

**ZBA
MINUTES
DECEMBER 15, 2017**

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JAN 22 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Michael & Cynthia O'Conner

APPLICANTS

661-17-Z

CALENDAR NUMBER

1335-43 W. Henderson Street

PREMISES AFFECTED

December 15, 2017

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 (abstain) | <input 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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Amanda Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AFFIRMATIVE NEGATIVE ABSENT

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 1335-43 W.
HENDERSON STREET BY MICHAEL & CYNTHIA O'CONNER**

I. BACKGROUND

Michael and Cynthia O'Conner (the "Applicants") submitted a variation application for 1335-43 W. Henderson Street (the "subject property"). The subject property is currently zoned RT-3.5 and is improved with two (2) single-family residences. The Applicants proposed to combine the two (2) single-family residences into one (1) single-family residence. To permit this, the Applicants sought a variation to: (1) reduce the rear yard setback from 35.38' to 0'; and (2) reduce the east setback from 5' to 3.48' for a proposed raised patio with storage, replacement and reconfiguration of an existing one story open stair to access a garage roof deck, reconfiguration of an enclosed walkway from the principal building to the garage, an open stair to access the existing garage roof deck and a new recreational sport court with 15' tall masonry wall.

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 December 15, 2017, 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

APPROVED AS TO SUBSTANCE

CHAIRMAN

Fact. The Applicants Mr. Michael and Ms. Cynthia O'Conner and their attorney Mr. Joseph P. Gattuso were present. The Applicants' architect Mr. Timothy LeVaughn and their land planner Mr. George Kisiel were 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 Applicants' attorney Mr. Joseph P. Gattuso explained that the Applicants proposed to combine the two single-family residences on the subject property into one single-family residence so that their family had additional living space, especially to meet the needs of one of their parents. He then explained that to combine the two single-family residences, the Applicants needed the requested variation to: (1) extend an elevated terrace across the rear of the new combined residence; (2) relocate an existing enclosed breezeway; (3) connect two (2) existing brick garages to one another; (4) reconfigure and reconstruct two (2) existing open stairways between the residence, the rear yard, and the garage roof deck; (5) construct a new open stairway leading from the existing garage roof deck; and (6) extend the rear garage wall along portions of the rear and west property lines to replace an existing frame garage that is being demolished. He explained that only the combined garage and garage wall extension would observe the requested 0' setback and all other elements requiring the variation would continue to observe a rear yard of approximately 22'. He explained that the request to reduce the rear yard setback to 0' caused the side setbacks to extend into the rear property line. He stated that this extension triggered the Applicants' request to reduce the east side setback as the existing east wall of the garage would not be located in the side setback.

The Applicant Mr. Michael O'Conner testified that he owned the subject property. He testified that while he currently resided at a rental property while the work was being done on the subject property, he and his family did normally reside there.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Gattuso explained that the existing residences on the subject property created a hardship in that said existing residences had a first floor level of 5.67'. Due to this, anything built behind the new combined residence by way of a deck or a terrace requires rear yard setback relief because it would be over 4' above grade. He reminded the ZONING BOARD OF APPEALS that anything over 4' above grade is no longer a permitted obstruction in the rear setback.

The ZONING BOARD OF APPEALS stated that it understood the hardship with respect to the patio and deck but that it did not understand the hardship that necessitated a 15' high masonry wall.

Mr. Gattuso stated that the Applicants were proposing to extend the existing brick garage wall to occupy the south and west portions of the subject property that are currently occupied by the aforementioned soon to be demolished frame garage. He stated that the Applicants viewed this extension of the brick wall to be an improvement as it provided more open space on the subject property than the frame garage. He stated that the hardship with respect to the 15' high masonry wall was that the subject property had

public alleys running on both the south and west side of the subject property and that said west alley separates the residential neighborhood from the commercial neighborhood along Southport Avenue.

The ZONING BOARD OF APPEALS asked Mr. Gattuso to explain why the Applicants' needed a masonry wall that was 15' in height as opposed to a 10' or 8' high masonry wall.

Mr. Gattuso stated that were the Applicants to erect a brick garage at the same point of the subject property, it would be a permitted obstruction under the Chicago Zoning Ordinance, and it could have 15' tall walls.

The ZONING BOARD OF APPEALS then asked if the Applicants were proposing to create a wall that had the aesthetic of a garage.

Mr. Gattuso stated that this was the case but that the Applicants believed this was a better condition than an actual garage because it maximized the Applicants' open space.

The Applicants' architect Mr. Timothy LeVaughn testified that he was a licensed architect in the state of Illinois. He testified that he prepared a report in connection with this matter, that said report was attached to the Applicants' proposed Findings of Fact, and that if he were to continue to testify, his testimony would be in accordance with that report.

The Applicants' land planner Mr. George Kisiel testified that he was both a licensed architect and a certified land planner. He testified that he had prepared a report in connection with this matter, that said report was attached to the Applicants' proposed Findings of Fact, and that if he were to continue to testify, his testimony would be in accordance with that report. He then testified that the principal conclusion of his report was that the requested variation was in accordance with all standards for approval of a variation as set forth in the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS again asked what the hardship was that necessitated a 15' high masonry wall as opposed to a masonry wall of a lesser height.

Mr. LeVaughn testified that a 15' high masonry wall is consistent with the height of the existing garage to the eastern properties and therefore he thought it an aesthetically good choice to continue the height with respect to the masonry wall.

Mr. Gattuso stated that across the alley from the subject property is a bar and that the bar patrons are a little more enthusiastic than one living next door to the bar might like.

Mr. Gattuso then requested that the ZONING BOARD OF APPEALS accept the Applicants' proposed Findings of Fact into the record and recognize Mr. LeVaughn and Mr. Kisiel as experts based on their written qualifications as submitted.

The ZONING BOARD OF APPEALS accepted both the Applicants' proposed Findings of Fact into the record and recognized Mr. LeVaughn and Mr. Kisiel as experts in their respective fields.

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 Applicants' proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicants' 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.*

As stated by Mr. Gattuso, due to existing residences having a first floor level of 5.67', anything built behind the new combined residence by way of a deck or a terrace – including reconfiguration and relocation of what already exists – requires rear yard setback relief because it would be over 4' above grade.

Anything over 4' above grade is no longer a permitted obstruction in the rear setback. To that end, strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties and particular hardships for the subject property with respect to the Applicants: (1) extending an elevated terrace across the rear of the new combined residence; (2) relocating an existing enclosed breezeway; (3) connecting two (2) existing brick garages to one another; (4) reconfiguring and reconstructing two (2) existing open stairways between the residence, the rear yard, and the garage roof deck; (5) constructing a new open stairway leading from the existing garage roof deck.

However, as discussed below, the desire for a 15' masonry wall does not 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.*

With the exception of the 15' masonry wall the requested variation: (1) maintains orderly and compatible land use and development patterns pursuant to Section 17-1-0508 of the Chicago Zoning Ordinance; (2) protects the character of established residential neighborhoods pursuant to Section 17-1-0503 of the Chicago Zoning Ordinance; (3) promotes rehabilitation and reuse of older buildings pursuant to Section 17-1-0511 of the Chicago Zoning Ordinance; and (4) maintains a range of housing choices and options pursuant to Section 17-1-0512.

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' 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.*

As the Applicants will continue to own and will reside at the subject property once the two residences have been combined into one single-family residence, reasonable return in this instance is in terms of livability or lifestyle. Without the

requested variation, the Applicants would not be able to combine the two residences into one single-family residence and combination is necessary to provide additional living space and to accommodate the needs of an older family member.

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, due to existing residences having a first floor level of 5.67', anything built behind the new combined residence by way of a deck or a terrace – including reconfiguration and relocation of what already exists – requires rear yard setback relief because it would be over 4' above grade. To that end, the Applicants' request to: (1) extend an elevated terrace across the rear of the new combined residence; (2) relocate an existing enclosed breezeway; (3) connect two (2) existing brick garages to one another; (4) reconfigure and reconstruct two (2) existing open stairways between the residence, the rear yard, and the garage roof deck; and (5) construct a new open stairway leading from the existing garage roof deck are due to the unique circumstances of the first floor of the existing residences being over 4' above grade. This is not generally applicable to other residential property.

However, the practical difficulty or particular hardship articulated by the Applicants with respect to the 15' high masonry wall – that is, the fact that public alleys run on both the south and west side of the subject property and that said west alley separates the residential neighborhood from the commercial neighborhood along Southport Avenue – is not unique. Due to the City's grid system, alleys often serve as the boundaries between commercial and residential areas, and there are many other residential properties throughout the City that are bounded by two alleys.

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

With the exception of the 15' high masonry wall, the variation will not alter the essential character of the neighborhood because, as noted in Mr. Kisiel's report, the subject property is currently improved with residential uses, is located in a well-established residential neighborhood of pedestrian character, and will remain a residential use. With the exception of the 15' high masonry wall, the proposed variation will simply allow for proposed improvements that are consistent with the pattern of recent residential development in the neighborhood.

The 15' high masonry wall, on the other hand, will definitely alter the essential character of the neighborhood. While Mr. Gattuso spent much time arguing that if the Applicants were to build another garage instead of the 15' high masonry

wall, said garage would be permitted, the Applicants are not building a garage. The Applicants are building a rear and side fence in the form of a masonry wall. The Chicago Zoning Ordinance allows fences to be up to 6' in height. A 15' tall fence would alter the essential character of the residential neighborhood as it would be 9' taller than any other fence.

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' application for a 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, the existing residences on the subject property have a first floor level of 5.67'. Therefore, anything built behind the new combined residences by way of a deck or a terrace – including reconfiguration and relocation of what already exists – requires rear yard setback relief because it would be over 4' above grade. This results in particular hardship on the Applicants as distinguished from mere inconvenience with respect to: (1) extending an elevated terrace across the rear of the new combined residence; (2) relocating an existing enclosed breezeway; (3) connecting two (2) existing brick garages to one another; (4) reconfiguring and reconstructing two (2) existing open stairways between the residence, the rear yard, and the garage roof deck; and (5) constructing a new open stairway leading from the existing garage roof deck.

In contrast, there is nothing about the particular physical surroundings, shape or topographical condition of the subject property that necessitates a 15' high masonry wall. At most, the public alleys to the west and the south of the subject property as well as the noise generated by the bar across one of these alleys are a mere inconvenience.

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

As noted above, due to existing residences having a first floor level of 5.67', anything built behind the new combined residence by way of a deck or a terrace – including reconfiguration and relocation of what already exists – requires rear yard setback relief because it would be over 4' above grade. To that end, the Applicants' request to: (1) extend an elevated terrace across the rear of the new combined residence; (2) relocate an existing enclosed breezeway; (3) connect two (2) existing brick garages to one another; (4) reconfigure and reconstruct two (2)

existing open stairways between the residence, the rear yard, and the garage roof deck; and (5) construct a new open stairway leading from the existing garage roof deck are due to the unique circumstances of the first floor of the existing homes being over 4' above grade. This is not generally applicable to other property within the RT-3.5 zoning classification.

However, with respect to the request for the 15' masonry wall, the public alleys running on both the south and west side of the subject property, including the west alley that separates the subject property from the commercial neighborhood along Southport Avenue, are conditions applicable to other property within the RT-3.5 zoning classification. As noted above, alleys often serve as the boundaries between commercial and residential areas, and there are many other residential properties throughout the City that are bounded by two alleys.

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

As noted in the Applicants' proposed Findings of Fact, the purpose of the variation is so that the Applicants can accommodate an aging family member while remaining in the same neighborhood in which they currently reside. 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.*

As noted in the Applicants' proposed Findings of Fact, the existing residences on the subject property existed prior to the Applicants' purchase of the subject property. Therefore, the practical difficulty with respect to: (1) extending an elevated terrace across the rear of the new combined residence; (2) relocating an existing enclosed breezeway; (3) connecting two (2) existing brick garages to one another; (4) reconfiguring and reconstructing two (2) existing open stairways between the residence, the rear yard, and the garage roof deck; and (5) constructing a new open stairway leading from the existing garage roof deck has not been created by the Applicants.

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.*

As noted above, 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.

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 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 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 proposed masonry wall ("wall") shall be no higher than eight (8) feet with the first six (6) feet of the wall being masonry and the top two (2) feet of the wall being material that light and air can pass through.

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

APPLICANT: Duong Thai

CAL NO.: 662-17-Z

APPEARANCE FOR: Kurosh Hosseini

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4445 N. Pulaski Rd., Suite D

NATURE OF REQUEST: Application for a variation to expand an existing public place of amusement license for an existing billiard hall from Suite B & C into Suite D which is located within 125' of a residential zoning district.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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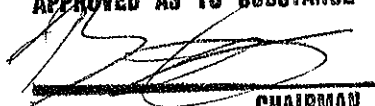
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 public place of amusement license for an existing billiard hall from Suite B & C into Suite D which is located within 125' of a residential zoning 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.

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: CT Land Trust No.8002371334

CAL NO.: 663-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1952-56 N. Howe Street

NATURE OF REQUEST: Application for a variation to reduce the average front setback from the required 8.10' to 7.52' and north setback from 5.22' to zero for a proposed 6.5' to 8' tall decorative cedar fence and gate accessory to the single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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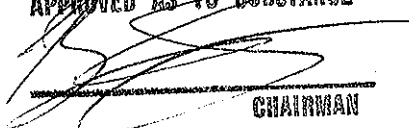
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 average front setback to 7.52' and north setback to zero for a proposed 6.5' to 8' tall decorative cedar fence and gate accessory to the 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: 2941 N. Clark, LLC

CAL NO.: 664-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2941 N. Clark Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 15' for a proposed four-story, mixed use building with retail space at grade and twelve residential units above.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| | | X |
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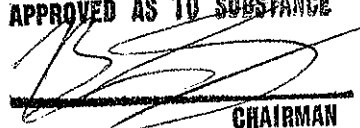
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 15' for a proposed four-story, mixed use building with retail space at grade and twelve residential units above; 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: 2941 N. Clark, LLC

CAL NO.: 665-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2941 N. Clark Street

NATURE OF REQUEST: Application for a variation to reduce the required one 10' x 25' loading berth* to zero for a proposed four-story, mixed use building with ground floor retail and twelve dwelling units above.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| | | X |
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| X | | |

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 one 10' x 25' loading berth* to zero for a proposed four-story, mixed use building with ground floor retail and twelve dwelling units above; 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.

APPROVED AS TO SUBSTANCE


CHAIRMAN

APPLICANT: Ruben Flores c/b/a Shampoos Hair Salon

CAL NO.: 666-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4354 N. Central Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

[Handwritten signature]

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 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, Ruben Flores d/b/a Shampoos Hair Salon.

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

APPROVED AS TO SUBSTANCE
[Handwritten Signature]
CHAIRMAN

APPLICANT: Ocean Spas Nails, LLC

CAL NO.: 667-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1927 W. Irving Park Road

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JAN 22 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 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, Ocean Spas Nails, LLC.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Peterson Park Health Care Realty, LLC

CAL NO.: 668-17-S

APPEARANCE FOR: Steve Bauer

MINUTES OF MEETING:
December 15, 2017

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-
Application continued to January 19, 2018 at 2 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
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| X | | |
| X | | |

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Peterson Park Health Care Realty, LLC

CAL NO.: 669-17-Z

APPEARANCE FOR: Steve Bauer

MINUTES OF MEETING:
December 15, 2017

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-


Application continued to January 19, 2018 at 2 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
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| X | | |
| X | | |

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Casper Inc.

CAL NO.: 670-17-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3235 N. Central Avenue

NATURE OF REQUEST: Application for a special use to establish an off-site parking lot with twenty parking spaces to meet the parking requirement for a restaurant with a public place of amusement license.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JAN 22 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| RECUSED | | |
| X | | |
| | | X |
| X | | |
| X | | |

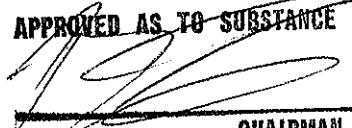
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 twenty parking spaces to meet the parking requirement for a restaurant with a public place of amusement license at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Casper Inc.

CAL NO.: 671-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3235 N. Central Avenue

NATURE OF REQUEST: Application for a variation to establish shared parking with different hours of operation to meet the parking requirement for a restaurant with a public place of amusement license.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| RECUSED | | |
| X | | |
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| X | | |

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

JAN 22 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 shared parking with different hours of operation to meet the parking requirement for a restaurant with a public place of amusement license; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Lisa Cartwright

CAL NO.: 672-17-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
December 15, 2017

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 January 19, 2018 at 2:00 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X | | |

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: 1941, 1943 & 1945 Larabee, LLC

CAL NO.: 673-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1943 N. Larabee Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 38.1' to 23.5' for a rear open stair that exceeds six feet in height to access two proposed garage roof decks which shall also contain the relocated rear yard open space.

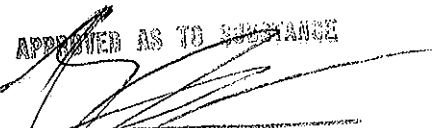
ACTION OF BOARD-
Continued to February 16, 2018 at 2:00 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Salon 77 Beauty Nails Spa Inc. **CAL NO.:** 674-17-S
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
 December 15, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1621 W. Montrose Avenue
NATURE OF REQUEST: Application for a special use to establish a beauty / nail salon.

**ACTION OF BOARD-
 APPLICATION APPROVED**

THE VOTE

JAN 22 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SHAINA DOAR
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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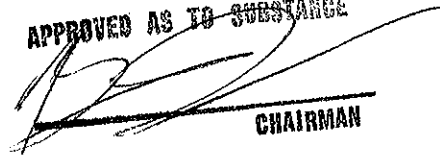
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 beauty / 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, Salon 77 Beauty Nails Spa Inc.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Castleview Holdings, LLC

CAL NO.: 675-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 734-38 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.

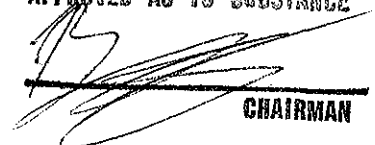
ACTION OF BOARD-
Continued to January 19, 2018 at 2:00 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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CHAIRMAN

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

APPLICANT: Victoria Nguyen
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4043 W. Madison Street

CAL NO.: 676-17-S

MINUTES OF MEETING:
December 15, 2017

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 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, Victoria Nguyen.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Christopher & Michelle Meyer

CAL NO.: 677-17-Z

APPEARANCE FOR: C. Harrison Cooper

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1805-09 W. Cornelia Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.84' to 0.66' for a proposed rear second floor dormer addition for the existing single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 0.66' for a proposed rear second floor dormer addition for 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

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Regal Foundation

APPLICANT

678-17-S

CALENDAR NUMBER

2545-47 W. Devon Avenue

PREMISES AFFECTED

December 15, 2017

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 | <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 2545-47 W.
DEVON AVENUE BY REGAL FOUNDATION**

I. BACKGROUND

Regal Foundation (the "Applicant") submitted a special use application for 2545-47 W. Devon Avenue (the "subject property"). The subject property is currently zoned B1-2 and is improved with a one-story vacant building ("building"). The subject property is also located on a Pedestrian Street as that term is defined under the Chicago Zoning Ordinance. The Applicant proposed to establish a religious assembly use in the building on the subject property. To permit such religious assembly use, the Applicant sought a special use to establish a forty-seat religious assembly with four (4) on-site parking spaces. 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 denial of the proposed religious assembly use. The Department noted that the subject property is located on one of the City's sixty (60) neighborhood Pedestrian Street segments. The Department further noted that Pedestrian Streets are intended to preserve and enhance the retail character and economic vitality of the City's best examples of pedestrian oriented shopping districts. The Department was of the opinion that due to the infrequent nature of operations and the irregular pedestrian traffic patterns related to religious assembly uses, the proposed use was incompatible with the retail character of this half-mile segment of Devon Avenue. Furthermore, it was the Department's opinion that a religious assembly use at this location would interrupt the continuous pattern of traffic along this segment of Devon Avenue and have a negative

APPROVED AS TO SUBSTANCE

CHAIRMAN

impact on existing and potential businesses especially hospitality and liquor establishments.

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 December 15, 2017, 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. One of Applicant's directors Ms. Mita Shewakrami and its attorney Ms. Elizabeth Santis were present. The Applicant's architect Mr. Thomas Buckley and its real estate appraiser Mr. Peter Poulos were also present. Testifying on behalf of the Department was the Assistant Zoning Administrator Mr. Steven Valianziano. 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. Elizabeth Santis stated that the Applicant proposed to establish a Hindu Temple in the building on the subject property. She stated that although this particular stretch of Devon Avenue is in the heart of the Hindu community in the City, the closest Hindu Temple is forty (40) miles away in the suburbs. She stated that said Hindu community is a largely pedestrian oriented community. She then explained to the ZONING BOARD OF APPEALS that a Hindu Temple typically operates seven (7) days a week. She stated that the Applicant's proposed Hindu Temple would have set hours of 11:00 AM – 9:00 PM every day of the week and that daily prayers would be scheduled twice a day. She stated in the Hindu religion there is a daily habit of visiting the Hindu Temple that is far different from the sort of typical Judeo-Christian style of visiting a place of worship. Consequently, she stated that as the proposed Hindu Temple would be operating seven (7) days a week, it would not be contrary to the nature of a business district. She stated that, in addition, the proposed Hindu Temple would offer daily classes and events, such as Hindu language classes, yoga classes and meditations.

The Applicant presented the testimony of one its directors Ms. Mita Shewakrami. Ms. Shewakrami testified that she is a member of the Applicant's board of directors and that if she were to continue to testify, her testimony would be in accordance with her affidavit contained in the Applicant's proposed Findings of Fact.

The Applicant presented the testimony of its architect Mr. Thomas Buckley. Mr. Buckley testified that he is a licensed architect in the State of Illinois and that if he were to continue to testify, his testimony would be in accordance with his affidavit contained in the Applicant's proposed Findings of Fact.

The Applicant presented the testimony of its real estate appraiser Mr. Peter Poulos. Mr. Poulos testified that he is a certified general appraiser and that if he were to continue

to testify, his testimony would be in accordance with his report contained in the Applicant's proposed Findings of Fact.

The Department's Assistant Zoning Administrator Mr. Steven Valenziano testified that the Department recommended denial of the special use for two reasons: (1) religious assembly use was not consistent with the heavily used pedestrian shopping district of a Pedestrian Street as the two uses were very different; and (2) a religious assembly use at the subject property would impact hospitality and liquor establishments in the area as no new liquor license could be obtained within 100 feet of the subject property. He testified that if the Applicant had proposed to establish its religious assembly use a little further west on Devon, the Department's recommendation would likely be different.

In response to Mr. Valenziano's testimony, Ms. Santis stated that Ms. Shewakrami was a member of the local chamber of commerce and that said chamber of commerce was very much in support of the Applicant's proposed special use.

Ms. Shewakrami then testified that she is a member of the West Ridge Chamber of Commerce ("Chamber of Commerce"). She testified that the Chamber of Commerce knew of the Applicant's proposed special use. She testified that her family currently has four (4) businesses operating on this strip of Devon. She testified that the community has expressed a need for a Hindu Temple such as the Applicant's proposed special use many times.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Valenziano testified that while there were ways that a business owner could obtain an exception to the 100 foot restriction set forth in the Liquor Control Act of 1934, 235 ILCS 5/1-1 *et seq.*, such an exception required legislation by the General Assembly and was not within the Department's control.

In response to questions by the ZONING BOARD OF APPEALS, Ms. Santis stated the Applicant's intentions with respect to the façade of the building.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Valenziano reminded the ZONING BOARD OF APPEALS of the regulations governing Pedestrian Streets with respect to transparency of storefronts.

In response to comments by the ZONING BOARD OF APPEALS, Ms. Santis confirmed that the Applicant would comply with all regulations governing Pedestrian Streets set forth in the Chicago Zoning Ordinance and would be happy if the ZONING BOARD OF APPEALS took the additional step of making such compliance a condition of its approval of the Applicant's special use.

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 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 provide a large Hindu community with a Hindu Temple within walking distance. The proposed special use will operate similarly to the retail uses on this stretch of Devon Avenue. The proposed special use will have a positive impact on the general welfare of the neighborhood as it will be utilizing a currently vacant storefront. Further, despite Mr. Valenziano's generalized concerns with respect to liquor licenses, concrete testimony with respect to this location shows that the Chamber of Commerce is both aware of and in support of the Applicant's proposed special use. In fact, Ms. Shewakrami is a member of both the Applicant and the Chamber of Commerce.

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 an existing one-story building on the subject property. Said one-story building is located on a Pedestrian Street and

thus will need to conform with all Pedestrian Street regulations in the Chicago Zoning Ordinance.

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 explained by Ms. Santis, the proposed special use will operate daily between the hours of 11:00 AM to 9:00 PM with prayers twice daily as well as other daily events and classes. This is consistent with the standard retail hours of operation and thus will be compatible with the Pedestrian Street designation of Devon Avenue at this location. Since the proposed special use will operate at the same time as other retail on this stretch of Devon, noise and traffic generation will be compatible with the character of the surrounding area as well. Moreover, as the subject property is located on a Pedestrian Street, all outdoor lighting will need to conform to Pedestrian Street requirements.

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

The proposed special use will be housed within an existing building on a Pedestrian Street and thus will need to follow all Pedestrian Street requirements for pedestrian safety and comfort. Moreover, despite the proposed special use having no parking requirement, the Applicant will be providing four (4) on-site parking spaces.

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 condition:

1. The special use shall follow all Pedestrian Street requirements of the Chicago Zoning Ordinance.

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: Eugene Elysee and Yvonne Mendrun

CAL NO.: 679-17-S

APPEARANCE FOR: Lenny Asaro

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3115 S. Indiana Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed two-story, single family residence.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

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

JAN 22 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 two-story, single family residence 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 plans and drawings dated December 15, 2017, prepared by Johnson and Lee, Ltd.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Brian McCaghy **CAL NO.:** 680-17-Z

APPEARANCE FOR: Frederick Agustin **MINUTES OF MEETING:**
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1441 N. Paulina Street #3

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 12' to 2.24', south setback from 2' to 1.13' (north to be 1.17') combined side setback from 4.8' to 2.3', front building line setback for pergolas from 20' to 1.33' for a roof deck and pergola with a height of 52.39' above grade.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 2.24', south setback to 1.13' (north to be 1.17') combined side setback to 2.3', front building line setback for pergolas to 1.33' for a roof deck and pergola with a height of 52.39' above grade; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: PNC Bank N.A.

CAL NO.: 681-17-S

APPEARANCE FOR: Nicole Daniel

MINUTES OF MEETING:
December 15, 2017

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 a proposed bank at 3820 W. Belmont Avenue.

ACTION OF BOARD-
Continued to January 19, 2018 at 2:00 p.m.

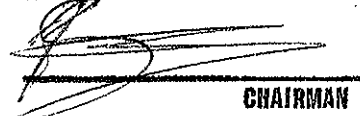
THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: MCZ Clark Acquisitions, LLC

CAL NO.: 682-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2317 N. Clark Street

NATURE OF REQUEST: Application for a variation to reduce the required loading berths from one to zero for a proposed six-story, thirty-five dwelling unit and retail building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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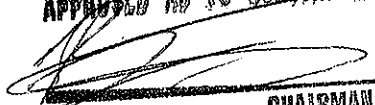
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 loading berths to zero for a proposed six-story, thirty-five dwelling unit and retail building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Omsri 2919, Inc. **CAL NO.:** 683-17-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
December 15, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2919 N. Broadway
NATURE OF REQUEST: Application for a special use to establish a liquor store.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JAN 22 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SHAINA DOAR
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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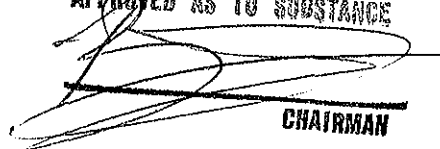
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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): the special use is issued solely to the applicant, Omsri 2919, Inc.

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Pacifico Spa, LLC

CAL NO.: 684-17-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
December 15, 2017

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 January 19, 2018 at 2:00 p.m.

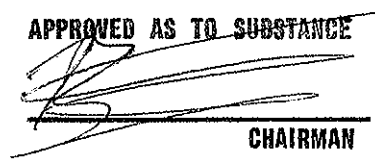
THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: GN Builders & Developers, Inc.

CAL NO.: 685-17-Z

APPEARANCE FOR: William Banks

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1815 N. Cleveland Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.55' to 23', north setback from 2' to 0.5' (south to be 2'), combined side setback from 4.8' to 2.5' for a proposed three story, single family residence with detached garage and an open stair to access the garage roof deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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THE RESOLUTION:

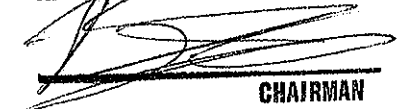
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; and

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', north setback to 0.5' (south to be 2'), combined side setback to 2.5' for a proposed three story, single family residence with detached garage and an open stair to access the garage roof deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Starbucks Corporation c/o Stephanie Champion Rychilk **CAL NO.:** 686-17-S

APPEARANCE FOR: Patrick Turner

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4701 S. Cicero Avenue

NATURE OF REQUEST: Application for a special use to establish a one-lane drive through for an existing one-story coffee shop with a one-story addition.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JAN 22 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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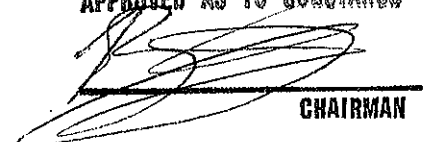
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 for an existing one-story coffee shop with a one-story addition 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 September 8, 2017, prepared by WD Partners, Inc.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Development Group, LLC

CAL NO.: 687-17-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 927 N. Damen Avenue

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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, three dwelling unit building 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 plans and drawings dated August 31, 2017, prepared by Hanna Architects, Inc.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPLICANT: Development Group, LLC

CAL NO.: 688-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 927 N. Damen Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 21.17' for a proposed four-story, three dwelling unit building with rooftop enclosures, detached three- car garage with a roof deck and an open stair for access to the deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 21.17' for a proposed four-story, three dwelling unit building with rooftop enclosures, detached three- car garage with a roof deck and an open stair for access to the deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Development Group, LLC Monatuk

CAL NO.: 689-17-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1233 N. Paulina Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, four dwelling unit building with four indoor parking spaces at the rear.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JAN 22 2018

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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, four dwelling unit building with four indoor parking spaces at the rear 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 plans and drawings dated December 15, 2017, prepared by Hanna Architects, Inc.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Northwest Bible Chapel

CAL NO.: 690-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
December 15, 2017

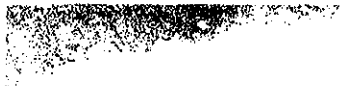
APPEARANCE AGAINST: None

PREMISES AFFECTED: 5578 N. Elston Avenue

NATURE OF REQUEST: Application for a special use to expand an existing religious assembly facility with a proposed elevator lobby addition.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE



FEB - 6 2018

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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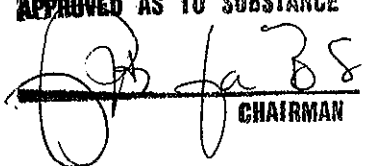
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2017; 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 religious assembly facility with a proposed elevator lobby addition at the rear 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 plans and drawings dated August 21, 2017, prepared by Church Building Architects, Inc.

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: Sandra Nunez

CAL NO.: 582-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2532 W. 51st Street

NATURE OF REQUEST: Application for a variation to establish a Public Place of Amusement License to provide live entertainment, music, DJ and cover charge to a restaurant which is located within 125' of a residential district.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 6, 2017; 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 to a restaurant 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.

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Gustavo Zuniga **CAL NO.:** 626-17-Z
APPEARANCE FOR: Chris Leach **MINUTES OF MEETING:**
December 15, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2528 N. Talman Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.76' to 4', north setback from 4' to zero (south to be zero), combined side setback from 10' to zero, the rear alley setback for a detached garage from 2' to zero for a proposed two car garage addition with a roof deck, privacy wall, and rear fence at the rear of the existing building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 6, 2017; 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 4', north setback to zero (south to be zero), combined side setback to zero, the rear alley setback for a detached garage to zero for a proposed two car garage addition with a roof deck, privacy wall, and rear fence at the rear of the existing building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Gustavo Zuniga **CAL NO.:** 627-17-Z
APPEARANCE FOR: Chris Leach **MINUTES OF MEETING**
APPEARANCE AGAINST: None December 15, 2017
PREMISES AFFECTED: 2528-30 N. Talman Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 90 square feet to 644.12' square feet for a proposed detached two car garage with roof deck, privacy wall, and rear fence at the rear of the existing building.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JAN 22 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SHAINA DOAR
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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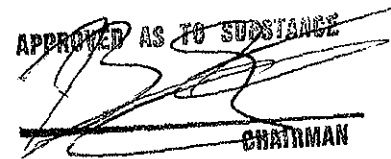
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun Times on October 6, 2017; 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 open space to 644.12' square feet for a proposed detached two car garage with roof deck, privacy wall, and rear fence at the rear of the existing 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 hereby is granted subject to the following condition(s):

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY H

APPLICANT: 3280 N. California, LLC C

APPEARANCE FOR: Sara Barnes M

APPEARANCE AGAINST: None D

PREMISES AFFECTED: 3280 N. California Avenue

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

ACTION OF BOARD-
Continued to January 19, 2018 at 2:00 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

APPLICANT: 3280 N. California, LLC

CAL NO.: 638-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
December 15, 2017

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' rear property line 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.

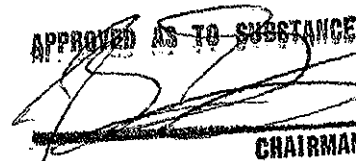
ACTION OF BOARD-
Continued to January 19, 2018 at 2:00 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3280 N. California, LLC

CAL NO.: 639-1

APPEARANCE FOR: Sara Barnes

MINUTES OF M
December 15, 201

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
PROPOSED five-story, twenty-five dwelling unit building with enclosed parking.

ACTION OF BOARD-
Continued to January 19, 2018 at 2:00 p.m.

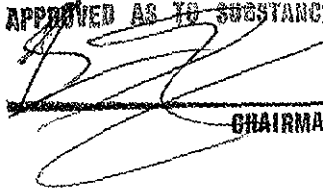
THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Renewal Group, LLC **CAL NO.:** 649-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING**
December 15, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6137 N. Ravenswood Avenue

NATURE OF REQUEST: Application for a variation to reduce the front wall setback to a side property line from the required 12' to 9', the rear wall setback to a side property line from 12' to 11' for a proposed three-story five dwelling unit building townhouse building with a roof deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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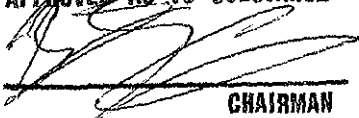
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 17, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on November 3, 2017; 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 wall setback to a side property line to 9', the rear wall setback to a side property line to 11' for a proposed three-story, five dwelling unit building townhouse building with a roof deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Suave Incorporated

CAL NO.: 650-17-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEET

December 15, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 12717 S. Halsted Street

NATURE OF REQUEST: Application for a special use to expand an existing tavern into the rear one sto
portion of an existing one and two story mixed use building.

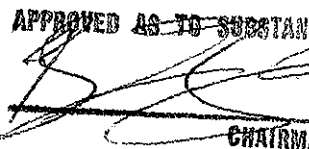
ACTION OF BOARD-
Continued to January 19, 2018 at 2:00 p.m.

THE VOTE

JAN 22 2018
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

| AFFIRMATIVE | NEGATIVE | ABSENT |
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APPROVED AS TO SUBSTAN

CHAIRMAN

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

APPLICANT: Thomas Darwin **CAL NO.:** 652-17-Z
APPEARANCE FOR: Amy Degnan **MINUTES OF MEETING**
December 15, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3559 W. 115th Place

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35.48' to 5.5', east setback from 4' to 2.9' (west to be 7'), combined side setback from 11.1' to 9.9' in order to legalize an existing detached two car garage with attic storage.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JAN 22 2018
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SHAINA DOAR
 SOL FLORES
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 AMANDA WILLIAMS

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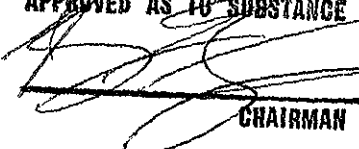
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 17, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on November 3, 2017; 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 5.5', east setback to 2.9' (west to be 7'), combined side setback to 9.9' in order to legalize an existing detached two car garage with attic storage; 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