrounding area in terms of site planning and building scale and project design.

4. *The proposed special use 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.*

The proposed special use will be operated in conjunction with the Applicant's banquet hall on the banquet hall property. Therefore, it will have the same hours of operation and will not conflict with the law offices also using the parking lot. Since it is a small parking lot and as the Applicant will only be leasing eight (8) parking spaces, traffic generation will be low.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

Since the parking lot property is already improved with an active parking lot, there will be no new curb cuts. Moreover, the proposed special use is only approximately 347 feet from the banquet hall property so that customers can travel to and from their cars easily.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby

makes the following findings with reference to the Applicant's application for a variation pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance:

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.*

Without the requested variation, the Applicant could not operate a banquet hall on the banquet hall property despite the fact that the banquet hall property is zoned B3-2.

2. *The requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

The requested variation maintains economically vibrant as well as attractive business and commercial areas in accordance with Section 17-1-0504 of the Chicago Zoning Ordinance. The requested variation maintains orderly and compatible land use and development patterns in accordance with Section 17-1-0508 of the Chicago Zoning Ordinance.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a variation pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance:

1. *The property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

Despite the banquet hall property being located in a B3-2 zoning district, due to the residential property across the street the Applicant cannot operate its banquet hall without the requested variation. Therefore, the property in questions cannot yield a reasonable return to the Applicant.

2. *The practical difficulties or particular hardships are due to unique circumstances and are generally not applicable to other similarly situated property.*

As noted above, due to the residential property across the street the Applicant cannot operate its banquet hall despite being located in a B3-2 zoning district. This is a unique circumstance not generally applicable to property zoned for business use.

3. *The variation, if granted, will not alter the essential character of the neighborhood.*

The Applicant has been working closely with its residential neighbors so that its banquet hall will not disturb those living across from the subject property. In particular, it will ensure that noise is kept to an acceptable level.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for variation pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance:

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

As noted above, due to the residential property across the street the Applicant cannot operate its banquet hall despite being located in a B3-2 zoning district. Without the requested variation, the Applicant would not be able to operate its business.

2. *The conditions upon which the petition for the variation are based are not applicable, generally, to other property within the same zoning classification.*

As noted above, due to the residential property across the street the Applicant cannot operate its banquet hall despite being located in a B3-2 zoning district. This is a condition not applicable, generally, to other property within the B3-2 zoning classification.

3. *The purpose of the variation is not based exclusively upon a desire to make more money out of the property.*

Without the requested variation, the Applicant could not operate its business at all. Therefore, the purpose of the variation is not based exclusively upon a desire to make more money out of the banquet hall property but rather the ability for the Applicant to operate.

4. *The alleged practical difficulty or particular hardship has not been created by the person presently having an interest in the property.*

The Applicant did not create the residential property on the other side of Montrose Avenue.

5. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

Due to the conditions imposed by the ZONING BOARD OF APPEALS, the granting of the variation will not be detrimental to the public welfare or injurious

to other property or improvements in the neighborhood in which the banquet hall property is located.

6. *The variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

As the variation will be located in the existing building on the banquet hall property, the variation will not impair an adequate supply of light and air to adjacent property, or increase the danger of fire. As the Applicant will have off-site parking, the variation will not increase the congestion in the public streets. Due to the conditions imposed by the ZONING BOARD OF APPEALS, the variation will not endanger the public safety or substantially diminish or impair property values within the neighborhood.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record covering: (1) the specific criteria for a special use pursuant to Sections 17-13-0905-A of the Chicago Zoning Ordinance; and (2) the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following condition:

1. The special use shall be nontransferable and limited solely to Once Upon a Party Banquet, Inc. In the event that another entity seeks to operate off-site parking on the parking lot property, a new special use shall be needed.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a variation, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-1105 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said variation subject to the following conditions:

1. The variation and PPA shall be nontransferable and limited solely to Once Upon a Party Banquet, Inc. In the event that another entity seeks to operate a banquet hall on the banquet hall property, a new variation for a PPA shall be needed;
2. The Applicant shall have a security guard on the banquet hall property whenever liquor is served.

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

APPLICANT: Shaun Elias
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1426 W. 111th Street

CAL NO.: 35-18-S

MINUTES OF MEETING:
 January 19, 2018

NATURE OF REQUEST: Application for a special use to a barber shop.

**ACTION OF BOARD-
 APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
 SHAINA DOAR
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

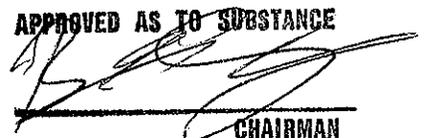
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 at the subject property; 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): provided the special use is issued solely to the applicant, Shaun Elias.

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

FEB 20 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

 CHAIRMAN

APPLICANT: Martin Newell **CAL NO.:** 36-18-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
 January 19, 2018
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3245-47 N. Elston Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.16' to 23.5' and the front setback from 6.07' to zero for a proposed three-story, six dwelling unit building.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE			X
SHAINA DOAR	X		
SOL FLORES			X
SAM TOIA	X		
AMANDA WILLIAMS	X		

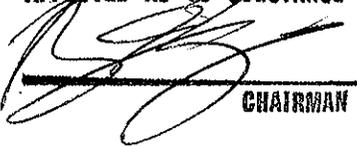
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to 23.5' and the front setback to zero for a proposed three-story, six dwelling unit building; an additional variation was granted to the subject property in Cal. No. 37-18-Z; 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.

FEB 20 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Martin Newell

CAL NO.: 37-18-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3245-47 N. Elston Avenue

NATURE OF REQUEST: Application for a variation to increase the area for an accessory building in the rear setback by no more than 10% from 705 square feet to 775.5 square feet to serve a proposed three-story, six dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 increase the area for an accessory building in the rear setback by no more than 10% from 705 square feet to 775.5 square feet to serve a proposed three-story, six dwelling unit building; an additional variation was granted to the subject property in Cal. No. 36-18-Z; 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.

[Signature]

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

1938 West North Avenue, LLC
APPLICANT

38-18-Z
CALENDAR NUMBERS

1938-42 W. North Avenue
PREMISES AFFECTED

January 19, 2018
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the variation is approved subject to the conditions set forth in this decision.

Blake Sercye
Shaina Doar
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 1938-42 W.
NORTH AVENUE BY 1938 WEST NORTH AVENUE, LLC**

I. BACKGROUND

1938 West North Avenue, LLC (the "Applicant") submitted a variation application for 1938-42 W. North Avenue (the "subject property"). The subject property is currently zoned B3-3 (TI) and is currently improved with a three story mixed-use building ("existing building") and a parking lot. The Applicant proposed to erect a new five-story lateral addition to the existing building in place of the parking lot. This would create a building with retail and commercial use at basement and grade level and fifteen (15) dwelling units on floors two (2) through five (5) (the "project"). To permit the construction of the proposed building, the Applicant sought a variation to reduce the rear setback from the required 30' to 0'.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on January 19, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing member Mr. Ronald Kaine and its attorney Ms. Sara K.

APPROVED AS TO SUBSTANCE

CHAIRMAN

Barnes were present. The Applicant's architect Mr. Christopher Dasse was also present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Ms. Sara K. Barnes explained to the ZONING BOARD OF APPEALS that the subject property is irregularly shaped. She stated that the subject property is 72' wide but only: (1) 80' deep on the portion where the existing building is located; and (2) 60' deep on the portion where the parking lot is located. She then drew the ZONING BOARD OF APPEALS attention to the fact that a 48' wide by 20' deep parcel of land to the rear of the parking lot was not part of the subject property (the "vacant parcel"). She stated that the plans for the project had been approved pursuant to a Type 1 zoning change. Further, she stated that due to the subject property's proximity to a CTA station, the project would be built under the Transit Oriented Development Ordinance. In consequence, she reminded the ZONING BOARD OF APPEALS that no on-site vehicular parking would be part of the project. She stated that the Applicant had met both with Alderman Hopkins ("Alderman") and the Wicker Park Committee ("Committee") about the project and that both the Alderman and the Committee had given their approval for the project.

She stated that if the Applicant were to abide by the required 30' rear setback for the lateral addition to the existing building, this would leave only 30' of buildable space. She stated that even though the Applicant sought a reduction from 30' to 0', there would still be approximately 36' between the Applicant's rear lot line and the adjacent neighbors because of the 16' wide alley and the 20' deep vacant parcel. She stated that the Applicant had met with the neighbors on the other side of the alley and in response to their concerns, the Applicant had agreed to request that – should the ZONING BOARD OF APPEALS grant its application – that certain conditions be imposed.

She stated that these certain conditions were: (1) that no residents of the project would be able to qualify for permit parking on Winchester; and (2) that Mr. Kaine, for himself as well as any legal entity he was, is or becomes a part of, agree that he or it, as applicable, would not attempt to acquire or purchase the vacant parcel.

The Applicant presented the testimony of its managing member Mr. Ronald Kaine. Mr. Kaine testified that the Applicant owned the subject property. He testified that he had worked with the Alderman and the Committee. He testified that if he were to continue to testify, his testimony would be consistent with his affidavit included in the Applicant's proposed Findings of Fact.

The Applicant presented the testimony of its architect Mr. Christopher Dasse. Mr. Dasse testified that he had been retained by the Applicant to prepare the program of development for the project. He testified that he was actively involved in the Type 1 zoning change for the subject property. He testified that he therefore took part in all community meetings. He testified that the primary hardships with respect to the subject property were the existing building on and the substandard depth of the subject property. He testified that it was his professional opinion that the Applicant's request met all

necessary criteria for a variation. He testified that if he were to continue to testify, his testimony would be consistent with his affidavit included in the Applicant's proposed Findings of Fact.

B. Criteria for a Variation

Pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance, no variation application may be approved unless the ZONING BOARD OF APPEALS finds, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

II. FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for variations pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance:

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.*

As Ms. Barnes stated, the residential units of the proposed addition to the existing building would require a 30' setback. On a 60' deep lot, this would result in only 30' of buildable space. Because of this short lot depth, strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties and particular hardships because the Applicant cannot build its proposed building without the requested variation.

2. *The requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

The variation maintains orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance, ensures adequate light, air, privacy, and access to property pursuant to Section 17-1-0509 of the Chicago Zoning Ordinance, and helps maintain a range of housing choices and options pursuant to 17-1-0512 of the Chicago Zoning Ordinance.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for variations pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance:

1. *The property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

As noted above, if the Applicant were forced to build in accordance with the standards of the Chicago Zoning Ordinance, the subject property's substandard lot depth would result in incredibly small dwelling units. As set forth in the Applicant's proposed Findings of Fact, such small dwelling units would be unmarketable and thus the subject property could not yield a reasonable return.

2. *The practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property.*

As noted above, the subject property is improved with an existing building. Further, it is on an irregularly shaped lot that measures 80' deep in one portion and only 60' deep in other portions. The existing building and irregularly shaped lot are unique circumstances and are not generally applicable to other property.

3. *The variation, if granted, will not alter the essential character of the neighborhood.*

As the Applicant stated in its proposed Findings of Fact, all the other buildings on this block have 0' rear setbacks.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for variations pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance:

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

The existing building on the subject property combined with the irregular shape of the lot results in particular hardship upon the Applicant as distinguished from inconvenience, if the strict letter of the regulations were carried out. As set forth in the Applicant's proposed Findings of Fact, if the variation were not granted, the Applicant would only be able to construct six (6) small dwelling units which would be unmarketable.

2. *The conditions upon which the petitions for the variation are based would not be applicable, generally, to other property within the same zoning classification.*

As noted above, the subject property is improved with an existing building and is irregularly shaped with a very short lot depth. These conditions are not applicable, generally, to other property within the B3-3 zoning district.

3. *The purpose of the variation is not based exclusively upon a desire to make more money out of the property.*

The purpose of the variation is to allow the Applicant to overcome the irregular shape and substandard lot depth to build dwelling units on the subject property. As stated in the Applicant's proposed Findings of Fact, this will allow the Applicant to preserve the residential pattern of development in the neighborhood. Therefore, the purpose of the variation is not based exclusively upon a desire to make more money out the subject property.

4. *The alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property.*

The Applicant did not create the irregular lot size and substandard depth of the subject property.

5. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

Due to the conditions imposed by the ZONING BOARD OF APPEALS, the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

6. *The variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

Due to the conditions imposed by the ZONING BOARD OF APPEALS, the variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for variation, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-1105 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said variation subject to the following conditions:

1. No residents of the project shall qualify for permit parking on Winchester Avenue; and
2. Neither Mr. Kaine (together with his successors and assigns) nor any legal entity in which Mr. Kaine holds: (1) a position of management; or (2) a direct or indirect beneficial interest (together with their successors and assigns) shall acquire or attempt to acquire the vacant parcel. For reference, said vacant parcel is marked "NOT INCLUDED" on the plat of survey which was filed with the application.

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

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

APPLICANT: 3932 W Irving Park Corporation

CAL NO.: 39-18-S

APPEARANCE FOR: Dean Maragos

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3932-34 W. Irving Park Road

NATURE OF REQUEST: Application for a special use to expand an existing tavern at 3932 W. Irving Park to 3934 and to the rear for an outdoor patio.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

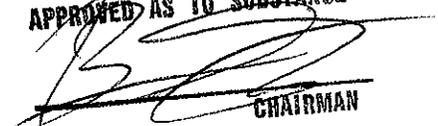
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing tavern at 3932 W. Irving Park to 3934 and to the rear for an outdoor patio at the subject property; 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): provided the special use is issued solely to the applicant, 3932 W. Irving Park Corporation.

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

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3932 West Irving Park Corporation

CAL NO.: 40-18-Z

APPEARANCE FOR: Dean Maragos

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3932-34 W. Irving Park Road

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license to provide live entertainment, music, DJ and cover charge within an existing tavern which is located within 125' of a residential district.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a public place of amusement license to provide live entertainment, music, DJ and cover charge within an existing tavern which is located within 125' of a residential district; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

[Faint stamp]

FEB 20 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: 835 W. Washington, LLC

CAL NO.: 41-18-Z

APPEARANCE FOR: Rich Klawiter/Liz Butler

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 835 W. Washington Boulevard

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero for a proposed third floor addition to an existing building which will add one dwelling unit.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to zero for a proposed third floor addition to an existing building which will add one dwelling unit; an additional variation was granted to the subject property in Cal. No 42-18-Z; 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

FEB 20 2018

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

APPLICANT: 835 W. Washington, LLC

CAL NO.: 42-18-Z

APPEARANCE FOR: Rich Klawiter/Liz Butler

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 835 W. Washington Boulevard

NATURE OF REQUEST: Application for a variation to reduce the parking requirement from one parking space to zero for a proposed third floor addition to an existing building which will add one dwelling unit.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

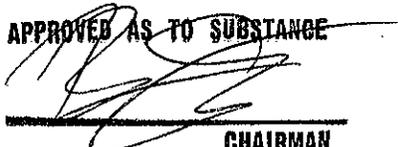
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the parking requirement from one parking space to zero for a proposed third floor addition to an existing building which will add one dwelling unit; an additional variation was granted to the subject property in Cal. No. 41-18-Z; 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.

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: MJS Futures LLC

CAL NO.: 43-18-S

APPEARANCE FOR: Jack George

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2417 S. Wabash Avenue

NATURE OF REQUEST: Application for a special use to establish a non-accessory parking lot which is located outside of the Central Area Parking District and will have with twenty-six parking spaces.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

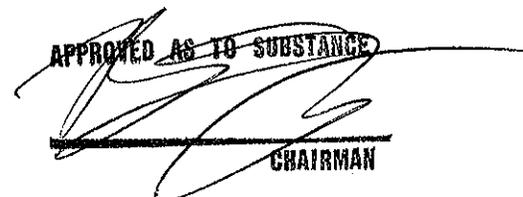
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-accessory parking lot which is located outside of the Central Area Parking District and will have with twenty-six parking spaces at the subject property; 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): provided the special use is issued solely to the applicant, MJS Futures LLC, and the development is consistent with the design and layout of the site plan dated December 22, 2017, prepared by McKay Landscape Architects.

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

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Musa Tadros **CAL NO.:** 44-18-S

APPEARANCE FOR: Mark Doyle **MINUTES OF MEETING:**
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3955-63 W. Ogden Avenue/2213-23 S. Pulaski Road

NATURE OF REQUEST: Application for a special use to establish a one-lane drive through to serve a proposed fast food restaurant.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 to serve a proposed fast food restaurant at the subject property; 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): provided the development is consistent with the design and layout of the landscape plan, dated December 11, 2017, as well as the elevations dated October 11, 2017, all prepared by FHS Design and Build LLC. In regards to the elevations for the dual-tenant strip mall, the development should be consistent with the materials called out on the drawings, which include face brick, E.I.F.S trim band, aluminum storefronts with clear glazing, and fiber cement siding.

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 6213 W. Belmont Avenue

CAL NO.: 45-18-S

APPEARANCE FOR: Dean Maragos

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6213 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use to establish a tavern.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 tavern at the subject property; 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): provided the special use is issued solely to the applicant, 6213 W. Belmont Inc.

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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) 744-3888



FEB 20 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

Michael Kane & Barbara Chun

APPLICANT

46-18-Z

CALENDAR NUMBERS

1646 N. Wolcott Avenue

PREMISES AFFECTED

January 19, 2018

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the variation is approved subject to the condition set forth in this decision.

Blake Sercye
Shaina Doar
Sol Flores
Sam Toia
Amanda Williams

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

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 1646 N.
WOLCOTT AVENUE BY MICHAEL KANE & BARBARA CHUN**

I. BACKGROUND

Mr. Michael Kane and Ms. Barbara Chun (the "Applicants") submitted a variation application for 1646 N. Wolcott Avenue (the "subject property"). The subject property is currently zoned RT-4 and is currently vacant. The Applicants proposed to construct a new three-story single-family residence, with an attached garage and roof deck (the "proposed home"). To permit said construction, the Applicants sought a variation to reduce the front setback from the required 10.98' to 0', south setback from 4.43' to 0' and the rear setback from 33.88' to 0'.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicants' variation application at its regular meeting held on January 19, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicants had submitted their proposed Findings of Fact. One of the Applicants Ms. Barbara Chun and her attorney Ms. Sara K. Barnes were present. The Applicants' architect Mr. Mark Peters was also present. The statements and

APPROVED AS TO SUBSTANCE


CHAIRMAN

testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant's attorney Ms. Sara Barnes explained to the ZONING BOARD OF APPEALS that the subject property was a double reverse corner lot that was substandard in size as it measured 44' wide by 121' deep. She stated the subject property fronts Wolcott Avenue but is also bounded by public alleys to the west and north sides. She stated that prior to the hearing, she and Ms. Chun had met with the immediate neighbor to the south of the subject property (the "neighbor"). She stated that she, Ms. Chun and the neighbor discussed the neighbor's concerns with respect to a rectangular planter shown on the architectural plans submitted with the Applicant's application. She then described where on the architectural plans said planter was located. She stated that in consideration of the neighbor's concerns, the Applicant had agreed to eliminate said planter.

The ZONING BOARD OF APPEALS noted the condition of the removal of the planter and then made a face amendment to the application to reflect that Ms. Barbara Sudak had changed her name to Barbara Chun.

Ms. Barnes then stated that the hardship with respect to the subject property was the short lot depth combined with the two alleys. She stated that there were at least eight (8) other improvements on the same side of the block that have nearly identical footprints to the proposed home. She stated that due to the safety concerns with respect to the two public alleys, the Applicants required direct access from the proposed home to the garage.

The Applicant Ms. Barbara Chun testified in support of the application.

The Applicant's architect Mr. Mark Peters testified that in his opinion the variation met all standards and criteria for a variation as set forth in the Chicago Zoning Ordinance.

B. Criteria for a Variation

Pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance, no variation application may be approved unless the ZONING BOARD OF APPEALS finds, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other

similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

II. FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, including the Applicants' proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicants' applications for variations pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance:

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.*

Due to the fact that the subject property is a substandard reverse double lot and is bounded on two sides by public alleys, strict compliance with the regulations and standards of the Chicago 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 the Chicago Zoning Ordinance.*

The variation protects the character of established residential neighborhoods pursuant to Section 17-1-0503, maintains orderly and compatible land use and development patterns pursuant to Section 17-1-0508, ensures adequate light, air, privacy, and access to property pursuant to Section 17-1-0509, and helps maintain

a range of housing choices and options pursuant to 17-1-0512 of the Chicago Zoning Ordinance.

After careful consideration of the evidence, testimony and the entire record, including the Applicants' proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicants' applications for variations pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance:

1. *The property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

Due to the fact that the subject property substandard reverse double lot and is bounded on two sides by double alleys, the requested variation is necessary to erect the proposed home. As the subject property is currently vacant, the requested variation is necessary so that the Applicants may reside at the subject property.

2. *The practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property.*

As noted above, the subject property is a substandard reverse double lot and is bounded on two sides by public alleys. This is not generally applicable to other residential property.

3. *The variation, if granted, will not alter the essential character of the neighborhood.*

As Ms. Barnes stated, there are eight other improvements along this same side of the block that have footprints nearly identical to the subject property

After careful consideration of the evidence, testimony and the entire record, including the Applicants' proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicants' applications for variations pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance:

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

The existing topographical condition of the subject property – that is to say, the fact that it is a substandard reverse double lot and is bounded by two public alleys

– would result in particular hardship upon the Applicant as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

2. *The conditions upon which the petitions for the variation are based would not be applicable, generally, to other property within the same zoning classification.*

As noted above, the subject property is a substandard reverse double lot and has two adjoining public alleys. These are conditions not applicable, generally, to other property within the RT-4 zoning classification.

3. *The purpose of the variation is not based exclusively upon a desire to make more money out of the property.*

As stated in the Applicants' proposed Findings of Fact, the proposed variation will allow the Applicants to erect the proposed home. This will match the pattern of residential development in the neighborhood and will keep density of the subject property low. Since the subject property is zoned RT-4, the Applicants could erect a five (5) dwelling unit building. However, the Applicants – with their decision to erect a single-family residence – will not be maximizing the existing zoning classification and thus not seeking to make more money out of the subject property.

4. *The alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property.*

Mr. Kane and Ms. Chun neither created the condition of the subject property's substandard lot nor its proximity to two public alleys.

5. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

Due to the condition imposed by the ZONING BOARD OF APPEALS, the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

6. *The variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

Due to the condition imposed by the ZONING BOARD OF APPEALS, the variation will not impair an adequate supply of light and air to adjacent property,

or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for variation, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-1105 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said variation subject to the following condition:

1. The Applicants shall eliminate the second planter located midway through the subject property on its south side. Said planter is 4'6" in height and is defined as an architectural element.

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

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

APPLICANT: Cantina Chicago, LLC

CAL NO.: 47-18-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7900 S. Western Avenue

NATURE OF REQUEST: Application for a special use to establish a one-lane drive through to serve a proposed fast food restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
RECUSED		
X		

THE RESOLUTION:

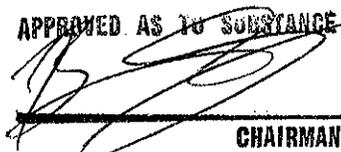
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 to serve a proposed fast food restaurant at the subject property; 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): provided the development is consistent with the design and layout of plans and drawings dated January 10, 2018, including the landscape plan dated January 15, 2018, all prepared by MRV Architects, Inc.

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

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Lakeside Bank an Illinois Banking Corporation **CAL NO.:** 48-18-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3849-59 S. Halsted Street

NATURE OF REQUEST: Application for a special use to establish a dual-lane drive through to serve a proposed bank.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
		X
X		
X		

THE RESOLUTION:

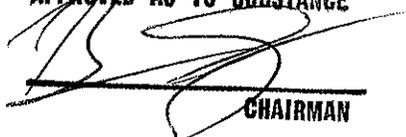
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 dual-lane drive through to serve a proposed bank at the subject property; 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): provided the development is consistent with the design and layout of the site plan dated January 12, 2018, prepared by Pappageorge Haymes Partners.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

FEB 20 2018

APPLICANT: Daniel Gorman

CAL NO.: 49-18-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4825 S. Champlain Avenue

NATURE OF REQUEST: Application for a variation to reduce the south setback from the required 2' to zero, (north to be zero), combines side setback from 5' to zero to subdivide an existing zoning lot into two zoning lots, The existing four-story, three dwelling unit will remain.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to zero, (north to be zero), combines side setback to zero to subdivide an existing zoning lot into two zoning lots, the existing four-story, three dwelling unit will remain; 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.

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Foster Shell Mart, Inc.

CAL NO.: 50-18-S

APPEARANCE FOR: Richard Kruse

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5147-49 N. Kimball Avenue/5149-57 W. Foster Avenue

NATURE OF REQUEST: Application for a special use to establish a new one-story retail building with a one lane car wash to serve the existing gas station facility.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Nail One Chicago

CAL NO.: 51-18-S

APPEARANCE FOR: Jim Kurotsuchi

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7952 S. Ashland Avenue

NATURE OF REQUEST: Application for a special use to establish a nail salon.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

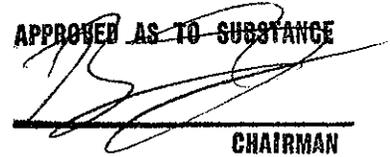
BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
		X
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Lakeshore Outdoor Advertising, Inc. **CAL NO.:** 52-18-S

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2101 S. Canal Street

NATURE OF REQUEST: Application for a special use to establish an off premise advertising sign.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

FEB 26 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

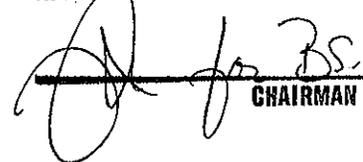
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off premise advertising sign at the subject property; 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): provided the special use is issued solely to the applicant, Lakeshore Outdoor Advertising, Inc., and the sign installation is consistent with the design and layout of the plans and drawings dated August 9, 2017, prepared by Effective Engineering Solutions, Ltd.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Stockyards Materials, LLC

CAL NO.: 53-18-S

APPEARANCE FOR: Richard Toth

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3981-4031 S. Ashland Avenue

NATURE OF REQUEST: Application for a special use to establish a reprocessible construction / demolition material facility.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Stockyards Materials, LLC

CAL NO.: 54-18-S

APPEARANCE FOR: Richard Toth

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3981-4031 S. Ashland Avenue

NATURE OF REQUEST: Application for a special use to establish a modified transfer station.

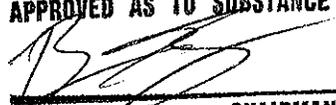
ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE			X
SHAINA DOAR	X		
SOL FLORES			X
SAM TOIA	X		
AMANDA WILLIAMS	X		

FEB 20 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Stockyards Materials, LLC

CAL NO.: 55-18-S

APPEARANCE FOR: Richard Toth

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3981-4031 S. Ashland Avenue

NATURE OF REQUEST: Application for a special use to establish a Class V recycling facility.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

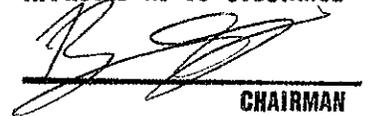
BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

APPLICANT: Alfred J. Cantieri CAL NO.: 56-18-Z

APPEARANCE FOR: Michael O'Donnell MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4101-03 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 16.13' for a proposed second floor addition and to convert an existing retail and three dwelling unit building to a four dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; an additional variation was granted to the subject property in Cal. No. 57-18-Z; the applicant shall be permitted to reduce the rear setback to 16.13' for a proposed second floor addition and to convert an existing retail and three dwelling unit building to a four dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

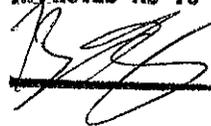
RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Alfred J. Cantieri **CAL NO.:** 57-18-Z

APPEARANCE FOR: Michael O'Donnell **MINUTES OF MEETING:**
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4101-03 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the off-street parking requirement from one space to zero for a proposed second floor addition to convert an existing retail and three dwelling unit building to a four dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the off-street parking requirement from one space to zero for a proposed second floor addition to convert an existing retail and three dwelling unit building to a four dwelling unit building; an additional variation was granted to the subject property in Cal. No. 56-18-Z; 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.

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Alfred J. Cantieri **CAL NO.:** 58-18-Z
APPEARANCE FOR: Michael O'Donnell **MINUTES OF MEETING:**
January 19, 2018
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4105 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear set back from the required 50' to 3.38' for a proposed second floor addition to an existing building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SHAINA DOAR	X		
SOL FLORES			X
SAM TOIA	X		
AMANDA WILLIAMS	X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 set back to 3.38' for a proposed second floor addition to an existing building; an additional variation was granted to the subject property in Cal. No. 59-18-Z; 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

FEB 20 2018

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

APPLICANT: Alfred J. Cantieri **CAL NO.:** 59-18-Z

APPEARANCE FOR: Michael O'Donnell **MINUTES OF MEETING:**
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4105 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off street parking from one space to zero for a proposed second floor addition to an existing building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 off street parking from one space to zero for a proposed second floor addition to an existing building; an additional variation was granted to the subject property in Cal. No. 58-18-Z; 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Camp Wiggles, LLC

CAL NO.: 60-18-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2932 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use to establish an animal day care and boarding facility (kennel).

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

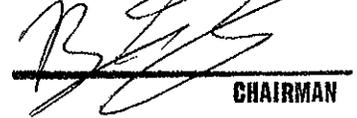
BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Stepline Developmnet, LLC

CAL NO.: 61-18-Z

APPEARANCE FOR: Ximena Castro

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1838-44 N. Western Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30' to 10' on floors containing dwelling units for a proposed five-story building with retail at grade and nine dwelling units.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
		X

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 10' on floors containing dwelling units for a proposed five-story building with retail at grade and nine dwelling units; 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

FEB 20 2018

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

APPLICANT: Alan Coyle

CAL NO.: 62-18-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2745 W. Lawrence Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, six dwelling unit building.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 residential use below the second floor for a proposed four-story, six dwelling unit building at the subject property; an additional special use was granted to the subject property in Cal. No. 63-18-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated November 11, 2017, prepared by 360 Design Studio.

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Alan Coyle

CAL NO.: 63-18-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2751 W. Lawrence Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, six dwelling unit building.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

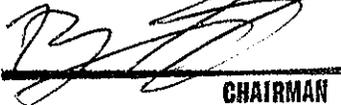
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed four-story, six dwelling unit building at the subject property; an additional special use was granted to the subject property in Cal. No. 62-18-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated November 11, 2017, prepared by 360 Design Studio.

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

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Patrick Gallagher

CAL NO.: 64-18-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2022-26 W. Warner Avenue

NATURE OF REQUEST: Application for a variation to reduce the east setback from the required 2' to zero, combined side setback combination from 5' to zero to subdivide one zoning lot into two zoning lots. The existing residence at 2022-24 W. Warner shall remain.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 east setback to zero, combined side setback combination to zero to subdivide one zoning lot into two zoning lots. The existing residence at 2022-24 W. Warner shall remain; 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.

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Yenngoc Thi Lam

CAL NO.: 65-18-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3419 N. Central Avenue

NATURE OF REQUEST: Application for a special use to establish a nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 19, 2018 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 5, 2018; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a nail salon at the subject property; 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): provided the special use is issued solely to the applicant, Yenngoc Thi Lam.

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

FEB 20 2018

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Claudia Marchan

CAL NO.: 386-17-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5749 W. Fullerton Avenue

NATURE OF REQUEST: Application for a variation to establish a public place of amusement license for a proposed banquet hall which shall be located within 125' of a residential zoning district.

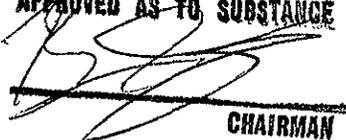
**ACTION OF BOARD-
VARIATION WITHDRAWN**

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Claudia Marchan

CAL NO.: 387-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5717 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use to establish six required off-site parking spaces to serve a proposed banquet hall located at 5749 W. Fullerton Avenue.

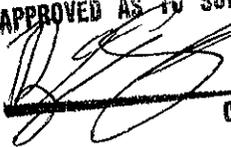
ACTION OF BOARD-
APPLICATION WITHDRAWN

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 3280 N. California, LLC

CAL NO.: 637-17-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3280 N. California Avenue

NATURE OF REQUEST: Application for a special use to establish residential use and parking below the second floor for a proposed five-story, twenty-five dwelling unit building with enclosed parking.

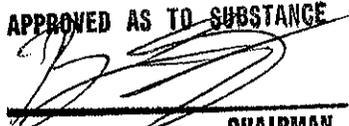
ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: 3280 N. California, LLC

CAL NO.: 638-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3280 N. California Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 4.75' to 2', rear setback from 30' to zero on floors containing dwelling units, the enclosed garage setback from the rear property line from 2' to zero for a proposed five-story, twenty-five dwelling unit building with enclosed parking.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3280 N. California, LLC

CAL NO.: 639-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3280 N. California Avenue

NATURE OF REQUEST: Application for a variation to reduce the required loading stall from one to zero for a proposed five-story, twenty-five dwelling unit building with enclosed parking.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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) 744-3888



FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

The LYTE Collective
APPLICANT

646-17-S
CALENDAR NUMBER

7604 S. St. Lawrence Avenue
PREMISES AFFECTED

January 19, 2018
HEARING DATE

ACTION OF BOARD

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
The application for the special use is approved subject to the conditions specified below.	Blake Sercye	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Shaina Doar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sol Flores	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Amanda Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 7604 S. ST.
LAWRENCE AVENUE BY THE LYTE COLLECTIVE**

I. BACKGROUND

The LYTE Collective (the "Applicant") submitted a special use application for 7604 S. St. Lawrence Avenue (the "subject property"). The subject property is currently zoned RS-2 and is improved with a vacant building. The Applicant proposed to establish a community center in said building. To permit such community center, the Applicant sought a special use. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed special use provided that: (1) such special use was issued solely to the Applicant; and (2) the development was consistent with the design and layout of the plans and drawings dated September 8, 2017, all prepared by DAAM, LLC.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on January 19, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice

APPROVED AS TO SUBSTANCE

CHAIRMAN

pursuant to Section 17-13-0108 of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's executive director Ms. Casey Holtschneider and its attorney Ms. Elizabeth Santis were present. The Applicant's architect Ms. Elyse Agnello and its real estate appraiser Mr. Peter Poulos were also present. Testifying in opposition to the application were Mr. Odie Payne and Ms. Melanie Payne. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the testimony of its executive director Ms. Casey Holtschneider. Ms. Holtschneider testified that the Applicant had purchased the subject property from the Ingleside-Whitefield United Methodist Church (the "Church"). She testified that the Church had previously run a community center out of the building on the subject property but had ceased its operations quite a few years ago. She testified that the Applicant proposed to re-establish the building as a community center for youth. She testified that the proposed special use would bring activity and life back into a long vacant building. She testified that the renewed use of the building would improve safety and security in the surrounding neighborhood, especially due to the presence of more people. She testified that the building would have both hard and soft security measures, such as the posting of an employee at the doorway to monitor entrances and exits and security cameras both inside and outside the building. She testified there would be appropriate lighting both inside and outside the building. She testified that the proposed community center would operate Monday through Saturday, 9:00 AM to 8:00 PM and would be closed on Sunday. She testified that at closing time, all doors would be locked and no one would remain on the property. She testified that if there were young people left on the property, the Applicant's staff would escort them to their resting place for the evening. She testified that the Applicant was not seeking permission to operate a shelter on the subject property and that the proposed community center would in no way operate as a shelter. She testified she had experience with safety measures and was confident that said security measures would be adequate to protect the youth served by the community center as well as the neighbors of the subject property. She testified that she had provided her contact information to the local CAPs office and to the alderman's office.

Ms. Holtschneider testified that the Applicant would be utilizing the existing building on the subject property. She testified that the Applicant would be making modifications to ensure that the building complies with the current building code but otherwise the building would not be altered in terms of scale or general design. She testified that as a community center had operated on the subject property for decades, she believed the Applicant's proposed special use would be compatible with the surrounding neighborhood. She testified that the Applicant's outdoor lighting would not cause light pollution or disturbance to the neighbors. She testified that the youth utilizing the proposed community center would not be allowed to congregate outside the community center. She testified that the Applicant anticipated four (4) to five (5) staff people and that said staff people would drive to the subject property. She testified that she did not anticipate that any of the youth would drive to the community center. She testified that instead the youth would arrive on foot or by public transportation. She testified the

Applicant would not be modifying the sidewalks and would not be providing any curb cuts. She testified that the Applicant met with the alderman, canvassed the immediate neighborhood and held two open houses to explain its proposed community center.

The Applicant presented the testimony of its project architect Ms. Elyse Agnello. Ms. Agnello testified that the Applicant's proposed special use would comply with all applicable standards of the Chicago Zoning Ordinance. She testified that the Applicant was not making any material changes to the exterior of the building. She testified that the Applicant was not adding any curbcuts or changing the sidewalks. She testified that the proposed renovation of the building will be undertaken in compliance with all applicable provisions of the Municipal Code of Chicago. She testified that the Applicant would be providing security cameras both inside and outside the building. She testified that there would be appropriate lighting for security purposes. She testified that the doors and windows of the building would have appropriate locks and new hardware as needed. She testified that the Applicant was working with a security consultant with respect to key card access and key pads for the building. She testified that because she is using the existing architecture of the building without any significant modification, the Applicant's proposed special use will be compatible with the character of the surrounding area in terms of site planning, building scale, and project design. She testified that there is currently no parking on the subject property. She testified that the Applicant did not intend to provide any parking as no parking is required for the Applicant's proposed special use.

In response to questions by the ZONING BOARD OF APPEALS, Ms. Holtschneider testified that the Applicant's staff had collectively about eighty (80) years of experience working with young people. She testified that when there was youth conflict, the young people would be taken into private staff office spaces to calm down and deal with conflict.

The Applicant presented the testimony of its real estate appraiser Mr. Peter Poulos. Mr. Poulos testified that he was familiar with the subject property. He testified that the proposed special use would be in the interest of the public convenience because the Applicant is revitalizing a building that has been vacant for a number of years. He testified that when a vacant building is revitalized, security and property values in a neighborhood generally improve. He testified that the reuse of the building therefore provided a public benefit because, due to increased pedestrian traffic in the neighborhood, there would be more eyes and ears on the street which would, in turn, increase overall security in the area. He testified that the proposed special use would not have any adverse impact on the surrounding community. He testified that the proposed special use is compatible with the neighborhood due to the prior use of the subject property as a community center.

In response to questions by the ZONING BOARD OF APPEALS, Ms. Holtschneider testified to the history of the Applicant, the Applicant's mission and the Applicant's funding sources.

Mr. Odie Payne, of 7623 S. St. Lawrence, testified in opposition to the application. He testified that he had concerns with security, light, and parking. He further testified that he did not believe the Applicant's proposed hours of operation were appropriate as most of the block was comprised of seniors. He testified that he would like the Applicant's hours of operation to be 9:00 AM to 5:00 PM.

Ms. Melanie Payne, also of 7623 S. St. Lawrence, testified in opposition to the application.

In response to the Paynes' concerns, Ms. Santis stated that the Applicant would have four (4) to five (5) staff people who would drive to the subject property. She stated that all the youth would not be arriving by private automobile but instead public transportation. She stated that because of this, the Applicant did not anticipate any traffic issues as the subject property is located on a fairly busy intersection and four (4) to five (5) cars would not make any material difference. She stated that the Applicant had plans and protocols in place to keep the youth inside the building. She stated that anytime an event such as a school or community center closing for the evening, there is the temporary noise of people exiting, but there would not be any concern or issue about people loitering on the corner.

In response to the Paynes' concerns, Ms. Holtschneider testified that the Applicant anticipated having thirty (30) youth at any given time. She testified that when dealing with youth leaving a facility, noise and security plans were very much interchangeable and that the Applicant would have security protocols in place. She testified that the 3:00 PM to 8:00 PM time period is really primetime for working with youth not only for tutoring but also furthering the Applicant's mission to provide safe spaces for youth. She testified that 3:00 PM to 8:00 PM time period not only ensures that youth are safely off the streets afterschool but also allows the youth to get home safely after the community center closes. She testified that this is why the Applicant would not close at 9:00 PM. She testified that the Applicant's proposed hours of operation are the maximum hours of operating and will be slowly rolled out during the Applicant's first year of operation. She testified that the Applicant's proposed hours of operation are pretty typical hours for youth community spaces.

Alderman Roderick Sawyer testified in support of the application. He testified that he was excited when the Applicant came to his ward looking for a space. He testified that he suggested the subject property because he thought the building could be rehabilitated to suit their needs. He testified that he and his office had held meetings with respect to the proposed special use. He testified that while the community brought concerns that had been addressed and would continue to be addressed, the proposed special use would be a benefit to the community and to this particular block of S. St. Lawrence in particular. He testified that he agreed that the 3:00 PM to 8:00 PM time period was critical because if you looked at police reports or spoke with police, most adolescents get into trouble between those hours. He testified that if adolescents had a positive space such as the proposed special use it would be a benefit to the community.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it 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 (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS 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 the Chicago Zoning Ordinance.*

Due to the conditions imposed by the ZONING BOARD OF APPEALS, the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community,*

The proposed special use will provide a safe space for youth and therefore is in the interest of the public convenience. Further, as very credibly testified to by Mr. Poulos, the reuse of the building will increase pedestrian traffic in the area and therefore, due to more eyes and ears on the street, increase overall security in the area. Added security in the area will not have a significant adverse impact but will instead be a benefit to the general welfare of the neighborhood.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be

housed in the existing building on the subject property. As very credibly testified to by Ms. Agnello, the Applicant will not be changing the scale or general design of the building but rather only making it compliant with current building codes. As the existing building on the subject property was previously used as a community center for many years, the Applicant's reuse of the building is simply a return to what existed in the area prior to the existing building's vacancy.

4. *The proposed special use 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.*

As noted above, the subject property was previously used as community center. Ms. Agnello's plan of development for the existing building on the subject property includes updating locks and lighting. As Ms. Holtschneider very credibly testified, the Applicant has plans and protocols in place to ensure that noise is kept to residential levels and both the youth and others in the neighborhood are secure.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

There will be no additional curb cuts to the subject property and there will be no alteration to the existing sidewalks. As Ms. Holtschneider very credibly testified, youth will not be allowed to remain at the subject property after the community center has closed.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be nontransferable and limited solely to the LYTE Collective; and
2. The special use shall be developed consistently with the design and layout of the plans and drawings dated September 8, 2017, all prepared by DAAM, LLC.

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

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



UNAPPROVED

FEB 20 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

Suave Incorporated

APPLICANT

650-17-S

CALENDAR NUMBER

12717 S. Halsted Street

PREMISES AFFECTED

January 19, 2018

HEARING DATE

ACTION OF BOARD

THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
The application for the special use is approved subject to the condition specified below.	Blake Sercye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shaina Doar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sol Flores	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Sam Toia (recused)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Amanda Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 12717 S.
HALSTED STREET BY SUAVE INCORPORATED**

I. BACKGROUND

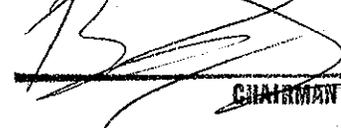
Suave Incorporated (the "Applicant") submitted a special use application for 12717 S. Halsted (the "subject property"). The subject property is currently zoned B3-1 and is improved with a one and two-story mixed-used building ("building"). The Applicant currently operates a tavern on the first floor of the building. Said tavern use is a legal nonconforming use. However, the tavern had an illegal kitchen at the rear of the building. The kitchen was not currently in use, and the Applicant proposed to legalize said kitchen so that the Applicant could serve food at the tavern. To do so, the Applicant sought a special use to expand its existing tavern to the rear one-story portion of the building. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed special use provided that such special use was issued solely to the Applicant.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held public hearings on the Applicant's special use application at its regular meetings held on November 17, 2017, and January

APPROVED AS TO SUBSTANCE


CHAIRMAN

19, 2018, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice pursuant to Section 17-13-0108 of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's vice president and treasurer Ms. Sheila Blockson and its attorney Mr. Thomas Moore were present at both the November 17, 2017 and January 19, 2018 hearing. The Applicant's real estate appraiser Mr. Nickolas Cortesi was present at the November 17, 2017 hearing. Testifying in opposition to the application on the November 17, 2017 hearing was Ms. Vernice Gilbert. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

At the November 17, 2017 hearing, the Applicant presented the testimony of its vice president and treasurer Ms. Sheila Blockson. Ms. Blockson testified that if she were to continue to testify, her testimony would be in accordance with her affidavit attached to the Applicant's Findings of Fact.

The Applicant then presented the testimony of its real estate appraiser Mr. Nicholas Cortesi. The ZONING BOARD OF APPEALS recognized Mr. Cortesi as an expert in real estate appraisal and noted that it had Mr. Cortesi's report related to the Applicant's proposed special use. Mr. Cortesi testified that, as outlined in his report, the Applicant's application met all necessary criteria for a special use.

Mrs. Vernice Gilbert, of 100 W. 83rd Street, then testified in opposition to the application. She testified that her husband Mr. Jackson Gilbert owned the subject property. She testified that her husband had dementia and that Ms. Blockson had forged all legal documents to her husband's property. She testified that she had been paying the tax bill for the subject property. She testified that she had filed a lawsuit against Ms. Blockson but did not have a copy of the complaint.

In response to Mrs. Gilbert's testimony, Ms. Blockson further testified that Mr. Gilbert had once owned the subject property and operated the tavern on the first floor of the building. She testified that she had known Mr. Gilbert for several years as Mr. Gilbert had dated her mother. She testified that about two-and-a-half years ago, the subject property was in foreclosure. She testified that at this time, her mother was still dating Mr. Gilbert. She testified that the subject property underwent a short sale and her son Miles Odom purchased the subject property. She testified that subsequently, Mr. Gilbert left her mother and went to live with Mrs. Gilbert. She testified that since that time, Mrs. Gilbert claims the subject property is still owned by Mr. Gilbert. She testified that due to these claims, the Applicant has subsequently changed its name from "Jack's" to "Suave Incorporated" with both the Illinois Secretary of State and the City of Chicago. She testified that since the foreclosure, the Applicant has paid all taxes to the subject property with the exception of one tax bill. She testified that this one tax bill was paid for by Mrs. Gilbert as Mrs. Gilbert had, without Ms. Blockson's knowledge, gone to Cook County and had the property owner of the subject property changed.

The ZONING BOARD OF APPEALS then continued the matter so that the Applicant could supply the ZONING BOARD OF APPEALS further documentation with respect to ownership of the subject property.

On January 19, 2018, the Applicant's attorney Mr. Thomas Moore provided the ZONING BOARD OF APPEALS with a report containing not only a detailed affidavit by Ms. Blockson with respect to the subject property but also supporting documents. In particular, the report contained the deed from Mr. Gilbert to Chicago Title Land Trust Number 8381.

The Applicant then presented the testimony of Ms. Blockson. Ms. Blockson testified that the sole beneficiary of Land Trust 8381 was her son Mr. Miles Odom.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it 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 (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS 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 the Chicago Zoning Ordinance.*

As the tavern is a legal nonconforming use, a special use is necessary to expand the tavern. As the ZONING BOARD OF APPEALS has decided to grant the proposed special use, the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

As averred by Ms. Blockson in her affidavit, the expansion of the tavern will allow the Applicant to serve food. Serving food is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The proposed special use will be located inside the existing building and therefore will be compatible with the character of the surrounding area in terms of site planning and building scale and project design.

4. *The proposed special use 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.*

The expansion of the tavern will not alter the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because – as Ms. Blockson averred in her affidavit – the Applicant will continue to comply with all codes and ordinances of the City of Chicago.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

The proposed special use will not alter the exterior of the building. As noted in Mr. Cortesi's report, the tavern is accessible via CTA bus line.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be nontransferable and limited solely to Suave Incorporated.

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

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

APPLICANT: Peterson Park Health Care Realty, LLC **CAL NO.:** 668-17-S

APPEARANCE FOR: Steve Bauer **MINUTES OF MEETING:**
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6141 N. Pulaski Road

NATURE OF REQUEST: Application for a special use to expand an existing nursing home by adding a front second floor addition and a front carport.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Peterson Park Health Care Realty, LLC **CAL NO.:** 669-17-Z

APPEARANCE FOR: Steve Bauer **MINUTES OF MEETING:**
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6141 N. Pulaski Road

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 10.06' to 4.08' for a proposed second floor addition and a front carport.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

APPLICANT: Lisa Cartwright

CAL NO.: 672-17-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2040 N. Fremont Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 23.3' for a proposed rear addition with terrace and an unenclosed stairway to access a garage roof deck.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Castleview Holdings, LLC

CAL NO.: 675-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 734-8 W. Melrose Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 36.15' to 16.5', west setback from 5' to 1' (east to be 5') combined side setback from 10' to 6' for a proposed four-story, eight dwelling unit building with eight interior parking spaces.

ACTION OF BOARD-
Application Withdrawn

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

APPLICANT: PNC Bank, N.A.

CAL NO.: 681-17-S

APPEARANCE FOR: Nicole Daniel

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3844 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use to establish a two-lane drive up automatic teller machine which shall be accessory to the existing bank at 3821 W. Belmont Avenue.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

APPLICANT: Pacifico Spa, LLC

CAL NO.: 684-17-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
January 19, 2018

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2851 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use to establish a massage establishment.

ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

FEB 20 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN