

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

**APPLICANT:** LaJoie Johnson

**CAL NO.:** 424-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 700 E. 47th Street

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

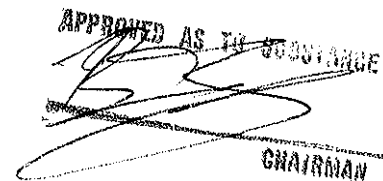
**ACTION OF BOARD-**  
CASE CONTINUED TO FEBRUARY 17, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

APPLICANT: Central Action Inc.

CAL NO.: 453-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

December 16, 2016

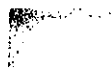
APPEARANCE AGAINST:

PREMISES AFFECTED: 1511 S. Trumbull Avenue

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

ACTION OF BOARD-  
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE



**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

**APPLICANT:** 2417 Burling, LLC

**CAL NO.:** 529-16-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2417 N. Burling Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 35.21' to 2.0', the north setback from 2.75' to zero, for a stair to access the proposed garage roof deck on the attached three car garage and a raised patio which shall also contain the relocated rear yard open space.

**ACTION OF BOARD-**  
VARIATION GRANTED

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on November 3, 2016 ; 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 2.0', the north setback to zero, for a stair to access the proposed garage roof deck on the attached three car garage and a raised patio which shall also contain the relocated rear yard open space; 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**  
  
SHEILA O'GRADY

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

**APPLICANT:** Magdalena Flores **CAL NO.:** 530-16-S  
**APPEARANCE FOR:** Same as applicant **MINUTES OF MEETING:**  
December 16, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6409 S. Kedzie Avenue

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

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on November 3, 2016 ; 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; 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):

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: 22 East Elm St. Corp.

CAL NO.: 545-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:  
November 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 22 E. Elm Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 12.42' to zero and the rear setback from 28.98' to zero for a proposed two-story, single family residence with an attached rear garage.

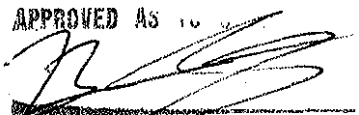
ACTION OF BOARD-  
CASE CONTINUED TO JANUARY 20, 2017

THE VOTE

JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO  
  
CHAIRMAN

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

**APPLICANT:** 22 East Elm St, Corp

**CAL NO.:** 546-16-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
November 18, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 22 E. Elm Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 36 square feet to zero for a proposed two-story, single family residence with an attached rear garage.

**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

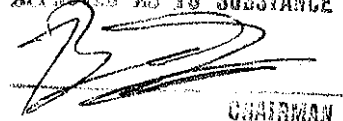


**JAN 23 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** Kam Ghazvini

**CAL NO.:** 568-16-Z

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4315-21 W. Henderson Street

**NATURE OF REQUEST:** Application for a variation to reduce the east setback from the required 2' to zero, ( west to be zero), combined side setback from 5' to zero for the subdivision of one zoning lot into three zoning lots. The three-story, three dwelling unit building at 4317 W. Henderson will remain.

**ACTION OF BOARD-**  
VARIATION GRANTED

**THE VOTE**

**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on November 3, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east setback to zero, (west to be zero), combined side setback to zero for the subdivision of one zoning lot into three zoning lots; the three-story, three dwelling unit building at 4317 W. Henderson will remain; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

  
BOARD MEMBER

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

**APPLICANT:** Saif Jaber

**CAL NO.:** 569-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 3110-12 W. Devon Avenue

**NATURE OF REQUEST:** Application for a special use to establish a secondhand valuable objects dealer.

**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2016

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



**JAN 23 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**American Towers, LLC**  
APPLICANT

**582-16-S & 583-16-Z**  
CALENDAR NUMBERS

**3540 W. 63rd Street**  
PREMISES AFFECTED

**December 16, 2016**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the special use is approved subject to the condition specified below. The application for the variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Blake Sercye (recused)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shelia O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS  
FOR 3540 W. 63RD STREET BY AMERICAN TOWERS, LLC**

**I. BACKGROUND**

American Towers, LLC (the "Applicant") submitted a special use application and a variation application for 3540 W. 63rd Street ("subject property"). The subject property is currently zoned B3-1 and is vacant. The Applicant sought a special use to permit the establishment of a 120' wireless communication monopole tower and related equipment. The Applicant sought a variation to increase the maximum 75' height to 120' for a proposed wireless communication monopole tower. With respect to the special use, the City's Department of Planning and Development recommended approval of the proposed 120' monopole wireless communication tower and related ground equipment provided that the site development and tower installation was consistent with the design and layout in the plans, including the landscape plan, dated December 14, 2016 and prepared by American Tower ATC Service, Inc.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on December 16, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

Ordinance and as continued without further notice as provided under Section 17-13-108-A and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's territory representative, Mr. Greg Settle, and its attorney, Mr. Mark W. Ninneman were present. Also present on behalf of the Applicant was the Applicant's expert witness, Mr. Terrance O'Brien. Testifying in objection to the applications were Ms. Maria Martinez, Ms. Traci Bibian, Ms. Guadalupe Guzman-Pantora, and Mr. Julio Guzman-Gonzalez (the "Objectors"). The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the lay testimony of Mr. Greg Settle, territory supervisor for the Applicant. Mr. Settle testified as to the Applicant's normal course of business in maintaining its monopole wireless communication towers and their related ground equipment.

The Applicant presented the expert testimony of Mr. Terrance O'Brien, MAI certified appraiser. Mr. O'Brien testified as to how the Applicant's applications met all the standards for a special use and a variation. In response to questions by the ZONING BOARD OF APPEALS, he further testified as to how the Applicant's application for a special use met the additional standards related to freestanding facilities.

The Applicant also submitted into the record a copy of its landscape plan for the subject property as well as a copy of Mr. O'Brien's report.

Ms. Maria Martinez, of 3500 W. Oakland, Ms. Traci Bibian, of 3235 W 62nd Place, Ms. Guadalupe Guzman-Pantora, of 3539 W. 62nd Place, and Mr. Julio Guzman-Gonzalez, also of 3539 W. 62nd Place, all testified in opposition to the applications. Their chief objections to the applications were: (1) legal notice had been sent in English rather than Spanish; (2) the potential health risks of living near a wireless facility; and (3) depreciation in nearby property values.

In response to the Objectors' testimony, Mr. Ninneman stated that the Telecommunications Act of 1996, 42 U.S.C.A. § 332(c)(7)(iv) (West 2016), did not allow local governments to regulate the placement and construction of wireless facilities on the basis of environmental effects of radio frequencies. Also in response to the Objectors' testimony, Mr. O'Brien testified as to why the proposed wireless facility and related equipment would not adversely impact surrounding property values.

#### B. Criteria for a Special Use for Freestanding Facilities

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) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

Pursuant to Section 17-9-0118-D(2) of the Chicago Zoning Ordinance, a special use application for a freestanding facility may not be granted unless the Applicant demonstrates to the reasonable satisfaction of the ZONING BOARD OF APPEALS that no existing facility or structure can accommodate the Applicant's proposed facility. Evidence submitted to demonstrate that no existing facility or structure can accommodate the Applicant's proposed facility may consist of the any of the following: (a) no existing wireless communications facilities are located within the geographic area required to meet the Applicant's engineering requirements; (b) existing wireless communication facilities are not of sufficient height to meet the Applicant's engineering requirements; (c) existing wireless communication facilities do not have sufficient structural strength to support the Applicant's proposed antenna and associated equipment; (d) the Applicant's proposed facility would cause electromagnetic interference with an antenna on the existing tower, or vice versa; or (e) the fees, costs, or contractual provisions required by the owner in order to share an existing wireless communication facility, or to adapt an existing wireless communication facility for sharing, are unreasonable (costs exceeding new facility development are presumed to be unreasonable).

#### C. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the Zoning Board of Appeals must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a

particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

### III. FINDINGS OF FACT

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

1. *The proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.*

Subject to the proposed special use and variation, the 120' monopole wireless facility and related equipment comply 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 120' monopole wireless facility and related equipment is in the interest of the public convenience because it fulfills a need to improve wireless communication in the subject area. T-Mobile, as the primary locator for the proposed facility, has done studies and determined that in order to facilitate many of its dropped calls in the area the 120' monopole wireless facility and related equipment are needed. The 120' monopole wireless facility and related equipment will not have an adverse impact on the general welfare of the neighborhood or community because there are already several towers in the area that are equal to or at 100' in height. In fact, a monopole wireless facility that is equal or greater to the height of the Applicant's proposed 120' monopole wireless facility and related equipment is located one block east of the subject property. Further, the primary land use and business classification is for business and commercial uses along this portion of 63rd Street and the proposed special use will be located over 150' away from the closest residential building.

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

As noted above, there are similar wireless facilities in the area and the primary land use and business classification along this portion of 63rd Street is for business and commercial uses. Immediately west of the subject property is a laundromat and parking lot. Immediately east of the subject property is a grocery store. Across the street and to the south of the subject property is a car lot as well as an automobile repair shop. Located to the north of the subject property is a paved alley, and north of the alley are rear yards and garages of various residential buildings. As also noted above, the proposed 120' monopole wireless facility and related equipment will be located over 150' away from the closest residential building. Further, the 120' monopole wireless facility will be separated from the rear of any residential property by an alley. Due to the Chicago's grid system, transition of land uses generally take place at the rear yards of adjoining properties. For instance, a busy street – such as 63rd Street – is commercial in nature. Residential areas – such as those located to the north and south of 63rd Streets are separated from the commercial uses by alleys and rear yards. The Applicant's proposed 120' monopole wireless facility therefore fits in with this general land use transition and is in keeping with the character of the surrounding area in terms of site planning and building scale and project design.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

There will be no significant traffic generation. In Chicago, the Applicant typically sends maintenance staff once a month to check on the subject property. Further, there is a local technician who responds to concerns and complaints with respect to trash on the subject property on an as-needed basis. All ingress and egress to the subject property will be from the alley as there will be no curb cut.

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

As noted above, all ingress and egress to the subject property will be from the alley. Since there will be no curb cut, the 120' monopole wireless facility and related equipment will have no impact on pedestrian safety and comfort.

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 17-9-0118-D(2) of the Chicago Zoning Ordinance:

1. *No existing facility or structure can accommodate the Applicant's proposed facility.*

No existing facility or structure can accommodate the Applicant's proposed facility because there are no existing wireless communications facilities located within the geographic area required to meet the Applicant's engineering requirements. Further, the existing wireless communication facilities in the area are not of sufficient height to meet the Applicant's engineering requirements.

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

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

Due to the airwave obstructions that exist in the surrounding area, the Applicant's proposed wireless communication monopole tower needs to be 120' in height in order to efficiently operate.

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

The requested variation will promote public health, safety and general welfare. The proposed variation will preserve the overall quality of the life of the residents of the area. The proposed variation will protect the character of the residential neighborhood to the north of the subject property. The proposed variation will maintain the economically vibrant as well as attractive business and commercial area. The proposed variation will not impair or reduce the intention and expansion of Chicago's industrial base.

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

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

Although the subject property is under the B3-1 zoning classification, the subject property is only 25' x 125'. This size limits the commercial use of the subject property as there is not any need or demand for a property of that size that is commercial in nature. Most businesses require on-site parking as well as a curb cut. Since there is already a curb cut immediately to the west of the subject property, a curb cut at the subject property would impede traffic.

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

In order for the Applicant's proposed wireless communication monopole tower to operate efficiently, the tower needs to be at least 120' in height due to the obstruction of airwaves in and around the subject property.

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

As noted above, the proposed monopole itself will be located at least 150' from the closest residential structure. Within a three-mile radius of the subject property, there are at least 15 other wireless facilities, including a monopole wireless facility a block east of the subject property.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a variation pursuant to Section 17-13-1107-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 size of the subject property really cannot support any commercial use. This is evidenced by the fact the subject property has been for sale for some time.

- 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.*

Other properties within a B3-1 zoning classification, including the abutting properties, are larger than the subject property and can support commercial use. The size of the subject property combined with its B3-1 zoning classification make the subject property unique.

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

Due to the obstruction of the air waves by other facilities in the area, the variation is needed to provide better communications and facilities for cell phone usage.

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

The proposed variation is needed because of the obstruction of the air waves by other facilities in the area.

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.*

As noted above, there is another monopole communications tower a block east of the subject property. Further, within a three mile radius of the subject property, there are approximately 15 other freestanding wireless communication facilities. These 15 other facilities are often in close proximity to residential uses and, in some incidences, are located on property zoned for residential purposes.

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.*

The proposed variation is for a monopole which is not substantially wide and will therefore not make any great visual impact. The proposed variation will not increase congestion in the street as it will generate minimal traffic. There will be no impact on other properties in the area, as this portion of 63rd Street is primarily business and commercial use and because the monopole will be located in excess of 150' from the closest residential structure.

#### 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: (1) the specific criteria for a special use for freestanding facilities pursuant to Sections 17-13-0905-A and 17-9-0118-D of the Chicago Zoning Ordinance; and (2) the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

1. Site development and tower installation shall be consistent with the design and layout in the plans, including the landscape plan, dated December 14, 2016 and prepared by American Tower ATC Service, Inc.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a variation, and the Zoning Administrator is authorized to permit said variation.



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:** Eco-site **CAL NO.:** 515-16-S  
**APPEARANCE FOR:** Chris Leach **MINUTES OF MEETING:**  
October 21, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 5014-60 S. State Street

**NATURE OF REQUEST:** Application for a special use to establish a 120' wireless communication facility.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

NOV 22 2016

CITY OF CHICAGO

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

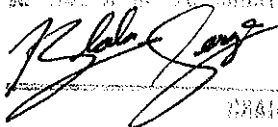
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 6, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed Findings 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 120' wireless facility at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; additional variations were also granted in Cal. NO. 516-16-Z and 517-16-Z; 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 site development and the tower installation is consistent with the design and layout in the plans dated April 6, 2016, prepared by W-T Communication Design Group, LLC.

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

  
 \_\_\_\_\_  
 CHAIRMAN

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

**APPLICANT:** Eco-Site **CAL NO.:** 516-16-Z  
**APPEARANCE FOR:** Chris Leach **MINUTES OF MEETING:**  
October 21, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 5014-60 S. State Street

**NATURE OF REQUEST:** Application for a variation to reduce the west setback from the required 30' to 25.08' for a proposed 120' wireless communication facility.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

NOV 22 2016  
 CITY OF CHICAGO

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

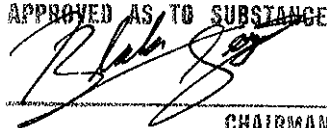
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 6, 2016; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed Findings 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 west setback to 25.08' for a proposed 120' wireless communication facility; a special use was granted to the subject site in Cal. No. 515-16-S and an additional variation was also granted in Cal No. 517-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Akua M. Ahiakou

**CAL NO.:** 584-16-S

**APPEARANCE FOR:** Same as applicant

**MINUTES OF MEETING:**  
December 16, 2016

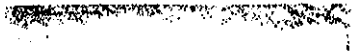
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 9010 S. Cottage Grove Avenue

**NATURE OF REQUEST:** Application for a special use to establish a personal service ( hair braiding).

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**



**JAN 23 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of facts 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 braiding 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):

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

APPROVED AS CHAIRMAN  
  
CHAIRMAN

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

**APPLICANT:** Thanh Huynh

**CAL NO.:** 585-16-S

**APPEARANCE FOR:** James Kurotsuchi

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3247 N. Harlem Avenue

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

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

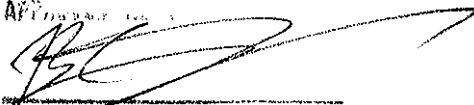
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of facts 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; 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):

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

  
CHAIRMAN

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



JAN 23 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**The Painted Door**  
APPLICANT

**586-16-S, 587-16-S  
& 588-16-Z**  
CALENDAR NUMBERS

**2219-2229 W. Grand Ave., Unit 1-M &  
2233 W. Ohio Street**  
PREMISES AFFECTED

**December 16, 2016**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The applications for the special uses are approved.  
The application for the variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Blake Sercye (recused)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shelia O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS  
FOR 2219-2229 W. GRAND AVENUE, UNIT 1-M AND 2233 W. OHIO STREET  
BY THE PAINTED DOOR**

**I. BACKGROUND**

The Painted Door (the "Applicant") submitted a special use application for 2219-2229 W. Grand Avenue, Unit 1-M ("church property"). The Applicant also submitted a special use and a variation application for 2233 W. Ohio Street ("parking lot property"). The church property is currently zoned C3-2 and is improved with a one-story brick commercial building. The parking lot property is currently zoned RS-3 and is improved with a parking lot. The Applicant sought a special use to permit the establishment of a religious assembly facility at the church property. The Applicant sought a special use to permit the establishment of an off-site accessory parking lot with forty spaces to serve the proposed religious assembly use at the church property. The Applicant sought a variation to establish shared parking with two non-residential uses with different peak parking periods. With respect to the special use for the church property, the City's Department of Planning and Development ("Department") recommended denial of the proposed religious assembly facility. With respect to the special use for the parking lot property, the Department also recommended denial.

**II. PUBLIC HEARING**

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

#### A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on December 16, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's pastor Mr. Mark Bergin and its attorney Mr. Mark Sargis were present. Also present on behalf of the Applicant was the Applicant's expert witness, Mr. Kareem Musawwir. Testifying in objection to the applications was Mr. David Ko. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the lay testimony of Mr. Mark Bergin, pastor for the Applicant. Mr. Bergin testified as to the history of the Applicant in the neighborhood as well as the Applicant's proposed operations at both the church property and the parking lot property.

The Applicant presented the expert testimony of Mr. Kareem Mussawir, its land use planner. Mr. Mussawir testified as to how the Applicant's applications met the standards for a special use and a variation.

Mr. David Ko, of 2201-15 W. Grand Avenue, testified in opposition to the applications. His opposition to the applications stemmed from his belief that the religious assembly use would generate an increased demand for parking in the area.

#### 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.

#### C. Criteria for a Variation

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

particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

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

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

### III. FINDINGS OF FACT

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

1. *The proposed special uses comply with all applicable standards of the Chicago Zoning Ordinance.*

Subject to the proposed special uses and variation, the religious assembly facility at the church property and the off-site accessory parking lot facility at the parking lot property comply with all applicable standards of the Chicago Zoning Ordinance.



2. *The proposed special uses are 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 to establish a religious assembly facility is in the interest of the public convenience as it provides the Applicant with a permanent worship space. The Applicant is very involved with the neighborhood and the community and wishes to remain in the community. A permanent worship space will allow the Applicant to direct more energy into its ministry programs. It will also allow the Applicant to provide a space for other neighborhood nonprofits. Due to the Applicant's established presence in the community, the Applicant's religious assembly facility will not have a significant adverse impact on the general welfare of the community. The proposed special use to establish an off-site accessory parking lot facility is in the interest of the public convenience as it provides the Applicant with parking for its permanent worship space. The parking lot is currently used by the Chicago Public Schools. The Applicant's use of the parking lot will not coincide with the use of the parking lot by the Chicago Public Schools and so will not have a significant adverse impact on the general welfare of the neighborhood.

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

The proposed special use to establish a religious assembly use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be located in the existing one-story brick commercial building on the church property. The proposed special use to establish an off-site accessory parking lot is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be utilizing the existing parking lot on the parking lot property.

4. *The proposed special uses are compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

The Applicant has been operating its offices at the church property for the past four to five months with no detrimental issues. The Applicant's pastor, children's director and arts director do not drive but instead walk to their offices at the church property. The Applicant's mission is to have a small local community church and thus after it reached its desired size of 150 people in 2010, it has not grown. The Applicant only has one service and does not wish to split the congregation into two services. The surrounding area is comprised of light manufacturing and commercial uses that will not be operating during the Applicant's service on Sundays. Therefore, as the religious assembly use and the land uses of the surrounding area will not be operating at the same time, the Applicant's hours of operation, noise and traffic generation will not interfere with

the established land uses of the surrounding area. Further, any significant traffic generated by the Applicant's religious assembly use will be served by the Applicant's proposed off-site accessory parking lot. As the Chicago Public Schools does not utilize the parking lot on Sundays, again, the proposed off-site accessory parking lot use will not interfere with the established land uses of the surrounding area.

5. *The proposed special uses are designed to promote pedestrian safety and comfort.*

The Applicant's proposed religious assembly use will be located in an existing one-story brick commercial building that has ingress and egress onto the existing sidewalk. The Applicant's proposed off-site accessory parking lot will ensure that those attending the Applicant's Sunday services park at a location that promotes pedestrian safety and comfort.

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

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

The Applicant's proposed religious assembly use at the church property will be located in an existing one-story brick commercial building. There is no on-site parking. Any religious assembly use of the church property therefore requires off-site parking to satisfy the use's parking requirements. Due to the pattern of development in the neighborhood, there is no reasonably available off-site parking near the church property with the exception of the parking lot property which is already utilized by the Chicago Public Schools.

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

The requested variation maintains orderly and compatible land use and development patterns.

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

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

The church property is fully developed and contains no on-site parking. As the improvements on the church property predated the Chicago Zoning Ordinance, any use of the church property would require off-site parking to satisfy the Chicago Zoning Ordinance's off-site parking requirements. As noted above, due to the pattern of development in the immediate neighborhood, there is no reasonably available off-site parking near the church property with the exception of the parking lot property which is already utilized by the Chicago Public Schools. Therefore, without the requested variation, the church property cannot yield a reasonable return.

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

As noted above, the church property is fully developed and contains no on-site parking. The immediate neighborhood is also fully developed and therefore there is no reasonably available property within 600' feet of the church property. The shared use of the parking lot property by the Applicant and the Chicago Public Schools is therefore due to unique circumstances not generally applicable to other similarly situated property.

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

Use of the parking lot during non-school hours will not alter the essential character of the neighborhood as the Applicant's use of the parking lot property will not conflict with Chicago Public School's use of the parking lot property.

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

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

The improvements on the church property predate the Chicago Zoning Ordinance. The church property is fully developed with no on-site parking. Any increased use of the church property – such as a religious assembly use – would require off-site parking to satisfy the Chicago Zoning Ordinance's off-street parking requirements.

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.*

The church property has a C3-2 zoning classification. Most property with a C3-2 zoning classification has either on-site parking or the ability to provide non-shared off-site accessory parking. As the improvements on the church property predate the Chicago Zoning Ordinance, the church property is fully developed with no on-site parking. Similarly, the land surrounding the church property is also fully developed with no ability to reasonably provide off-site parking near the church property with the exception of the parking lot property which is already utilized by the Chicago Public Schools.

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

The purpose of the variation is so that the Applicant can establish its religious assembly use at the church property.

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

The improvements at the church property predate the Chicago Zoning Ordinance and therefore have not been created by any person presently having an interest in the church property. Similarly, the fully developed nature of the immediate neighborhood has also not been created by any person presently having an interest in the church 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.*

The Applicant will use the parking lot property during hours when the Chicago Public Schools are not in operation. This will ensure that the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

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.*

The Applicant's peak hours of operating (i.e., Sunday mornings) do not coincide with the operating hours of the light manufacturing and commercial uses that surround the church property. As the variation will be used during the Applicant's peak hours of operation, the variation will not add any adverse impacts to 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: (1) the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance; and (2) the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's applications for special uses, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special uses.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a variation, and the Zoning Administrator is authorized to permit said variation.

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: Iris Studios Chicago, LLC

CAL NO.: 589-16-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:  
December 16, 2016

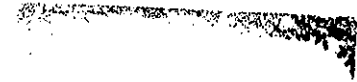
APPEARANCE AGAINST: None

PREMISES AFFECTED: 4630 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use to establish a body art service ( body piercing studio).

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE



JAN 23 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a body art service (body piercing studio); 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):

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

APPROVED AS TO CORRECTNESS

CHAIRMAN

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

**APPLICANT:** Adriana Alvarez

**CAL NO.:** 590-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**

December 16, 2016

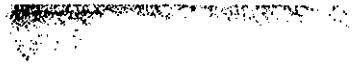
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4211 W. 81st Street

**NATURE OF REQUEST:** Application for a variation to reduce the east side yard setback from the required 5.3' to 3.5' ( west to be at 4.9'), the required combined side setback from 15.9' to 8.4' for a car port for the existing single family residence.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of facts and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east side yard setback to 3.5' ( west to be at 4.9') , the required combined side setback to 8.4' for a car port 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**

**APPLICANT:** 1458 Blackhawk LLC

**CAL NO.:** 591-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1458 W. Blackhawk Street

**NATURE OF REQUEST:** Application for a variation to permit the conversion of an existing three-story, one retail store front and five dwelling unit building to a six dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of facts 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 convert an existing three-story, one retail store front and five dwelling unit building to a six dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN



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

**APPLICANT:** George Pop

**CAL NO.:** 592-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**

December 16, 2016

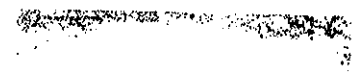
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1737 W. Augusta Boulevard

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30.0' to 2.0', the west setback from 2.0' to zero( east to be zero), the combined side setback from 5.0' to zero for an open bridge to provide access to a proposed garage roofdeck which shall also contain the 162.5 square feet of relocated rear yard open space.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of facts 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 2.0', the west setback to zero (east to be zero), the combined side setback to zero for an open bridge to provide access to a proposed garage roofdeck which shall also contain the 162.5 square feet of relocated rear yard open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED BY  
  
CHAIRMAN

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

**APPLICANT:** 1931 Erie, LLC

**CAL NO.:** 593-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**

December 16, 2016

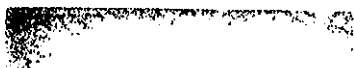
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1931 W. Erie Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.02' to 21.5' for a proposed landing to connect the new roof deck on the existing garage to the existing two-story rear metal stairs.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of facts 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 from the required 34.02' to 21.5' for a proposed landing to connect the new roof deck on the existing garage to the existing two-story rear metal stairs; 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 ACCURACY  
  
CHAIRMAN

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

**APPLICANT:** Public Media Institute

**CAL NO.:** 594-16-Z

**APPEARANCE FOR:** Amy Degnan

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3219-23 S. Morgan Street / 950-58 W. 32nd Place

**NATURE OF REQUEST:** Application for a variation to establish a public place of amusement license for a small venue entertainment use which is accessory to an existing gallery and office space which is within 125' of a residential district..

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

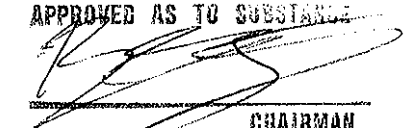
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 for a small venue which shall be an accessory use to the existing gallery and office space; the subject site is 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**

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

**APPLICANT:** Heffernan Builders LLC

**CAL NO.:** 595-16-S

**APPEARANCE FOR:** Sara Barnes

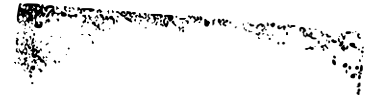
**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1923 N. Damen Avenue

**NATURE OF REQUEST:** Application for a special use to establish a residential use below the second floor for a proposed four-story, three-dwelling unit building with a rear open deck, rooftop feature and three-on-site parking spaces.

**ACTION OF BOARD-**  
APPLICATION APPROVED



**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

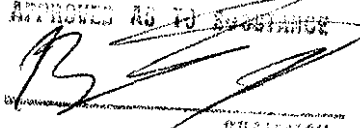
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the plans dated December 16, 2016, prepared by MC and Associates, LLC.

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

APPROVED AS TO ACCURACY  
  
CHAIRMAN

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

**APPLICANT:** Colleen Byrne

**CAL NO.:** 596-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2148 N. Oakley

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 28.0' to 21.33' for an open walkway connection to a proposed roof top deck which shall also contain the 156 square feet of relocated rear yard open space.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

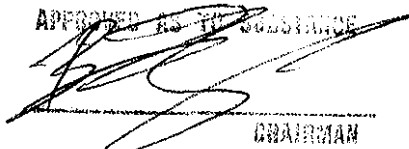
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 fo 21.33' for an open walkway connection to a proposed roof top deck which shall also contain the 156 square feet of relocated rear yard open space; 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:** Eating Recovery Center, LLC

**CAL NO.:** 597-16-S

**APPEARANCE FOR:** Francis Ostian

**MINUTES OF MEETING:**  
December 16, 2016

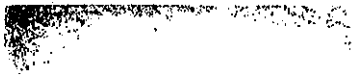
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 150 E. Huron Street

**NATURE OF REQUEST:** Application for a special use to expand an existing twenty-four bed transitional residence to a thirty-two bed transitional residence which shall be located on the twelfth floor only of an existing forty story building.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**



**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted to the subject site previously in Cal. No. 312-15-S; the applicant is now requesting to expand on their existing special use; the applicant shall be permitted to expand the existing special use from twenty-four beds to thirty two beds; the expansion shall be limited to the twelfth floor; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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:** The Herbert F. Ballard Foundation

**CAL NO.:** 598-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 176 N. Leclair Avenue

**NATURE OF REQUEST:** Application for a special use to establish a proposed transitional residence

**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** Circle Squared Development

**CAL NO.:** 599-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2234 W. Huron Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.04' to 22.0' , west setback from 2' to zero for an open stair system to access a proposed garage roof deck which shall also contain the relocated rear yard open space.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

~~XXXXXXXXXXXX~~

**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X


**THE RESOLUTION:**

) WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 from the required 34.04' to 22.0' , west setback from 2' to zero for an open stair system to access a proposed garage roof deck which shall also contain the relocated rear yard open space; 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 LAW  
  
CHAIRMAN



**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**600-16-Z & 601-16-Z**  
CALENDAR NUMBERS

**2435 N. Western, LLC**  
APPLICANT

**2443 N. Western Avenue**  
PREMISES AFFECTED

**December 16, 2016**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The applications for the variations are approved subject to the condition specified below.

Blake Sercye  
Sol Flores  
Shelia O'Grady  
Sam Toia  
Amanda Williams

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 2443 N.  
WESTERN AVENUE BY 2435 N. WESTERN, LLC**

**I. BACKGROUND**

2435 N. Western, LLC (the "Applicant") submitted two variation applications for 2443 N. Western Avenue (the "subject property"). The subject property is currently zoned B3-3 and has been improved with a one and two story commercial building. The Applicant proposed to redevelop the subject property with a four-story mixed use building with retail at grade and thirty-four dwelling units and thirty-four on-site parking spaces. To permit the proposed development, the Applicant sought a variation to reduce the rear setback from the required 30' to 0' and a variation to eliminate the one required loading berth.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation applications at its regular meeting held on December 16, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing member Mr. Paul Dukach and its attorney Mr. Nick

APPROVED AS TO FORM

CHAIRMAN

Ftikas were present. The Applicant's architect Mr. John Hanna was also present. Testifying in objection to the applications was Ms. Teena Lorie Harris. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the lay testimony of Mr. Paul Dukach, managing member of the Applicant. Mr. Dukach testified as to the Applicant's proposed redevelopment of the site.

The Applicant presented the expert testimony of Mr. John Hanna, its architect. Mr. Hanna testified as to how the Applicant's applications met all the standards for a variation.

Ms. Teena Lorie Harris, of 2351 W. Altgeld Street, testified on opposition to the applications. Her opposition to the applications stemmed from her belief that the Applicant's proposed development of the subject property would detrimentally affect the neighborhood.

#### B. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the Zoning Board of Appeals must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged

practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

### III. FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a 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.*

The subject property measures 168' wide by only 83' deep. If the Applicant had to strictly comply with the regulations and standards of the Chicago Ordinance, this short lot depth would create practical difficulties or particular hardships for the subject property.

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

The requested variations maintain orderly and compatible land use and development patterns.

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

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

Due to the 83' short lot depth, 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 variations, if granted, will not alter the essential character of the neighborhood.*

The variations are needed to proceed with the proposed development. The proposed development will be replacing an obsolete building with a mixed-use building that is much more compatible with the neighborhood.

6. *The variations 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.*

The Applicant has recessed the fourth floor of the proposed development to ensure that the residential properties on Altgeld Street receive an adequate supply of light and air. Moreover, there is a 16' alley between the subject property and property next east on Altgeld Street. Mr. John Hanna produced a sun study showing that the proposed development will have minimal impact on shading and shadows on the property next east. Any impact would be, as the subject property is to the west of the property next east, at the end of the day and during the winter months. The variation will not substantially increase congestion in the public streets as the Applicant is providing one parking space per residential unit, 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 applications for variations, and pursuant to Section 17-13-1105 of the Chicago Zoning Ordinance the Zoning Administrator is authorized to permit said variations subject to the following condition:

1. Each of the thirty-four residential units shall have one parking space included in its lease.

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: Mayra Mendoza

CAL NO.: 602-16-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:

December 16, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5229 S. Justine Street

NATURE OF REQUEST: Application for a variation to reduce the north setback from the required 2.0' to 0.77 ( south to be 3.58'), the combined side setback from 5.0' to 4.35' for a rear two-story addition on the existing building being converted to a single family residence.

ACTION OF BOARD-  
VARIATION GRANTED

THE VOTE

JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north setback to 0.77 (south to be 3.58'), the combined side setback to 4.35' for a rear two-story addition on the existing building being converted to a single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:** Debby Tsao

**CAL NO.:** 603-16-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 1113-19 S. Loomis Street

**NATURE OF REQUEST:** Application for a variation to reduce the south setback from the required 5' to 4.21', the combined side setback from 10.8' to 4.21' for the subdivision of an existing zoning lot into two zoning lots. The existing multi-unit residence at 1113-15 S. Loomis will remain.

**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

RESOLUTION NO.

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:** Debby Tsao

**CAL NO.:** 604-16-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 1119 S. Loomis Street

**NATURE OF REQUEST:** Application for a variation to reduce the north setback from the required 4.9' to 4.0', the south setback from 5' to 2' , the combined side setback from 9.8' to 6', the front setback from Loomis street from 9' to 3.67' for a proposed three-story, three dwelling unit building with ground

**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO**  
*[Signature]*  
**CHAIRMAN**

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

**APPLICANT:** Debby Tsao

**CAL NO.:** 605-16-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 1119 S. Loomis Street

**NATURE OF REQUEST:** Application for a variation to to reduce the required rear yard open space from the required 238.87 square feet to zero for a proposed three-story, three dwelling unit building with parking located on the ground floor.

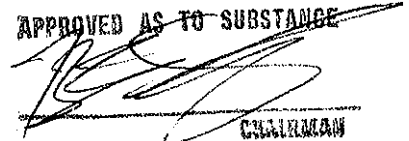
**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CALLAGHAN**



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

**APPLICANT:** FBF, LLC

**CAL NO.:** 606-16-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
December 16, 2016

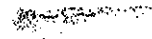
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2606 W. Windsor Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 32.97' to 2.5' for a proposed open stairwell to access a proposed garage roof deck on the existing three- car garage.

**ACTION OF BOARD-**  
VARIATION GRANTED

**THE VOTE**



**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of facts 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 2.5' for a proposed open stairwell to access a proposed garage roof deck on the existing three- car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Dalisa G. Arellano DBA/ Sky Day Spa, Inc. **CAL NO.:** 607-16-S

**APPEARANCE FOR:** **MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 1716 W. Lawrence Avenue

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


**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

APPLICANT: 1723 North Magnolia LLC

CAL NO.: ~~606-16-S~~ 608-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

December 16, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1723 W. North Avenue

NATURE OF REQUEST: Application for a special use to convert an existing two-dwelling unit building to a single family residence and add a thirds floor addition, a rear two-story addition with a third level roof deck and a detached two-car private garage with a roof deck and an open stair to access the roof deck.

ACTION OF BOARD-  
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:** 1723 North Avenue, LLC

**CAL NO.:** 609-16-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

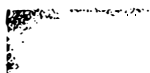
**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 1723 W. North Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 22' for a proposed open stair to access a the roof deck on the proposed two-car detached garage which will serve the existing building which will be deconverted from a two unit building to a single family residence.

**ACTION OF BOARD-**  
WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**



**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
		X

**APPROVED AS TO SUBSTANCE**  
*[Signature]*  
**CHAIRMAN**

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

**APPLICANT:** Brittani Sylvester

**CAL NO.:** 610-16-S

**APPEARANCE FOR:** Same as applicant

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 351 W. Chicago Avenue

**NATURE OF REQUEST:** Application for a special use to establish a body art service.

**ACTION OF BOARD-**  
**APPLICATION APPROVED**

**THE VOTE**

**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a body art service 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; 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):

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

APPROVED AS TO SUBSTANCE  
*[Signature]*  
CHAIRMAN

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

**APPLICANT:**

HUTUP Inc.

**CAL NO.:** 611-16-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:**

1927 W. Irving Park Road

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

**ACTION OF BOARD-**

WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Gateway Potomac, LLC

**CAL NO.:** 612-16-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2123 W. Potomac Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 33.32' to 22.0', west setback from 2.0' to 0.42' (east will be 3.35') for an open stair to access a proposed garage roof deck on a proposed two-car garage

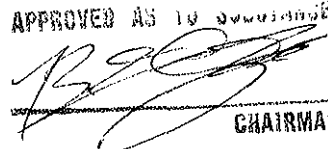
**ACTION OF BOARD-**  
CASE CONTINUED TO FEBRUARY 17, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO ACCURACY  
  
CHAIRMAN

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

**APPLICANT:** Loyola Properties Limited, LLC **CAL NO.:** 613-16-Z  
**APPEARANCE FOR:** Martin Murphy **MINUTES OF MEETING:**  
 December 16, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3444 N. Claremont Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.72' to 2.58' , north setback from 2' to zero ( south to be 2'), combined side setback from 5' to 2' for an open stair to access a garage roof decl located on the existing detached two-car garage.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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		X

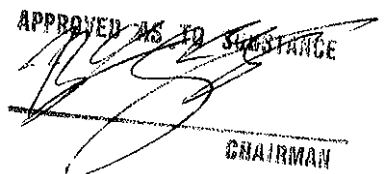
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times December 1, 2016 on ; 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 2.58' , north setback to zero (south to be 2'), combined side setback to 2' for an open stair to access a garage roof decl located on the existing detached two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN



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

**APPLICANT:** Len Le **CAL NO.:** 614-16-S

**APPEARANCE FOR:** Same as applicant **MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2856 E. 87th Street

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

**ACTION OF BOARD-**  
APPLICATION GRANTED

**THE VOTE**

JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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		X

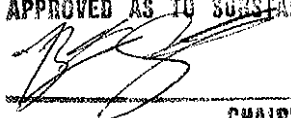
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; 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):

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 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**615-16-S & 616-16-Z**  
CALENDAR NUMBERS

**1743 W. Rosehill, LLC**  
APPLICANT

**1743-67 W. Rosehill Drive**  
PREMISES AFFECTED

**December 16, 2016**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the special use is approved subject to the condition specified below.  
The application for the variation is approved.

Blake Sercye  
Sol Flores  
Shelia O'Grady  
Sam Toia  
Amanda Williams

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS  
FOR 1743-67 W. ROSEHILL DRIVE BY 1743 W. ROSEHILL, LLC**

**I. BACKGROUND**

1743 W. Rosehill, LLC (the "Applicant") submitted a special use and a variation application for 1743-67 W. Rosehill Drive (the "subject property"). The subject property is currently zoned C1-2 and is improved with a one-story commercial building. The Applicant sought a special use to establish residential use below the second floor for a proposed four-story, thirty-nine dwelling unit building with required parking and loading located on the ground floor. The Applicant sought a variation to increase the maximum height of 45' by no more than 10% to 49.16' for a proposed four-story, thirty-nine dwelling unit building with required parking and loading located on the ground floor. With respect to the special use for the subject property, the City's Department of Planning and Development ("Department") recommended approval of the proposed residential use below the second floor for a proposed four-story, 39-dwelling unit building, provided the development is consistent with the design and layout of the plans and drawings dated August 5, 2016 and prepared by Sullivan, Goulette & Wilson Architects.

**II. PUBLIC HEARING**

**A. The Hearing**

APPROVED AS TO THE MATTER OF THE HEARING

**CHAIRMAN**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on December 16, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing member Mr. Alan Candea, and its attorney Mr. Tom Moore were present. Also present on behalf of the Applicant was the Applicant's expert witness Mr. Joseph Ryan and the Applicant's architect Mr. Chris Bremer. Testifying in support of the applications was Mr. Robert Ross. Testifying in objection to the applications were Mr. Steven Panter, Mr. Fred Williams, and Mr. Brian Witkowski. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the lay testimony of Mr. Alan Candea, managing member for the Applicant. Mr. Candea testified as to the Applicant's history with the subject property as well as its reasons for requesting the special use and variation.

The Applicant presented the expert testimony of Mr. Joseph Ryan, its MAI certified appraiser. Mr. Ryan testified as to how the Applicant's special use application met all the standards for a special use.

The Applicant presented the expert testimony of Mr. Chris Bremer, its architect. Mr. Bremer testified as to how the Applicant's variation application met all standards for a variation.

Mr. Ryan Ross, a board member of the West Edgewater Area Residents ("WEAR"), testified in support of the Applicant's applications.

Mr. Steven Panter, of 1670-72 W. Hollywood Avenue, Mr. Fred Williams, of 1728 and 1732 W. Rosehill Drive, and Mr. Brian Witkowski, of 1668 W. Edgewater Avenue, all testified in objection to the applications. Their objections stemmed from their beliefs that: (1) the neighborhood never had a truthful opportunity to weigh in on the Applicant's proposed development; (2) the proposed development would be overwhelming to the surrounding buildings; (3) the proposed development would create traffic and parking congestion.

#### 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.

### C. Criteria for a Variation

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

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

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

### III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for special uses 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.*

Subject to the proposed special use and variation, the proposed four-story, thirty-nine dwelling unit building with required parking and loading located on the ground floor comply 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 because there is no demand for retail at this location. The area is primarily a residential area. Commercial use is located a block west on Ravenswood and there is other first floor residential uses on the block. The proposed development will enhance the property values in the neighborhood and so the proposed special use will have no adverse impact on the general welfare of the neighborhood.

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

As noted above, the area is primarily residential and there are other first floor residential uses on the block.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

As noted above, the area is primarily residential and there are other first floor residential uses on the block. There are other multi-family developments in the area that are similar to the Applicant's proposed development. There will be no increased traffic as the proposed development will have on-site parking. Hours and lighting will be typical of the residential uses already established in the neighborhood.

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

The subject property is near public transportation and will promote pedestrian safety and comfort. The subject property is two blocks away from the Thorndale-Red Line station. There are also bus routes east on Clark Street and Ashland Avenue as well as to the north on Peterson Avenue.

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

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

The subject property is zoned C1-2. The Applicant originally intended to develop the subject property with commercial on the ground floor. As the lot frontage of the subject property on Rosehill Drive exceeds 100', the Chicago Zoning Ordinance would have allowed the Applicant to build a 50' building. As four-story condominium buildings typically have units with 10' ceilings, this would have allowed the Applicant to develop salable condominiums. However, the Alderman and WEAR wanted an all-residential building on the subject property. As an all-residential building in a C1-2 is only allowed 45' in height, this creates units with 8'6" ceilings. New condominium units with only 8'6" ceilings do not sell, and so the Applicant would never build a condominium building with units that had only 8'6" ceilings.

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

The requested variation promotes public health, safety and general welfare. The requested variation preserves the overall quality of life for residents and visitors. The requested variation protects the character of an established residential neighborhood. The requested variation promotes pedestrian, bicycle and transit use. The requested variation ensures adequate light, air, privacy and access to property.

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

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

If the Applicant were to build the proposed building in accordance with the standards of the Chicago Zoning Ordinance, the height of the building would be capped at 45'. This would create condominium units with 8'6" ceilings. As new construction condominium units with 8'6" ceilings do not sell, the subject property could not yield a reasonable return.

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

Building residential on the ground floor of the subject property is due to the unique circumstances of the Alderman and WEAR's request and is not generally applicable to other similarly situated property.

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

The variation will fit into the character of the neighborhood. The variation will not change the essential character of the neighborhood as the Applicant would have been able to build a 50' high building had it not been for the request to that the Applicant develop an all-residential building.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a variation pursuant to Section 17-13-1107-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 the subject property has a C1-2 zoning classification and the lot frontage of the subject property on Rosehill Drive exceeds 100', the Chicago Zoning Ordinance would have allowed the Applicant to build a 50' building. Limiting the ground floor to residential only allows for a 45' high building which results in particular hardship to the Applicant.

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.*

Ground floor residential use would not be applicable, generally, to other property within the C1-2 zoning classification as, generally, property within the C1-2 zoning classification has ground floor commercial.

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

The purpose of the variation is so that the Applicant can accommodate the requests of the Alderman and WEAR.

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

Ground floor residential on the subject property was due to the request of the Alderman and WEAR and has not been created by any person presently having an interest in the subject property.

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

The Applicant's proposed development will enhance property values in the neighborhood by putting new, high-quality condominiums on the subject property.

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.*

The Applicant will have forty-seven on-site parking spaces for thirty-nine units. Moreover, Rosehill Drive is not congested and hardly has any cars parked on the street. The proposed design steps back the upper floors on the south side of the building which will enhance light and air to the neighboring buildings. The proposed development will not increase danger of fire or endanger public safety.

#### 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: (1) the specific criteria for a special use for freestanding facilities pursuant to Sections 17-13-0905-A and 17-9-0118-D of the Chicago Zoning Ordinance; and (2) the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

1. Site development shall be consistent with the design and layout of the plans and drawings dated August 5, 2016 and prepared by Sullivan, Goulette & Wilson Architects.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a variation, and the Zoning Administrator is authorized to permit said variation.

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:** FREP 79th & Western, LLC

**CAL NO.:** 617-16-S

**APPEARANCE FOR:** Elizabeth Butler

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2331-41 W. 79th Place

**NATURE OF REQUEST:** Application for a special use to establish an off-site accessory parking lot with twenty-three spaces to meet the parking requirement for the interior build out of a retail use located at 7939 S. Western Avenue.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016; 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 accessory parking lot with twenty-three spaces to meet the parking requirement for the interior build out of a retail use located at 7939 S. Western Avenue; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the landscape plan, dated July 28, 2016, prepared by Absolute Architecture PC.

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Hei Yeng Kwok & Pei Chan Li **CAL NO.:** 618-16-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
December 16, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1133-37 W. Taylor Street

**NATURE OF REQUEST:** Application for a variation to reduce the required minimum lot area from 1,000 square feet per unit to 934 square feet per unit to allow for the conversion of a four dwelling unit, two office space and two retail unit building to a six dwelling unit and two retail unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

JAN 23 2017  
**CITY OF CHICAGO  
 ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAMTOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

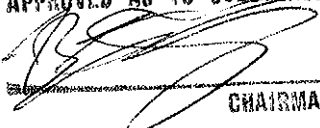
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 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 minimum lot area from 1,000 square feet per unit to 934 square feet per unit to allow for the conversion of a four dwelling unit, two office space and two retail unit building to a six dwelling unit and two retail unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Jeffrey and Rebecca Schroeder **CAL NO.:** 619-16-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
 December 16, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2105 N. Stave Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 31.08' to 22' for an exterior stair to access the proposed garage roof deck which shall also contain the relocated rear yard open space.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

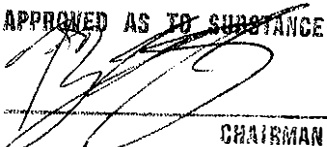
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 22' for an exterior stair to access the proposed garage roof deck which shall also contain the relocated rear yard open space; 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 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**Sustainabuild, LLC – 520-522 Oakley  
Series**

APPLICANT

**620-16-Z**  
CALENDAR NUMBER

**December 16, 2016**

HEARING DATE

**520 N. Oakley Boulevard**

PREMISES AFFECTED

**ACTION OF BOARD**

**THE VOTE**

The application for the variation is denied.

**AFFIRMATIVE    NEGATIVE    ABSENT**

Blake Sercye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shelia O'Grady	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 520 N. OAKLEY  
BOULEVARD BY SUSTAINABUILD LLC – 520-522 OAKLEY SERIES**

**I. BACKGROUND**

Sustainabuild, LLC – 520-522 Oakley Series (the “Applicant”) submitted a variation for 520 N. Oakley Boulevard (the “subject property”). The subject property is currently zoned RT-4 and is improved with a multi-unit residential building and garage. The Applicant sought a variation to reduce the rear setback from the required 38’7” to 22’ for an open stair/bridge to access the proposed garage roof deck which would also contain the relocated rear yard open space.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant’s variation application at its regular meeting held on December 16, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS’ Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant’s sole member and manager Mr. Igor Petrushchak and its attorney Mr. Mark Kupiec were present. Also present on behalf of the Applicant was the

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

Applicant's expert witness, Mr. John Hanna. Testifying in objection to the application was Ms. Linda Searl. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the lay testimony of Mr. Igor Petrushchak, sole member and manager of the Applicant. Mr. Petrushchak testified as to the Applicant's development on the subject property and its desire for an open stair/bridge.

The Applicant presented the expert testimony of Mr. John Hanna, its architect. Among other things, Mr. Hanna testified that he had considered other designs with respect to rooftop deck access but that with an open stair/bridge, one only had to walk up seven steps. In contrast, if he had designed a stair at grade to access the rooftop deck, one would have to walk up twenty or twenty-one steps.

The Applicant also submitted a group exhibit containing pictures of other rooftop decks in the neighborhood.

Ms. Linda Searl, of 2301 W. Ohio Street, testified in opposition to the application. She testified that she was a licensed architect. She further testified that she did not know of any project in the neighborhood or nearby which had been granted the rear yard setback relief requested by the Applicant.

#### B. Criteria for a Special Use

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the Zoning Board of Appeals must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience,

if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

### III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a 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 not create practical difficulties or particular hardships for the subject property.*

The requested variation is merely for convenience. As the Applicant's expert witness Mr. John Hanna testified, there were other methods the Applicant could have chosen to provide access to the roof deck. Instead, the Applicant chose its option based – as its attorney explained – on convenience. Inconvenience is not a practical difficulty or particular hardship.

2. *The requested variation is not consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

The requested variation will not maintain the character of established residential neighborhoods.

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

1. *The property in question can yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

The Applicant has already sold two of the five units in the building on the subject property.

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

Mr. Hanna testified that due to the requested variation one only had to walk up seven steps to access the roof deck. In contrast, if he had designed a stair at grade and without the requested variation, one would have to walk up twenty or twenty-one steps to access the roof deck. As noted above, inconvenience is not a practical difficult or particular hardship.

3. *The variation, if granted, will alter the essential character of the neighborhood.*

As Ms. Searl very credibly testified, the variation, if granted, will alter the essential character of the neighborhood. No project in the neighborhood or nearby has been granted the rear yard setback relief requested by the Applicant.

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

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

As noted above, the Applicant requested the variation for convenience.

2. *The conditions upon which the petition for a variation is based would be applicable, generally, to other property within the same zoning classification.*

The subject property has a RT-4 zoning classification. Convenience is a condition that is applicable, generally, to other property within the RT-4 zoning classification.

3. *The alleged practical difficulty or particular hardship has been created by a person presently having an interest in the property.*

The Applicant already built the building and garage on the subject property, including the roof deck above the garage. The need for convenient access to the roof deck, therefore, has been created by the Applicant.

#### IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not 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 for freestanding facilities pursuant to 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 denies the Applicant's application for a variation.

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:** Supreme Beauty Parlor. LLC

**CAL NO.:** 621-16-S

**APPEARANCE FOR:** Christina Chavez

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2944 W. Montrose Avenue

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

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAMTOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 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; 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):

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:** 2605 West Armitage, LLC

**CAL NO.:** 622-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2605 W. Armitage Avenue

**NATURE OF REQUEST:** Application for a special use to establish a residential use below the second floor for a one and two-story brick commercial building being converted to a single family residence.

**ACTION OF BOARD-**

CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**  
*[Signature]*  
**CHAIRMAN**

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

**APPLICANT:** 2345 West Roscoe, LLC

**CAL NO.:** 623-16-S

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2341 W. Roscoe Street

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor of a proposed four-story, six dwelling unit building with rooftop stairway enclosures, a rear open porch, a detached six-car garage with roof deck and an bridge to provide access to the roofdeck.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
		X

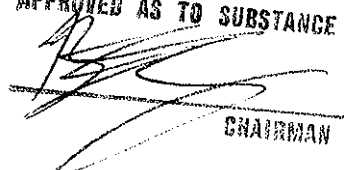
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 of a proposed four-story, six dwelling unit building with rooftop stairway enclosures, a rear open porch, a detached six-car garage with roof deck and an bridge to provide access to the roofdeck; a variation was also granted to the subject site in Cal. No. 624-16-Z and 625-16-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the plans, dated May 13, 2016, prepared by MC and Associates, 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:** 2345 West Roscoe, LLC

**CAL NO.:** 624-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2341 W. Roscoe Street

**NATURE OF REQUEST:** Application for a variation to reduce the required rear setback from the required 30' to 2' on floors containing dwelling units for a four-story, six-dwelling unit building with rooftop stairway enclosures, a rear open porch, a rear detached six-car garage with roof deck and a bridge to provide access to the roof deck.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

JAN 23 2017

**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAMTOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

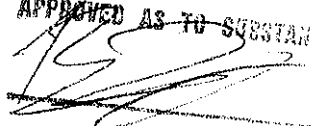
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted to the subject site in Cal. No. 623-16-S and an additional variation in Cal. No. 625-16-Z; the applicant shall be permitted to reduce the required rear setback to 2' on floors containing dwelling units for a four-story, six-dwelling unit building with rooftop stairway enclosures, a rear open porch, a rear detached six-car garage with roof deck and a bridge to provide access to the 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:** 2345 West Roscoe, LLC

**CAL NO.:** 625-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2341 W. Roscoe Street

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area per unit from the required 6,000 square feet to 5,750 square feet for a proposed four-story, six-dwelling unit building with rooftop stair enclosures, a rear open porch, a rear detached six-car garage with roof deck and a bridge to provide access to the roof deck.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

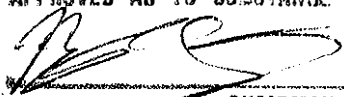
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted to the subject site in Cal. No. 623-16-S as well as an additional variation in Cal. No. 624-16-Z; the applicant shall be permitted to reduce the minimum lot area per unit from the required 6,000 square feet to 5,750 square feet for a proposed four-story, six-dwelling unit building with rooftop stair enclosures, a rear open porch, a rear detached six-car garage with roof deck and a bridge to provide access to the 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:** 2345 West Roscoe, LLC

**CAL NO.:** 626-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2345 W. Roscoe Street

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for a proposed four-story, six-dwelling unit building, with rooftop stairway enclosures, a rear open porch, rear detached six car gage with roof deck and a bridge to access the garage roof deck from the rear stair.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
		X

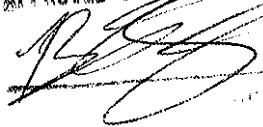
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed four-story, six-dwelling unit building, with rooftop stairway enclosures, a rear open porch, rear detached six car garage with roof deck and a bridge to access the garage roof deck from the rear stair; additional variations were also granted in Cal. No. 627-16-Z and 628-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s): The development is consistent with the design and layout of the plans, dated May 13, 2016, prepared by MC and Associates, LLC.

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

APPROVED AS TO SUBSTANCE  
  
BLAKE SERBYE

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

**APPLICANT:** 2345 West Roscoe, LLC

**CAL NO.:** 627-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2345 W. Roscoe Street

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area from the required 6,000 square feet to 5,750 square feet for a proposed four-story, six dwelling unit building with roof top enclosures, a rear open porch, a detached six car garage with roof deck and a bridge to access the garage roof deck from the rear stair.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

JAN 23 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted to the subject site in Cal. No. 626-16-S and an additional variation in Cal. No. 628-16-Z; the applicant shall now be permitted reduce the minimum lot area to 5,750 square feet for a proposed four-story, six dwelling unit building with roof top enclosures, a rear open porch, a detached six car garage with roof deck and a bridge to access the garage roof deck from the rear stair; 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:** 2345 West Roscoe, LLC

**CAL NO.:** 628-16-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2345 W. Roscoe Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 2' on floors containing dwelling units for a proposed four-story, six-dwelling unit building with rooftop enclosures, rear open porch, a detached six-car garage with a roof deck and a bridge to access the garage roof deck from the rear stair.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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		X

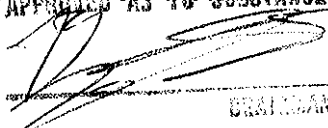
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted and additional variation was granted to the subject site in Cal. No. 626-16-S and 627-16-Z; the applicant shall be permitted to reduce the rear setback from the required 30' to 2' on floors containing dwelling units for a proposed four-story, six-dwelling unit building with rooftop enclosures, rear open porch, a detached six-car garage with a roof deck and a bridge to access the garage roof deck from the rear stair; 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 FORMS  
  
SECRETARY



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

**APPLICANT:** 815 N. Paulina, LLC

**CAL NO.:** 629-16-S

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 815 N. Paulina Street

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for a proposed four-story, five dwelling unit building with a detached rear garage with a roof deck.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
		X

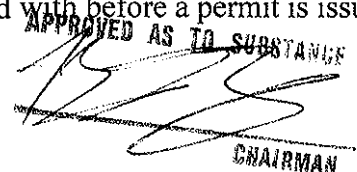
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 residential use below the second floor for a proposed four-story, five dwelling unit building with a detached rear garage with a roof deck; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the plans dated December 16, 2016, 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:** 819 N. Paulina Development, LLC **CAL NO.:** 630-16-S  
**APPEARANCE FOR:** Nick Ftikas **MINUTES OF MEETING:**  
 December 16, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 819 N. Paulina Street

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for a proposed four-story, six-dwelling unit building with a detached rear garage with roof deck.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

JAN 23 2017

CITY OF CHICAGO  
**ZONING BOARD OF APPEALS**

JAN 23 2017

CITY OF CHICAGO  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 residential use below the second floor for a proposed four-story, six-dwelling unit building with a detached rear garage with roof deck; a variation was also granted to the subject site in Cal. No. 631-16-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the plans dated December 16, 2016, 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:** 819 N. Paulina Development, LLC **CAL NO.:** 631-16-Z  
**APPEARANCE FOR:** Nick Ftikas **MINUTES OF MEETING:**  
 December 16, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 819 N. Paulina Street

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area from the required 6,000 square feet to 5,740 square feet for a proposed four-story, six-dwelling unit building with a rear detached six car garage with a roof deck.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted to the subject site in Cal. No. 630-16-S; the applicant shall also be permitted to reduce the minimum lot area from the required 6,000 square feet to 5,740 square feet for a proposed four-story, six-dwelling unit building with a rear detached six car garage 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 FORM AND CONTENT  
  
 CHAIRMAN

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

**APPLICANT:** 819 N. Paulina Development, LLC **CAL NO.:** 632-16-S

**APPEARANCE FOR:** Nick Ftikas **MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 823 N. Paulina Street

**NATURE OF REQUEST:** Application for a special use to establish a residential use below the second floor for a proposed four-story, six-dwelling unit building with a detached six car garage with roof deck.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

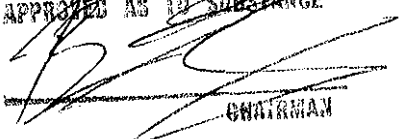
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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 residential use below the second floor for a proposed four-story, six-dwelling unit building with a detached six car garage with roof deck; a variation was also granted to the subject site in Cal. No. 633-16-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the plans dated December 16, 2016, 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  
  
G. WILLIAMS

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

**APPLICANT:** 819 N. Paulina Development, LLC **CAL NO.:** 633-16-Z  
**APPEARANCE FOR:** Nick Ftikas **MINUTES OF MEETING:**  
 December 16, 2016  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 823 N. Paulina Street

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area from the required 6,000 square feet to 5,740 square feet for a proposed four-story, six dwelling unit building with a detached six car garage with roof deck.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**



**JAN 23 2017**

**CITY OF CHICAGO  
 ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SOL FLORES  
 SHEILA O'GRADY  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

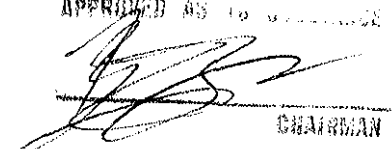
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted to the subject site in Cal. No. 632-16-S; the applicant shall also be permitted to reduce the minimum lot area from the required 6,000 square feet to 5,740 square feet for a proposed four-story, six dwelling unit building with a detached six car garage with 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 ACCURACY  
  
 CHAIRMAN

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

**APPLICANT:** 5107 Property LLC

**CAL NO.:** 634-16-S

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
December 16, 2016

**APPEARANCE AGAINST:** George Blakemore

**PREMISES AFFECTED:** 5107 W. Madison Street

**NATURE OF REQUEST:** Application for a special use to establish one-story gas station with mini-mart.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAMTOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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-story gas station with mini-mart; a variation was also granted to the subject site in Cal. No. 635-16-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the landscape plan dated December 6, 2016, prepared by Nine 4 Nine Design, 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:** 5107 Property, LLC

**CAL NO.:** 635-16-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
December 16, 2016

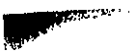
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5107 W. Madison St.

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area from the required 20,000 square feet to 19, 681 square feet for a proposed one-story gas station with retail mini mart.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**



**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on December 1, 2016 ; 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; a special use was granted to the subject site in Cal. No. 634-16-S; the applicant shall now be permitted to reduce the minimum lot area from the required 20,000 square feet to 19, 681 square feet for a proposed one-story gas station with retail mini mart; 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:** Iglesia de Dios Alfa y Omega

**CAL NO.:** 639-16-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

December 16, 2016

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 6540 W. Diversey Avenue

**NATURE OF REQUEST:** Application for a special use to establish a religious assembly facility.

**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 20, 2017

**THE VOTE**

**JAN 23 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**



CHAIRMAN



APPLICANT: Iglesia de Dios Alfa y Omega

CAL NO.: 640-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

December 16, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 6540 W. Diversey Avenue

NATURE OF REQUEST: Application for a variation to reduce the required parking by no more than 20% from eighteen spaces to fifteen spaces.


ACTION OF BOARD-  
CASE CONTINUED TO JANUARY 20, 2017

THE VOTE

**JAN 23 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SOL FLORES  
SHEILA O'GRADY  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN