ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

Community of the Future, Inc./DBA Maria Package Goods & Community Bar
APPLICANT

384-14-S
CALENDAR NUMBER

954-60 W. 31st Street
PREMISES AFFECTED

October 17, 2014
HEARING DATE

Jim Banks
APPEARANCE FOR APPLICANT

D. Susan Renter & Others
OBJECTORS

NATURE OF REQUEST

Application for a special use to expand an existing tavern through the construction of an adjacent one-story building with an at-grade, rear outdoor patio.

ACTION OF BOARD

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

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores			x
Sheila O'Grady			x
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Jim Banks, counsel for the Applicant, explained the underlying basis for the relief sought; that the Applicant has lease rights to the subject property which is located at 954-960 W. 31st Street; that the lot at 960 W. 31st Street is currently improved with a two-story, brick building which contains the Applicant's current business; that the lot at 954 W. 31st Street is currently improved with two (2) frame storage structures as well as a parking area; that the Applicant's current business – a tavern and package goods store – has operated at 960 W. 31st Street since the 1930s; that the Applicant is now seeking to expand its tavern into the lot at 954 W. 31st Street; that the Applicant is solely seeking to expand its tavern use and not its package goods use;

APPROVED AS TO SUBSTANCE

CHAIRMAN

that, therefore, the Applicant is seeking a special use to expand its tavern use on the subject property; and

WHEREAS, Mr. Mike Marszewski testified on behalf of the Applicant; that he is the president of the Applicant; that he has a lease for the subject property; that the Applicant has operated a packaged goods store as well as a tavern at 960 W. 31st Street since 1984; that his mother purchased the property from the original owner who had operated the business since the 1930s; that it is his understanding that the package goods and tavern uses have operated together at the subject property for the past eighty (80) plus years; that the two-story, brick building at 960 W. 31st Street currently contains the Applicant's package goods store as well as the tavern; that the package good store occupies approximately a 350 square foot area in the front of the building; that the tavern occupies just under 1,000 square feet and is located at the rear of the store; that the plan is to raze the two (2) frame buildings at 954 W. 31st Street and in their place construct a 1,925 square foot, one-story addition that would be joined to the existing brick building at 960 W. 31st Street; that the addition will connect to the tavern and the two will function together as one larger space; that the Applicant is also proposing to construct an at-grade beer garden that will be located behind the new addition; that this beer garden will contain about 800 square feet; that the beer garden will be used as on a seasonal basis, weather permitting; that as the subject property is located in a B3-1 Zoning District, the Applicant's proposed expansion of its tavern requires a special use; that the proposed addition will not enlarge or otherwise affect the package good store; that over the past thirty (30) years, the Applicant's business at the subject property has become quite a popular neighborhood tavern; that currently, it has a capacity of less than ninety-nine (99) people; that if the proposed special use is granted, the tavern will have a capacity of about 138 people; and

WHEREAS, Mr. Marszewski further testified that although the tavern is a full-service bar, in the last few years, the tavern has developed a reputation due to its craft beer menu; that due to this reputation, the Applicant draws people from all over country – not just Chicago or Bridgeport; that the Applicant has received multiple awards, has been written about in major magazines such as *GQ*, and has been featured on national TV shows such as "The Best Bars in America"; that this growing popularity has created a need for more space; that this is why the Applicant is proposing its addition; that if the special use is approved, the tavern use will expand to 1,925 square feet; that this addition will allow for a new large beer cooler, new bathrooms, and a new kitchen; that the new kitchen will offer a limited menu; that the proposed beer garden will have seating for twenty-four (24) to thirty (30) people; that in accordance with City ordinance, the beer garden will close at 11:00 PM; that there will be no outside music; that currently the Applicant employs a staff of fifteen (15) people but that after the addition the Applicant will employ approximately twenty (20) people; that the Applicant's staff includes three (3) to four (4) security workers who are at the bar Thursday, Friday, and Saturday nights; that the Applicant has a smaller security team on the other nights of the week; that the Applicant's package goods store hours will remain: Sundays – Fridays, 11:00 AM – 2:00 AM, Saturdays; 11:00 AM – 3:00 AM; that the Applicant's tavern hours will remain Sundays – Thursdays, 3:00 PM – 2:00 AM; Fridays, 12:00 PM – 2:00 AM; Saturdays,

12:00 PM – 3:00 AM; that during the thirty (30) years the Applicant has owned and operated the tavern and package goods store, there have never been any ongoing neighborhood problems; that there have never been any police issues where the police have issued citations or arrested people; that the alderman supports the Applicant's special use; that many of the Applicant's patrons live in the immediate area; that the Applicant will continue to operate the business in the way it has been operating it; that with the proposed addition, there will be more space for the Applicant's customers; and

WHEREAS, Mr. Brett Norsman testified in support of the Applicant; that his credentials as an expert in architecture were acknowledged by the Board; that he is the architect for the Applicant's proposed addition; that the Applicant's proposed addition is largely an expansion of the existing bar space; that the existing bar is accessed through the Applicant's package goods store; that the addition will also be accessed through the Applicant's package goods store; that on slow nights, the addition probably will not open but on busy nights the tavern use will expand into the yard; that the addition is oriented more towards day-time use with the addition of the kitchen as the kitchen can be operated independently of the bar space; that the Applicant is a true community bar and the design is planned towards that; that the proposed addition has warm materials, great ceiling height, nice light, is inward focused, has a nice beer garden, and has a green roof that is covers about 70% of the addition; that but for the proposed special use, the proposed addition complies with all applicable standards of this Zoning Ordinance; and

WHEREAS, Mr. Sylvester J. Kerwin, Jr., testified on behalf of the Applicant; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning Ordinance which must be addressed in support of such an application; that he then orally testified that the proposed special use: (1) complies with all applicable standards of this Zoning Ordinance; (2) is in the interest of the public convenience as it is helping an existing business expand due to market demand and will have no adverse impact on the surrounding neighborhood as the Applicant is investing significant capital into its existing business which will ultimately contribute to the neighborhood; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design as the Applicant's tavern use has been established for at least thirty (30) years by the existing Applicants and as there are similar outdoor patio uses in the immediate area; (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, as most of the activities will occur inside and during the Applicant's existing hours of operation and as the outdoor patio will operate under City regulations; (5) and will promote pedestrian safety and comfort; and

WHEREAS, Ms. D. Susan Renkar, of 3057 S. Farrell Street, testified in opposition to the application; that she resides behind and directly across from the subject property; that the proposed addition does not belong in Bridgeport as it is a glass structure; that Bridgeport has homes that are over 100 years old; that there is no parking for the

proposed addition; that the Applicant's tavern has noise, music, and karaoke at midnight – all of which adversely impact and devalue her property; that the proposed addition does not fit into the character of the neighborhood; that she has lived in her home for sixty (60) years; that up until the mid to late 80s, the Applicant's tavern was patronized by sixty (60) to seventy (70) year old men that would sit, drink, smoke and then go home; that now the Applicant's clientele are not from Bridgeport; that people in Bridgeport do not have the culture to go the Applicant's tavern; that she can't take the noise, the music, and the no parking – especially with all the cars, taxis, and bicycles people ride – in her neighborhood; that Bridgeport does not have lounges only bars; that no one in Bridgeport is going to try eighty-five (85) different beers from sixty (60) countries and fancy drinks; that she has invited the alderman numerous times to come over to dinner at her home and hear what she and her neighbors listen to; that the Applicant's business is the only bar in the 9th Precinct; that although there might be other outdoor restaurants in the area, these restaurants do not have the warbling, screaming, yelling, whooping and hollering that the Applicant's business has; and

WHEREAS, Ms. Teresa Moy, of 3044 S. Throop, testified in opposition to the application; that unless a person lives in the neighborhood and hears the music from the Applicant's business, a person really doesn't know the impact it has; that Bridgeport is a working class community that wants to maintain its homes and neighborhoods; that she lives five (5) blocks away from the subject property and can hear the music; that the issue is ongoing; that a lot of her neighbors fear being retaliated against if they voice their concerns; that she does not oppose the Applicant's business but does not believe expanding the business at its current location is ideal; that she would love to see more businesses coming into their community; that the Applicant's business is mostly in a residential area as there are few businesses near the subject property; that the neighborhood is changing as there is home invasion and kids setting garages on fire; that everyone should be considerate of people who invest their life-savings in their homes; and

WHEREAS, Mr. George Blakemore testified in opposition to the application; that he was concerned about the proposed special use's effect on noise, traffic, and property values; that he was also concerned about the proposed special use fitting in with the character of the surrounding neighborhood; and

WHEREAS, in response to questions raised by the Objectors' testimony, Mr. Banks stated that karaoke occurred once or twice a year; that the Applicant does not have live bands and there is no cover charge; that if the Applicant is required to obtain a public place of amusement license ("PPA") due to its increase in size, it will obtain a PPA; that if said PPA requires a variation, the Applicant will appear before this Board to request said variation; that the alderman does not think there is a problem with regards to traffic; that the Applicant has security, especially on the bigger nights, to prevent loitering and car stacking; that many patrons do arrive via cabs but that this does not seem to be a problem; and

WHEREAS, the Board expressed its concerns regarding the fact that when the Applicant's bar was built, it was during a different time in history where people went to a local, neighborhood bar; that now this is a world-renowned bar that exists right next to a residential street; that there is an impact even without the proposed addition; that the Board is concerned with mitigating some of the impact as there does seem to be a use tension between the residential use and the tavern use; and

WHEREAS, Mr. Banks stated if there were truly issues with regard to Applicant's tavern use, there would be numerous neighbors objecting – not just two; that there were no police issues; that there were no aldermanic issues; and

WHEREAS, the Board again stated that there is impact in the national reputation of the bar drawing in many more people than the bar's small size would suggest; and

WHEREAS, Mr. Edward Marszewski, brother of Mr. Mike Marszewski, testified on behalf of the Applicant; that he and his brother have considered questions about noise and traffic; that the Applicant wishes to install additional bike racks on the property to accommodate patrons; that the Applicant will maintain some parking on the subject property as well; that he has personally walked the block and recently had conversations with neighbors on Farrell Street and Keeley Street; that he has tried to survey many of the residents about their issues with parking; that many of the residents are angry about parking issues unrelated to the Applicant's business; that nevertheless, he will do what he can to help accommodate the neighbors by pushing for permitted parking or any type of rezoned parking; that the Applicant is also concerned about what happens after its patrons leave its premises, especially in regards to patron safety, and ensures there are security cameras and staff in its parking lot; and

WHEREAS, Mr. Kerwin submitted an additional report to the Board regarding real estate transactions in the area that have taken place during the time period that the Applicant's business has been in existence; that real estate values have only gone up; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed expansion to an existing tavern provided the development is established consistent with the design, layout and plans prepared by Norsman Architects and dated September 8, 2014; and

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

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;

2. The proposed special use is in the interest of the public convenience as it is helping an existing business expand due to market demand and will have no adverse impact on the

surrounding neighborhood as the Applicant is investing significant capital into its existing business which will ultimately contribute to the neighborhood.

3. The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design as the Applicant's tavern use has been established for at least thirty (30) years by the existing Applicant and as there are similar outdoor patio uses in the immediate area.

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 most of the activities will occur inside and during the Applicant's existing hours of operation. Further, the outdoor patio will operate under the City's regulations.

5. The proposed special use is designed to promote pedestrian safety and comfort as the proposed special use will utilize an already existing building.

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

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use subject to the following conditions, pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance:

1. The Applicant shall provide bike racks for its patrons on its private right-of-way;

2. The Applicant shall provide security outside of the building at closing time to ensure that patrons are leaving in a quiet and orderly manner.

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

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

Kind Care, LLC
APPLICANT

381-14-S
CALENDAR NUMBER

3541-45 N. Elston Ave.
PREMISES AFFECTED

October 17, 2014
HEARING DATE

Rolando Acosta
APPEARANCE FOR APPLICANT

NO OBJECTORS

NATURE OF REQUEST

Application for a special use to establish a medical cannabis dispensary.

ACTION OF BOARD

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

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores			x
Sheila O'Grady			x
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, the Board took judicial notice of the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/1 *et. seq.* (the "Act"); that the Board was concerned about this particular proposed medical cannabis dispensary and its operation; and

WHEREAS, Mr. Rolando Acosta, counsel for the Applicant, introduced his first witness, Mr. Jose Cruz; and

WHEREAS, Mr. Jose Cruz testified on behalf of the Applicant; that he is the managing member as well as the owner of the Applicant; that he will be the manager of the proposed dispensary; that he is looking to establish the proposed dispensary in an

APPROVED AS TO SUBSTANCE

CHAIRMAN

existing, one-story commercial building; that he will be only one of the tenants in said building; that except for a carport, there will be only new construction to the interior of the building for the proposed dispensary; that the Applicant had originally planned on solely providing a carport for the delivery of medical cannabis; that due to the proposed Chicago ordinance, the Applicant will now add a door to the carport; that not until the garage door has sealed will the door that allows access to the vault area of the proposed dispensary open; that one must go through a double-door system to access the vault; that the Applicant's proposed hours of operation are as follows: 11:00 AM – 8:00 PM, Monday – Saturday; 12:00 PM – 4:00 PM, Sunday; that the Applicant has found a bank that is willing to take its deposits; that the Applicant also has found a bank that is willing to accept credit cards; that, consequently, the Applicant will be able to handle payments made by cash, check, and credit cards; that the Applicant has an internal policy that none of its employees will be carrying more than $250 at any given time; that, similarly, none of the Applicant's cash registers will have more than $250 cash in them at any one time; that the Applicant will have a drop-box that goes directly into the Applicant's vault; that the Applicant will secure its cash funds every evening and there will be cash pick-up – secured by the Applicant's bank – twice a week; that in terms of the proposed facility's layout, there is a secured front door with a video camera and intercom system; that patients will be able to enter both through this secured front door as well as an entrance off of the dedicated parking lot at the rear of the facility; that this rear entrance will also have intercom and video security cameras; that there will be signage at both entrances that only those registered with the Illinois Department of Health may enter the facility; that there will be two security guards on the premises of the subject property that will escort patients to their vehicles; that the Applicant's security cameras will have a direct link to the state police so that the state police may monitor in real-time the Applicant's facility; that this is required under state law; that the Applicant has signed a letter of intent with MJ Freeway, which is one of the nation's leaders in patient verification systems as well as inventory control systems; that the Applicant's patient verification system and inventory control system will be integrated together and stored in a cloud storage system that is accessible 24/7 by both the Applicant's management team and the state; that this patient verification system will obviously be part of the Applicant's patient check-in process; and

WHEREAS, Mr. Cruz further testified that the Applicant's facility will have a viewing area where patients will be able to see the different products that are available; that the patient education is a crucial component of the Applicant's facility; that patients need to be educated on the type of medication they are taking; that therefore, the Applicant's waiting room area also serves as a patient education room; that the Applicant will have digital video displays in its waiting area that will display such educational information as the cannabis strains the Applicant currently has in its inventory, including the percentage of THC and CBD in each strain and what conditions each strain best treats; that the Applicant will have a nurse-practitioner in charge of patient care; that the nurse-practitioner will do patient consultations as well as review the medical intake of patients; that only registered patients or registered caregivers are allowed in the secured areas of the Applicant's facility; that the Applicant's facility is ADA accessible and staff will be trained to accommodate patients' handicaps; that the Applicant has undertaken a

study to determine how many potential patients are within a thirty (30) minute driving distance of the proposed facility; that the study established there are approximately 35,000 people who would qualify under the Act within that driving radius; that the Applicant anticipates between twelve (12) to twenty (20) individual patients visiting the proposed facility on any given day; that the proposed facility is easily accessible as it is within a half mile of the Kennedy Expressway via both Addison Avenue and Kedzie Avenue; that there are sixteen (16) dedicated parking spots at the rear of the proposed facility; that there is also street parking; that from the street, the Applicant's facility will look like a store front with very minimal signage; that the Applicant will only have one 2' x 2' plaque with the Applicant's logo as its signage; that the said logo does not in any way indicate cannabis on it; that the Applicant has attended two community meetings hosted by the local alderman in regards to its facility; that the Applicant's proposed facility will meet all applicable standards of this Zoning Ordinance; that the Applicant's proposed facility is in the interest of the public convenience as there is sufficient demand in the general area for the Applicant's facility; and

WHEREAS, in response to questions by the Board, Mr. Cruz further testified that the room identified on the floor plan as "education room" is outside of the Applicant's secured area; the Applicant intends to use this education room for meetings; that it is a space where an individual could come – despite not being a registered patient; that the Applicant intends to use the room for multiple purposes; that one such purpose is a lecture space for the patient population where the Applicant will discuss qualifying conditions and what are the best uses of medical cannabis for those qualifying conditions; that the Applicant also wishes to make this room available to patient support groups for those patients with qualifying conditions; and

WHEREAS, the Chairman stated he had security concerns regarding the floor plan, especially as it appeared that with the education room the Applicant is opening the facility up to the general public; and

WHEREAS, Mr. Cruz further testified that although only registered people can enter into the limited access area, non-registered people can enter the building; that the Applicant is different from other proposed dispensaries because of the size of the Applicant's building; that everyone involved in the Applicant's project comes from the background of being cancer survivors; that he is an attorney; that he has managed non-for-profit organizations both in Chicago and in Los Angeles; that his wife is the business manager of the Applicant; that his wife has a MBA from the Kellogg School of Management; that she has spent the last seventeen (17) years working in TransUnion's corporate office; that both he and his wife would serve as agent-in-charge; that an agent-in-charge is the designation for the individual who is managing the facility at any given point in time; that therefore there are multiple agents in charge to cover that workload; that despite this, the "buck stops" with him as he is the dispensary's manager; that the Applicant has employed Debby Goldsberry to act as an advisory; that Ms. Goldsberry is the founder of Berkley Patients' Group; that Berkley Patients' Group is the country's first medical cannabis dispensary; that Ms. Goldsberry will be handling all Applicant's internal training; and

WHEREAS, Mr. Zvi Kremer testified on behalf of the Applicant; that his credentials as an expert in security were acknowledged by the Board; that every aspect of the security at the proposed facility is based on his design and input; that there is no security concern with the education room as it does not interfere with the functionality of the Applicant's mantrap; that although the Applicant's mantrap does not look or feel like a mantrap, it is in fact a mantrap; that any person coming to either the facility's front or rear entrance will be identified and questioned by the security officer on duty before he or she will be "buzzed in"; that after a person is "buzzed in," the whole so-called public area is a mantrap because in order to move to the secure zone, a security officer will have to search and validate a person as either a registered patient or caregiver; that the person will then go through the security check and into the secured area of the facility; and

WHEREAS, in response to questions by the Board, Mr. Kremer further testified that a person cannot show up at the facility and expect to gain admittance; that to gain admittance one must be either a registered caregiver or patient or have an appointment to the education sessions held outside the secured area; that his experience in airport security led to him supplying the same techniques to the Applicant's facility, namely, that members of the public must go through multiple check points; that the Applicant's facility has multiple layers of security to get into the secured area: (1) the surveillance outside; (2) the secured main doors; (3) the validation of identity and eligibility; and (4) the security search; that in terms of an airport analogy, the facility's security is like a person going to the airport's check-in area, showing that he or she is an eligible passenger, and then, after showing his or her identification, going through security into the secured zone; that based on the security plan he just outlined, the Applicant's facility will safe in its terms of operation and pose no danger to the community around it; that this location has a very low crime rate to begin with; that in terms of security, there is not difference between the Applicant's facility and a Walgreens or a jewelry store; and

WHEREAS, in response to further questions by the Board, Mr. Kremer further testified that once a patient has entered the secured area, a patient leaves the secured area through a designated hallway; that this designated hallway is one-way; that this designated hall way goes back to the public area; that the other door on the floor plan is a fire door; that the door is alarmed; and

WHEREAS, in response to further questions by the Board, Mr. Cruz further testified that the alarm system for the facility meets state regulations; that therefore the alarm system includes motion sensors, panic buttons, and twenty-seven (27) high definition security cameras; that the agent-in-charge will have the key to turn off the alarm; that there are cameras the doors being discussed; and

WHEREAS, Mr. Greg Nord testified on behalf of the Applicant; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning

Ordinance which must be addressed in support of such an application; that he then orally testified that the proposed special use: (1) is in the interest of the public convenience and will have no adverse impact on the surrounding neighborhood as the surrounding neighborhood is a commercial area and the proposed special use is a commercial use; (2) is compatible with the character of the surrounding area in terms of site planning and building scale as the existing building's façade is very subdued and innocuous and fits in with the rest of the streetscape; (3) 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 it is very similar to the commercial establishments on the adjoining streets of the surrounding area; (4) and will promote pedestrian safety and comfort as the special use will not obstruct the sidewalk and as the proposed facility's cameras will record not only what happens in front of the proposed facility but also what happens in front of the adjacent buildings; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed special use provided that it is established according to the design, layout and plans prepared by Wallin Gomez Architects and dated September 11, 2014; and

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

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;

2. The proposed special use is in the interest of the public convenience and will have no adverse impact on the surrounding neighborhood as the surrounding neighborhood is commercial and the proposed special use is a commercial use;

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 because the existing building's façade is very subdued and innocuous and fits in with the rest of the streetscape;

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 it is very similar to the commercial establishments on the adjoining streets of the surrounding area;

5. The proposed special use is designed to promote pedestrian safety as the proposed special use will not obstruct the sidewalk and as the proposed facility's cameras will record not only what happens in front of the proposed facility but also what happens in front of the adjacent buildings.

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

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use subject to the following condition, pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance:

1. Access to the medical cannabis dispensary shall be limited to those persons who are authorized vendors, are representatives of the appropriate regulatory agencies, are staff of the medical cannabis dispensary, and are holders of the appropriate cards as caregivers or patients of the medical cannabis facility. There shall be no access to the medical cannabis dispensary by the general public.

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

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

DEC 05 2014
CITY OF CHICAGO

GTI-WLM, LLC
APPLICANT

379-14-S
CALENDAR NUMBER

947-55 W. Lake Street
PREMISES AFFECTED

October 17, 2014
HEARING DATE

Amy Kurson
APPEARANCE FOR APPLICANT

George Blakemore
OBJECTOR

NATURE OF REQUEST

Application for a special use to establish a medical cannabis dispensary.

ACTION OF BOARD

The application for the special use is approved.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores			x
Sheila O'Grady	x		
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Ms. Amy Kurson, counsel for the Applicant, explained the underlying basis for the relief sought; that the Applicant requests a special use to establish a medical cannabis dispensary at the subject property; and

WHEREAS, Mr. Ben Kovler, the managing member of the Applicant, testified on behalf of the Applicant; that the Applicant is in partnership with a group that operates six (6) successful medical cannabis dispensing facilities; that the Applicant is also partnering with doctors from medical institutions such as Northwestern Hospital, University of Chicago Hospital, and Lurie Children's Hospital to sponsor and promote medical research projects on medical cannabis, especially in regard to the treatment of children with Crohn's disease and colitis; that the Applicant spent significant time and resources

APPROVED AS TO SUBSTANCE
CHAIRMAN

searching for a site for its proposed medical cannabis dispensary; that the Applicant chose the subject property due to its access to public transportation as well as its safe, adjacent parking for patients; that the Applicant also chose the subject property due to the support of community organizations in the West Loop; that the Applicant's proposed medical cannabis dispensary will serve those with a medical marijuana card issued by a doctor and approved by the state; that the Applicant's proposed medical cannabis dispensary will also serve approved, qualified caregivers under the state's medical marijuana act; that due to the state program being new, the Applicant studied other states with medical marijuana programs and therefore anticipates starting with a low customer number that will mature into fifty (50) to 100 customers a day; that the Applicant does not anticipate each customer purchasing the maximum amount of medical cannabis authorized by the state; that in studying other medical marijuana facilities around the country, the Applicant has learned that the average transaction for medical marijuana is $50 to $70, which results in substantially less than the 2.5 ounce maximum allowed by the state; that the Applicant's proposed hours of operation are 6:00 AM – 8:00 PM; that these are the hours of operation allowed by the state; that the Applicant wants to ensure that customers that work a full day can have access to its proposed medical cannabis facility; and

WHEREAS, Mr. Kolver further testified that the Applicant had two (2) banking relationships set up; that the Applicant will accept cash, credit card, debit card, cashier's check, and money order as payment for its product; that the Applicant will have a technology system with a group called the Blue Line; that such system is effectively a reverse ATM where a patient can put cash into the machine, and the Applicant will then be able to sell its product; that also similar to a reverse ATM, a secure transportation system will come and remove the cash from the technology system; that the Applicant also has a commitment from a bank to take deposits from the Applicant; that this bank is located in the City of Chicago ("City"); that the Applicant anticipates half of its patients will come via public transportation; that the subject property is very accessible via CTA and Metra; that patients are not allowed to use the product at the medical cannabis facility; that if the City were to pass an ordinance requiring increased security at the Applicant's facility, the Applicant would comply with said ordinance; and

WHEREAS, in response to questions by the Board, Ms. Kurson stated that the Applicant would not require further zoning relief to comply with the City's security ordinance requirement of a covered receiving area for medical cannabis; and

WHEREAS, Mr. Warren Johnson testified on behalf of the Applicant; that his credentials as an expert in architecture were accepted by the Board; that the special use will be utilizing an existing building; that he then testified that the loading dock for the proposed medical cannabis facility already exists on the subject property; that any vehicle entering the facility will enter into the loading dock from an existing overhead garage door into a secured, fenced location; that the subject property is an ideal location for the facility as there is secure parking area that is bordered on three (3) sides by buildings; that from the parking area, the patient will enter the check-in vestibule area; that after the check-in area, there will be a waiting area with toilet facilities and other amenities; that

then the facility's employees will come into waiting area to receive the patient; that there will be consultation rooms for the facility's employees to meet one-on-one with the patients prior to the patients making any purchase; that there is then a separate exit back to the parking lot, independent of the main entranceway from the parking lot; that the facility will comply with all other standards of this Zoning Ordinance; that the facility has been designed to accommodate patient comfort as the waiting area will have proper furniture, amenities, and toilet facilities; that there will be substantial privacy for all patients due to the one-on-one consultations away from the main retail space; that there is no access to the proposed facility other than through the private parking area; that the lack of access off of both Lake Street and Morgan Street again protects patient privacy; that there will be plenty of clearance for pedestrians crossing the sidewalk in front of the parking lot due to a landscape buffer; that the proposed facility is compatible with the character of the surrounding area as there are other commercial buildings of a similar nature in the neighborhood; that the building scale is compatible with the existing structures in the area; that the proposed facility is compatible with the character of the surrounding neighborhood in terms of outdoor lighting; and

WHEREAS, Mr. Rachit Shah testified on behalf of the Applicant; that he represents a group of pharmacists that operate seven (7) independent pharmacies within the City; that said group has agreed to provide services to the Applicant as the agent-in-charge of the proposed medical cannabis dispensary; that the pharmacists will be on-site to consult and advise patients as to what sort of medication should be taken; that a pharmacist will be on-site at all times; that the pharmacists will ensure that the right medication is purchased at the proposed facility and that said medication does not interfere with other medications patients might be taking; that in some cases, the pharmacists will be in touch with a patient's physician; that the Applicant is affiliated with Haymarket Center, a drug and alcohol abuse treatment center, and so the pharmacists will be able to refer patients that are abusing medical cannabis; that as pharmacists they are used to dispensing controlled medications and will be able to tell if a patient is under the influence; and

WHEREAS, in response to questions by the Board, Mr. Kovler further testified that under the state statute, the group of pharmacists – not Mr. Shah personally – is the agent-in-charge of the proposed facility; that besides the agent-in-charge, the Applicant has a very strong and deep management team running the day-to-day operations of the Applicant; that under state law, there must be an agent-in-charge at every moment during the Applicant's hours of operation; that Mr. Kovler and Mr. Brewer are the managing members of the Applicant but that all issues that may arise regarding operation of the proposed facility are under the control of Mr. Shah and his team; and

WHEREAS, Mr. Terrance Gainer testified on behalf of the Applicant; that his credentials as an expert in security operations were accepted by the Board; that he is the security consultant of the Applicant; that he has met with police chiefs around the country regarding medical cannabis issues; that at the proposed facility, the delivery of medical marijuana will be out of sight and in a secured facility; that there will be a vault system constructed in the building; that there will be on-site security and also off-site security through an electronic monitoring system; that the flow of people throughout the facility

will be very well controlled; that there will be a mantrap in the entrance; that once patients are verified and passed through, they will move into the next chamber; that security of the facility will enhance the security of the surrounding neighborhood; that the Applicant will work with the Chicago Police Department ("CPD") – especially the district commander of the 12th District – in an on-going relationship; that escorting patients to their cars has already been factored in to the operational plans; that the security people employed at the proposed facility will be trained and working with the pharmacists to ensure that there is adequate inventory control; that if there is some issue with theft, the Applicant will notify CPD; that there will be no negative impact on the general welfare of the neighborhood due to the proposed special use; that this is because the Applicant has a very well thought out security plan as well as an impressive operational vision; and

WHEREAS, Mr. Kenneth Bouche testified on behalf of the Applicant; that he is employed by Hillard Heintze, a security advisory company in Chicago; that the Applicant had employed Hillard Heintze to come up with a security plan that allows for patients to be treated respectfully but also provides the highest level of security; that he has worked with Mr. Gainer to come up with said plan; that there is one-way access in terms of the patient entering and exiting the proposed facility; that when the patient enters the proposed facility, the patient will come into a secure foyer; that the foyer will allow no access into the building; that at the foyer, the patient will present his or her identification and will be registered into the system; that once the patient is registered into the system, the patient will be allowed into a limited, secured waiting room; that the doors to the waiting room cannot be opened at the same time as the door to the actual dispensary; that the patient cannot go into the dispensary unless and until the patient is greeted and taken care of by an employee; that the whole process is designed so someone leaving the facility cannot facilitate the entrance of someone else attempting to enter the facility; that the process is designed so that the patient will have one-on-one consultation throughout the patient's entire visit at the facility; that handicapped patients will be helped by security staff and non-licensed caregivers will not be allowed to accompany patients into the facility; that there will be a very distinct loading process for the proposed facility; that the Applicant has very strict standards for how the medical cannabis will be delivered from the cultivation center, and the cultivation center will have to be abide by these standards; that the medical cannabis delivery times will be randomized, as required by law, and the Applicant will be notified in advance; that the security guards on-duty will have strict protocol to follow regarding the delivery of the medical cannabis; that although he has never written a plan for medical cannabis dispensaries before, he has built security for other high value product, such as security for casino money rooms and delivery of Schedule 1 pharmaceuticals; and

WHEREAS, Mr. Terrance O'Brien testified on behalf of the Applicant; that his credentials as an expert in appraisal were accepted by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning Ordinance which must be addressed in support of such an application; that he then orally testified that the

proposed special use: (1) complies with all applicable standards of this Zoning Ordinance; (2) is in the interest of the public convenience as it is close to both the loop and the Illinois Medical District and will have no adverse impact on the surrounding neighborhood as the surrounding neighborhood is mixed-use and the proposed special use is most similar to a pharmacy; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation, as the area is mixed-use and as the proposed special use will not conflict with the nearby industrial corridor; (5) and will promote pedestrian safety and comfort as there is adequate parking for all patrons or patients involved; and

WHEREAS, in response to questions by the Board, Mr. Kolver further testified that there will be some display of the product inside the proposed facility but that state law regulates what product can be taken out of a secure container; that there will be a pick-and-pull system for product that will be assembled for each patient; that purchased product will be placed in tamper-resistant packaging and then placed in a bag; that the bag will not be branded with the Applicant's name; and

WHEREAS, in response to further questions by the Board, Mr. Bouche further testified on behalf of the Applicant; that a patient will have to register for the Applicant's dispensary; that initially, a patient will also have to show his or her state identification card to gain access to the Applicant's facility; that this is more accurate than a biometric identification system; that a biometric identification system only checks a fingerprint against the fingerprint originally supplied; that comparing a state identification card to a previous state identification card on file is much safer, as the state identification card contains both a photograph and metadata; and

WHEREAS, the Board acknowledged that four (4) members of the public were present and were in support of the proposed special use; and

WHEREAS, Mr. George Blakemore testified in opposition to the application; that he is concerned about legalizing medical marijuana as a whole; that many states have not legalized medical marijuana and there is a reason why; that he is concerned about medical marijuana dispensaries providing an easy way to launder money; that he is concerned about how medical marijuana will interact with Obamacare; that he is against Obamacare; that with regards to this particular facility, he is concerned about the proposed facility causing additional traffic; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed special use provided that it is established according to the design, layout and plans prepared by Warren Johnson Architects and dated September 15, 2014; and

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

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

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;

2. The proposed special use is in the interest of the public convenience as it close to both the loop and the Medical District and will have no adverse impact on the surrounding neighborhood as the neighborhood is mixed-use and as the proposed special use is most similar to a pharmacy.

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 because the proposed special use will utilize an already existing building.

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 the area is mixed-use and as the proposed special use will not conflict with the nearby industrial corridor.

5. The proposed special use is designed to promote pedestrian safety and comfort as the proposed special use will utilize an already existing building.

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

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

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

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

Professional Pharmacy Management, LLC
APPLICANT

378-14-S
CALENDAR NUMBER

1368 N. Milwaukee Avenue
PREMISES AFFECTED

October 17, 2014
HEARING DATE

Thomas J. Murphy
APPEARANCE FOR APPLICANT

NO OBJECTORS

NATURE OF REQUEST

Application for a special use to establish a medical cannabis dispensary.

ACTION OF BOARD

The application for the special use is approved.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores			x
Sheila O'Grady	x		
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Thomas J. Murphy, counsel for the Applicant, explained the underlying basis for the relief sought; that the Applicant requested a special use to establish a medical cannabis dispensary at the subject property; that the Illinois state legislature legalized medical marijuana with the law becoming effective January 1, 2014; that regulations for medical marijuana were approved July 15, 2014; that applications for medical marijuana dispensaries and cultivation centers were submitted to the state on September 22, 2014; that the Applicant submitted an application to the state that was approximately 900 – 1000 pages long; that the first question on the application was the location of the medical cannabis dispensary; that the second question was whether the City of Chicago's zoning permitted such a use; that securing proper zoning for the Applicant's dispensary is why the Applicant was appearing before the Board; and

APPROVED AS TO SUBSTANCE
CHAIRMAN

WHEREAS, Mr. Murphy further explained that the Applicant had letters of support from both Alderman Joe Morano and the Wicker Park-Bucktown Chamber of Commerce; and

WHEREAS, Mr. Barry Golin testified on behalf of the Applicant; that he is one-third owner of the Applicant; that he is owns Barry's Pharmacy, which occupies the building next north of the subject property; that a year ago, his accountant brought up the idea of a medical cannabis dispensary as an adjunct to his pharmacy business; that at the time, he felt that pharmacists should be in charge of dispensing medical cannabis as in Illinois the typical role of pharmacists is to dispense drugs; that his associates Messrs. Daniel and Doug Marks – the owners of the other two-thirds of the Applicant – formed the Applicant to go forward with a medical cannabis dispensary; that the state declined to make medical cannabis only available at pharmacies but the Applicant will be owned, operated, and managed by a professional pharmacist; that a registered, Illinois pharmacist will be on-duty during all of the Applicant's business hours; that the Applicant's application to the state was incredibly detailed in issues such as security, insurance, and other areas; that the Applicant formed an advisory board with members including retired circuit court judges, FBI agents, and addiction specialists; that the Applicant is very interested in pediatric seizure disorders and has formed a quasi-partnership with three major researchers in that area; that the former deputy chief of Chicago Police detectives is heading the Applicant's security team; that the Applicant's hours of operation will be 10:00 AM – 8:00 PM, seven days a week; that the Applicant's patients will be those patients that have a patient card from the state; that patients can only use one medical cannabis dispensary for their medical cannabis needs; that at the Applicant's facility, there will be facial recognition software as well as biometric fingerprint identification; that this software and biometric identification is not a state requirement but a security decision by the Applicant; and

WHEREAS, in response to questions by the Board, Mr. Golin further testified that a registered caregiver can receive the same card as a patient from the state; that a patient's township of residence does not limit where a patient may purchase medical cannabis; that he is the chief executive officer of the Applicant; that he will be in charge of the Applicant's day-to-day operations; that he does not spend many hours at his current pharmacy; that the Applicant has five (5) pharmacists to run the medical cannabis dispensary but he will be the pharmacist in charge; and

WHEREAS, Mr. Michael Chasen testified on behalf of the Applicant; that he was a Chicago police officer for 39 years; that he retired as the deputy chief of detectives; that he is an officer of the Applicant; that he is also the security advisor to the Applicant; that he will have a constant management role in security and personnel issues; that he prepared the Applicant's security plans for the state application; that he prepared these plans in conjunction with MidCo, an Illinois licensed security firm; that as a patient comes into the front vestibule area, there is a first locked door; that the patient will be observed via video camera; that there will be a bullet resistant transaction window at this first locked door; that the patient will enter this first locked door by electronic device; that then the patient will enter the mantrap area; that the patient will produce the state

identification card at this time; that the card will be scanned into the computer; that the patient will then go through a second locked door and enter the waiting room area; that there will be a receptionist in the waiting room area to help the patient with his or her belongings; that afterwards, a dispensing consulting agent will take the patient through another locked door into the dispensing area for consulting, product distribution, and product sale; that after a person makes his or her first initial entrance into the facility, the Applicant will enroll the person into a biometric system so that on subsequent visits, the person will utilize the biometric system to gain entry; that using this biometric system will provide a permanent entry of a person's movement in the facility as well as all points of sale with said person; that the system will have a "time-out" mechanism in place that keeps any one person from remaining in the facility for too long; and

WHEREAS, in response to questions by the Board, Mr. Chasen testified that the state had not provided for identification for a patient's helper (e.g., a person pushing a patient's wheelchair) as opposed to registered caregiver; that, however, the state has made provision for registered vendors and said provision requires a medical cannabis dispensary to provide identification for those registered vendors; that similarly, a patient's helper could be provided similiar identification by the Applicant; that the Applicant plans to make appointments for those patients who have severe infirmities so that these patients can be quickly served; and

WHEREAS, Mr. Chasen further testified that the medical cannabis cultivation center delivery vehicle would enter via an electronically gated parking area; that the Applicant has security video monitoring of both the alley and the gated parking area; that the Applicant hopes to set up an arrival notification system with the cultivation center so that the Applicant can closely monitor deliveries; that there will be secured delivery; that there will then be intensive inventory of the product; that the Applicant does not yet know how many deliveries to expect per week; that a security officer and a dispensing agent-in-charge will receive the cultivation center's product; that the product will then go through a biometrically locked door into the Applicant's vault; that the Applicant will create a cement, walled 10-PIN vault; that the product will be inventoried in the vault; that the vault is under video security; that every part of the building – except for washrooms – will be under constant video surveillance; and

WHEREAS, in response to questions by the Board, Mr. Chasen testified every door within the facility is electronically controlled and has a biometric reader; that the Applicant can not only track its patients but also its employees; that with respect to a patient leaving the Applicant's facility, the Applicant will have two, full-time security officers on-duty during business hours; that upon any patient's desire, these security officers will provide the patient escort to the patient's vehicle; that this service will be posted; and

WHEREAS, in response to further questions by the Board, Mr. Daniel Marks testified on behalf of the Applicant; that due to the grey area between federal and state laws, cash will be the predominant form of payment accepted at the Applicant's facility; that the Applicant has been considering check-cashing machines and pre-paid debit cards which

may or may not work; that although the U.S. Department of State has issued regulations to banks that legally operating cannabis facilities should not be penalized, these regulations are not yet strong enough that national banks are accepting cash from medical cannabis facilities; that some local banks can opt to accept cash from medical cannabis facilities; that the Applicant has long-standing relationships with local banks; that said local banks have indicated they may be willing to work with the Applicant; that if the Applicant is solely a cash business, the Applicant will have an extensive process where cash will be continually removed from the premises and taken to undisclosed locations; and

WHEREAS, in response to further questions by the Board, Mr. Chasen further testified that within the Applicant's vault will be a safe for cash; that there will be a transaction window within the vault; that all product will come out of said transaction window and all monies will go in; that this transaction window will be secured; that in addition to an exterior security alarm, there will be an interior motion detector alarm; that there will also be a third alarm system specifically for the vault and the safe; that as far as he is aware, armored cars fall under the same restrictions as banks so the Applicant may not have an armored car for cash pick-ups; that there is a security plan to deal with cash pick-ups; that as soon as restrictions on medical cannabis monetary transactions are clarified, most of the transactions will switch from cash to credit; and

WHEREAS, Mr. Hugh Edfors testified on behalf of the Applicant; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning Ordinance which must be addressed in support of such an application; that he then orally testified that the proposed special use: (1) complies with all applicable standards of this Zoning Ordinance; (2) is in the interest of the public convenience as it is will be very helpful for people in the neighborhood and community that have medical problems relating to pain and suffering from various diseases and will have no adverse impact on the surrounding neighborhood as many credible studies have shown that a cannabis dispensary does not cause any increase in crime in a neighborhood; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design as the special use will be located in a 123 year old building that conforms physically with the neighborhood buildings as it is a store-front property on a pedestrian retail street; (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, as this portion of Milwaukee Avenue is a pedestrian retail street with other similar uses – such as Mr. Golin's pharmacy and a Walgreens – in the immediate area; (5) and will promote pedestrian safety and comfort as the special use will be located within an existing building and there will be no exterior remodeling of the building; and

WHEREAS, in response to further questions by the Board, Mr. Golin further testified that the Applicant had applied to the City for a loading zone; that the Applicant will

provide valet parking for those people that need it; that there is parking next door to the subject property; that there is a huge amount of public transportation in the area; and

WHEREAS, in response to further questions by the Board, Mr. Chasen further testified that until a cannabis cultivation center is up and running, the Applicant cannot establish a timetable for deliveries; that the Applicant would like its deliveries to occur in the early morning and will request such delivery; that if the proposed City ordinance regarding 24 hour, licensed security of cannabis dispensaries is approved, the Applicant will meet the standards laid out by the ordinance; and

WHEREAS, in response to further questions by the Board, Mr. Daniel Marks further testified that he is the Applicant's chief operating officer; that he will assist Mr. Golin in management of the Applicant's operations; that he will help oversee employees, marking duties, and technological infrastructure as well as record-keeping and financial matters; and

WHEREAS, in response to further questions by the Board, Mr. Douglas Marks testified that he is the Applicant's chief outreach officer; that prior to opening a bar with his brother, Mr. Daniel Marks, he worked extensively in the nonprofit field; that he has his master's degree in nonprofit management; that he will provide outreach to the community and work with local groups; that the Applicant plans to donate a portion of its profits to charity; that if the dispensary is approved, the Applicant plans to have fifteen (15) employees on staff with five (5) to ten (10) people at the facility at any given time; and

WHEREAS, in response to further questions from the Board, Mr. Edfors further testified that a medical cannabis dispensary is an unprecedented use in Chicago; that, however, a comparable use would be a pharmacy; that a pharmacy is a comparable use because a pharmacy also dispenses medicine and drugs; and

WHEREAS, Mr. Golin further testified that under the U.S. Drug Enforcement Administration, marijuana is listed alongside heroin as a Schedule 1 drug; that up until the 1970s, both marijuana and heroin were on his pharmacy's license; that in his professional opinion, marijuana does not belong in the same category as heroin; that marijuana should be a Schedule 2 or 3 drug; that marijuana is not nearly as addictive as some drugs that he and other pharmacists dispense every day, such as oxycontin, morphine, and vicodin; that a medical cannabis dispensary is closest to a pharmacy; that the Applicant will be dispensing medical cannabis under the supervision of a professional pharmacist that can help and advise and knows about incompatibilities and side effects of other drugs; that a medical cannabis dispensary is not at all similar to a methadone clinic; that a methadone clinic is for addicts as a methadone clinic exists solely to get people off of heroin; that marijuana is not addictive or at least is not nearly as addictive as other drugs; that deaths do not occur from marijuana overdoses; and

WHEREAS, Mr. Edfors further testified he has reviewed a large number of studies regarding the impact of medical cannabis dispensaries in other states; that such studies

did look at the possible effect medical cannabis dispensaries might have on property values; that all studies reached the same conclusion: that the impact of the dispensary had negligible negative impact; and

WHEREAS, in response to further questions by the Board, Mr. Golin further testified that Applicant will not be a proponent of smoking marijuana; that the Applicant is going to sell liquid solutions, drops, atomizers, etc.; that he removed tobacco from his own pharmacies twenty (20) years ago; that there will be products on display at the dispensary so that a patient can choose; that the Applicant will be selling forms of cannabis that are non-psychotropic; that these non-psychotropic forms of cannabis are what is used in the treatment of pediatric epilepsy; that the Applicant will be paying a Retailers' Occupation Tax on all products sold; that the state will collect said tax as every transaction as the State will have access to every transaction; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed medical cannabis dispensary provided the development is established consistent with the design, layout and plans prepared by MidCo and dated September 14, 2014; now, therefore,

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

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;

2. The proposed special use is in the interest of the public convenience as it is will be very helpful for people in the neighborhood and community that have medical problems relating to pain and suffering from various diseases and will have no adverse impact on the surrounding neighborhood as many credible studies have shown that a medical cannabis dispensary has negligible negative impact on a neighborhood's crime or property values;

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 because the special use will be located in a 123 year old building that conforms physically with the other neighborhood buildings as it is a store-front property on a pedestrian retail street;

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 because this portion of Milwaukee Avenue is a pedestrian retail street with other similar uses in the immediate area. Both Mr. Edfors and Mr. Golin provided very credible testimony that a medical cannabis dispensary is most similar in use to a pharmacy, and there are two other pharmacies – Mr. Golin's own pharmacy and Walgreens – in the immediate area.

5. The proposed special use is designed to promote pedestrian safety and comfort as the proposed special use will utilize an already existing building and there will be no exterior remodeling of the building.

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

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

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

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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

The Corporation of the Presiding Bishop of the Church of the Latter-Day Saints
APPLICANT

358-14-S & 359-14-Z
CALENDAR NUMBERS

11144-46 S. Ashland Ave. / 1624-38 W. Pryor St.
PREMISES AFFECTED

October 17, 2014
HEARING DATE

Kate Duncan
APPEARANCE FOR APPLICANT

Beverly Walker
OBJECTOR

NATURE OF REQUESTS

Application for a special use to establish a 13-space, off-site, required accessory parking lot to serve an existing 150-seat church located at 11107 S. Vincennes Avenue

Application for a variation to reduce the front yard setback from 20' to 7' for a proposed 13-space, off-site, required accessory parking lot to serve an existing 150-seat church located at 11107 S. Vincennes Avenue.

ACTION OF BOARD

The applications for the special use and the variation are approved subject to the condition specified in this decision.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores			x
Sheila O'Grady			x
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Ms. Kate Duncan, counsel for the Applicant, explained the underlying basis for the relief sought; that the Applicant proposes to construct an accessory, off-site parking lot to serve an existing 150-seat existing church; that the existing church operates

APPROVED AS TO SUBSTANCE
CHAIRMAN

under a special use with a requirement for thirty-five (35) parking spaces; that the Applicant is able to provide twenty-two (22) parking spaces on the church's property but to meet its required parking for the church, the Applicant must provide an additional thirteen (13) parking spaces; that the Applicant purchased the subject property from the City of the Chicago ("City") for the sole purpose of providing a parking lot; and

WHEREAS, in response to questions from the Board, Ms. Duncan stated that the church had existed since 2001; that she did not know how the church had been built without the required parking as she had not represented the Applicant at that time; that the subject property is located in a RS3 district and therefore an accessory, off-site parking lot requires a special use; that the Applicant also requested a variation for a front yard setback reduction from the required 20' to 12'; that the Applicant had originally requested a setback reduction from 20' to 7' but that the Applicant had worked with the City's Department of Transportation ("CDOT") and could now provide a 12' front yard setback;

WHEREAS, the Board caused the record to reflect that the Applicant had changed its front yard setback reduction request from 20' to 7' to 20' to 12'; and

WHEREAS, Ms. Duncan stated that the Applicant had the support of Alderman Carrie Austin; and

WHEREAS, Mr. Daniel Holt testified on behalf of the Applicant; that he is the Applicant's project manager; that he is an employee of the Applicant; that the Applicant's proposed use of the subject property is thirteen (13) additional parking spaces; that the Applicant currently has twenty-two (22) parking spaces at its existing church; that the church was built in 2001 and there has been growth in the congregation since that time; that the Applicant has two congregations that use the church: a 150 member Spanish-speaking congregation and a 100 member English-speaking congregation; that both congregations meet on Sundays, with one congregation meeting in the morning and the other meeting in the afternoon; that the Applicant has been working on acquiring land for additional off-street parking; that he does not know how the church was constructed without the required parking back in 2001; that the Applicant purchased the subject property in 2013; that although the Applicant's congregations use the church primarily on Sundays, the church is used in the evenings for other meetings, such as youth activities, employment training, etc; that the church is not open regular business hours with a regular staff, as all church leadership is volunteer; that, therefore, the church is only open on nights and weekends when the church has activities; that the proposed parking lot will be primarily needed for Sunday; that the subject property is accessible from the church's on-site parking; that to access the subject property from the church's on-site parking, one must drive through the adjacent alley; that the proposed parking lot is in the public interest and will not have an adverse effect on the neighboring community; that the proposed parking lot is compatible with the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; that the proposed parking lot is compatible with the character of the surrounding area in terms of site planning and building scale and project design; that the

proposed parking lot is designed to promote pedestrian safety and comfort; that the proposed parking lot will be compliant with all standards of this Zoning Ordinance; that the proposed parking lot will be operated consistent with all laws concerning public health, safety, and welfare; and

WHEREAS, Mr. Terrance O'Brien testified on behalf of the Applicant; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application, and he orally testified that the proposed special use and variation: (1) are in the interest of public convenience as there is a need for additional parking for the church and as the subject property is currently vacant; (2) will have no adverse impact on the surrounding area as the neighborhood is mostly zoned RS3 and parking lots are not unusual in RS3 Zoning Districts as certain allowed uses in RS3 Zoning Districts – such as religious assemblies, fire stations, and schools – have parking lots; (3) comply with all applicable standards of the Zoning Ordinance; (3) are compatible with the character of the surrounding area in terms of site planning and building scale and project design as the land use of surrounding area is primarily residential and vacant; (4) 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 as a parking lot is a lot less intense use than a residential use of the subject property, as a residential use would be 24 hours a day while the proposed use will be only when there are church functions; (5) and will promote pedestrian safety and comfort as there will be no interaction with pedestrians due to the means of ingress and egress for the proposed parking being off of the alley; and

WHEREAS, Mr. O'Brien further testified that when he prepared his report, he believed the setback would be 7'; that he would therefore revise his report to say 12'; and

WHEREAS, Ms. Beverly H. Walker, of 8923 S. University Avenue, testified in opposition to the application; that her aunt Lucille Rhoden Nelson, of 11142 S. Ashland, lived adjacent to the subject property; that her aunt could not attend the hearing; that she questioned the Applicant's boundary lines for the subject property; that the neighborhood is residential; that the parking lot would be against the wall of her aunt's house; that she and her aunt are worried about toxic fumes from the vehicles using the proposed parking lot; that her aunt's kitchen faces the proposed parking lot; that if her aunt opens her kitchen window, she will get all of the toxic fumes from the vehicles using the proposed parking lot; that the Applicant proposes to build a 6' wall which would close off her aunt's windows on that side of the house; that she is concerned about the City water line that runs along the boundary of her aunt's property; that she worries that the Applicant's construction would interfere with the water line that runs to her aunt's house; that she is worried about security when there is not a church activity; that she is mostly concerned about the Applicant's boundary lines for the subject property as the wall the Applicant is

contemplating placing looks as if it will go over the subject property's lot line and onto her aunt's property; and

WHEREAS, Ms. Duncan explained that the Applicant had a survey of the subject property; that if a surveyor had staked where the boundaries are for the subject property, said boundaries were based on the legal description of the subject property; and

WHEREAS, the Board stated that it had known instances where surveyors were wrong; and

WHEREAS, Ms. Duncan stated the Applicant had to rely on its survey of the subject property; and

WHEREAS, the Board encouraged the Applicant to have further conversations with Ms. Walker regarding the subject property's boundary lines; and

WHEREAS, Ms. Duncan stated the Applicant would have further conversations with Ms. Walker; and

WHEREAS, Mr. Holt stated that the Applicant would be willing to have another survey done; and

WHEREAS, Ms. Duncan stated that, per Mr. O'Brien's testimony, the Applicant did not believe the proposed parking lot would disrupt the residential character of the neighborhood; that the subject property's north boundary line is the boundary line that is shared with Ms. Nelson; that the Applicant proposes to build a solid wood privacy fence on this shared boundary line; and

WHEREAS, the Board inquired if there was any way to have trees or some sort of landscaping on this shared boundary line in order to dampen the fumes and sounds of the proposed parking lot; and

WHEREAS, Mr. Holt testified that there would be substantial landscaping involved in the proposed parking lot; and

WHEREAS, the Board asked if the Applicant would accept a condition of appropriate trees along the Applicant's proposed fence; and

WHEREAS, Mr. Holt testified that the Applicant would be willing to accept such a condition; and

WHEREAS, Mr. Brett Dahlman, the project's engineer, testified on behalf of the Applicant; that there are City requirements for landscaping and therefore the Applicant has landscape plans for the proposed parking lot; that currently there are no trees on the north property line of the subject property; that the Applicant's landscaping plans calls for ground-level shrubbery on the north property line of the subject property but not trees;

that currently there is a 3' offset from the north property line to the back curb of the parking lot; that 6' trees could perhaps be added on the north property line but there is also the proposed fence which impacts the amount of room for the trees; that he nevertheless believed both the fence and 6' trees could be accommodated along the north property line; and

WHEREAS, Mr. Steven Valenziano testified on behalf of the Department of Planning and Development; that based on the size of the lot and its location on the corner, there is not enough room on the lot to fit both the fence and the volume of soil needed for the trees to flourish within the current setback; that there may be room to do a 3' hedge but not trees; that if the subject property had more lot width, the Applicant could provide another 2' and could get a row of trees along the north property line; that perhaps if the Applicant reduced the number of parking spaces in the proposed parking lot by increasing the parking space width, the Applicant could then reduce the parking lot's drive aisle width and add the row of trees; and

WHEREAS, Ms. Duncan stated that the Applicant could not reduce the number of parking spaces as it required all thirteen (13) spaces; and

WHEREAS, the Board inquired if the driving aisle width of the proposed parking lot could be reduced from two-way to one-way traffic;

WHEREAS, Mr. Valenziano further testified that under City ordinance, if the driving aisle width was reduced to one-way traffic, the Applicant would need to make its parking spaces diagonal and would lose even more spaces; and

WHEREAS, the Board then inquired as to how the Applicant would secure the proposed parking lot; and

WHEREAS, Mr. Holt testified that the church currently had a wrought iron fence that secures the church when no one is there; that the Applicant follows a strict, "two-deep policy" in their churches, meaning no one stays at the building by himself or herself; that the church building and on-site parking is always locked up when the church is empty; that the Applicant would follow the same procedures on the subject property; that the plan of development calls for the privacy fence alongside the north property line as well as another 6' wrought iron fence around the property; that the subject property will be fenced and locked when not in use; and

WHEREAS, Ms. Duncan proposed that the Applicant re-amend its variation application and request the original front setback relief from 20' to 7'; that the 7' front setback would allow the Applicant to keep its thirteen (13) spaces as well as add the trees along the north property line; and

WHEREAS, the Board caused the record to reflect that the Applicant had changed its front yard setback reduction request from 20' to 12' to 20' to 7'; and

WHEREAS, Mr. Dahlman testified that if the water main is in the area of construction, the Applicant would make every effort to avoid the water main during construction of the proposed parking lot; and

WHEREAS, the Board inquired as to the ability of the Applicant to ensure that the Applicant's congregation legally parked in the proposed parking lot; and

WHEREAS, Mr. Holt testified that if the congregation outgrew the Applicant's current church, the Applicant would re-divide its geographic boundaries so that the church and its parking would no longer be stressed; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed special use provided the development is established consistent with the design, layout, and plans prepared by Larson Engineering and dated October 15, 2014; now, therefore,

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

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;

2. The proposed special use is in the interest of the public convenience as there is a need for church parking and as the proposed special use will repurpose a vacant lot. Further, Mr. O'Brien's very credible expert testimony showed that the proposed special use will have no adverse impact on the surrounding neighborhood as the surrounding neighborhood is RS3 and parking lots are not unusual in RS3 Zoning Districts.

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 there will be substantial landscaping, especially along the north lot line of the subject property.

4. The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation, as the proposed special use is lot less intense than the residential use of the surrounding area. As Mr. O'Brien very credibly testified, the proposed special use of the subject property will be used only during church functions while a residential use of the subject property would be 24/7;

5. The proposed special use is designed to promote pedestrian safety and comfort as the proposed special use will have ingress and egress from the alley and thus pedestrians will have no interaction with the proposed special use.

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

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

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

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

2. The Board finds that pursuant to 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) whether or not the property can yield a reasonable return is not material as the Applicant needs the subject property to come into compliance for the required parking for its church; (2) the practical difficulty or particular hardship of the property is due to the small lot width, the necessity of the Applicant to have thirteen (13) parking spaces, and the need to ensure that Ms. Nelson's property is adequately shielded from the noises and fumes of the proposed parking lot; and (3) the variation, if granted, will not alter the essential character of the neighborhood as the neighborhood is RS3 with many parking lots already, including the Applicant's on-site church parking lot.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship exists, took into account that evidence was presented that: (1) the small lot width of the subject property, combined with the Applicant's need to provide thirteen (13) parking spaces as well as trees along the north property line, results in particular hardship to the Applicant; (2) small lot width, combined with the need to provide thirteen (13) parking spaces and as well as trees along the north property line, is not a condition generally applicable to a RS3 Zoning District; (3) as the Applicant will continue to own and occupy the subject property, profit is not the sole motive for the application; (4) the Applicant did not create the hardship in question as the Applicant created neither the small lot width nor the location of Ms. Nelson's home; (5) the variation being granted will not be detrimental to the public welfare or injurious to other property; and (6) the variation will not impair an adequate supply of light or air to the neighboring properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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

RESOLVED, the aforesaid special use and variation applications are hereby approved, and the Zoning Administrator is authorized to permit said special use and variation subject to the following condition, pursuant to the authority granted by Sections 17-13-0906 and 17-13-1105 of the Chicago Zoning Ordinance:

1. The Applicant shall plant trees that are 6' in height and have a 4" caliper along the north property line of the subject property; that is to say, the property line adjacent to Ms. Nelson's property of 1142 N. Ashland.

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: Matthew Schwingel & Heather Kitchens **CAL NO.:** 357-14-Z

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 2124 W. Pensacola Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 35.03' to 20.2' for a proposed rear, one-story addition connecting and existing, two-story single-family residence with a rear, detached, three-car garage with a roof deck.

ACTION OF BOARD-
CASE CONTINUED TO NOVEMBER 21, 2014

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY			X
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Ashland & Waveland, LLC **CAL NO.:** 360-14-Z

APPEARANCE FOR: Kate Duncan **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3701 North Ashland Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 30' to 19.81' for a proposed, four-story, six-unit building with ground floor retail space and six indoor parking spaces.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 19.81' for a proposed, four-story, six-unit building with ground floor retail space and six indoor parking spaces; 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: I.L. Properties, LLC **CAL NO.:** 361-14-Z

APPEARANCE FOR: William Banks **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1924 North California Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 30' to 25' for a proposed three-story, three unit building with three, rear, surfacing parking spaces.

ACTION OF BOARD-
VARIATION GRANTED

DEC 05 2014
CITY OF CHICAGO

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 25' for a proposed three-story, three unit building with three, rear, surfacing parking spaces; 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: Diane Dickens (Only By Faith) **CAL NO.:** 362-14-S

APPEARANCE FOR: Paul Kolpak **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5700-02 West Chicago Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval expand an existing massage salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to expand an existing massage salon provided a clear and unobstructed view is maintained through the front door and windows from the public right-of-way into the facility.

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: City of Chicago, Department of Water Management **CAL NO.:** 363-14-S

APPEARANCE FOR: Irene Caminer **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3300 East Cheltenham Drive

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a major utility, in the form of a proposed, one-story, accessory generator and controller's building, to be constructed adjacent to the existing South Water Purification Plant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

NOV 2 5 2014
CITY

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant in this matter testified that the facility has been in existence at the subject site for many years; testimony was offered that the facility is in need of upgrading; the applicant shall be permitted to establish a major utility, in the form of a proposed, one-story, accessory generator and controller's building, to be constructed adjacent to the existing South Water Purification Plant ;expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed one-story, accessory generator and controller's building provided the development is established consistent with the design, layout, material and plans prepared by Primer, EDI and Aecom and dated December 18, 2013.

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

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Chicago Park District **CAL NO.:** 364-14-S

APPEARANCE FOR: Tim King **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 11505 South Western Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a one and two-story recreational building consisting of an ice arena and gymnastics center with 64 surface parking spaces.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY			X
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a one and two-story recreational building consisting of an ice arena and gymnastics center with 64 surface parking spaces; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed one and two-story recreational building consisting of an ice arena and gymnastics center with 64 surface parking spaces provided the development is established consistent with the design, layout, material and plans prepared by Studio GC and dated May 30, 2014.

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: Chicago Park District **CAL NO.:** 365-14-Z

APPEARANCE FOR: Tim King **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 11505 South Western Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front yard setback from 10' to 7'; to reduce the south side yard setback from 43.4' to 30'; to reduce the north side yard setback from 43.4' to 4.5'; to reduce the rear yard setback from 43.4' to 0'; and, to eliminate the one 10' x 25' x 14, off-street loading space for a proposed one and two-story recreational building consisting of an ice arena and gymnastics center with 64 surface parking spaces.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY			X
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 364-14-S to permit the establishment of one and two-story recreational building; the applicant shall now also be permitted to reduce the front yard setback from 10' to 7'; to reduce the south side yard setback from 43.4' to 30'; to reduce the north side yard setback from 43.4' to 4.5'; to reduce the rear yard setback from 43.4' to 0'; and, to eliminate the one 10' x 25' x 14, off-street loading 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: New Trendsetters, LLC **CAL NO.:** 366-14-S

APPEARANCE FOR: Hivan Chiquito **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6152 South Pulaski Road

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI			X
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a barber shop 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): The Department of Planning and Development recommends approval of the proposed barber shop.

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

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: New Trendsetters, LLC **CAL NO.:** 367-14-S

APPEARANCE FOR: Hivan Chiquito **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5652 South Kedzie Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI			X
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

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

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

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

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Anjenette Smith Representing ESO Theater **CAL NO.:** 368-14-S

APPEARANCE FOR:

DATE OF MEETING:
October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 5401-03 West Madison Street

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

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

APPROVED AS TO SUBSTANCE

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

APPLICANT: Anjenette Smith representing ESO Theater **CAL NO.:** 369-14-Z

APPEARANCE FOR:

DATE OF MEETING:
October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 5401-03 West Madison Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a public place of amusement license for a community center located within 125' of an RS-3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Pathways in Education-Illinois **CAL NO.:** 370-14-S

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 4816 North Western Avenue

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

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Pathways In Education-Illinois **CAL NO.:** 371-14-S

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 3100 West Belmont Avenue

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

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Pathways In Education-Illinois **CAL NO.:** 372-14-S

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 3214 North Albany Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of an off-site, required, accessory parking lot to serve a proposed high school to located at 3100 West Belmont Avenue.

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

DEC 0 5 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Nam Van Le **CAL NO.:** 373-14-Z

APPEARANCE FOR: Fred Agustin **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2456 West Sherwin Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the east side yard setback from 2.4' to 0" to reduce the west side yard setback from 2.4' to 0.58'; to reduce the total combined side yard setback from 6.02' to 0.58'; and, to reduce the rear yard setback from 34.76' to 26.66;' for a proposed rear enclosed deck with a rear and side patio for an existing, single family residence with a rear detached, two-car garage.

ACTION OF BOARD-
VARIATION GRANTED

DEC 05 2014
CITY OF CHICAGO

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; 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 east side yard setback to 0" to reduce the west side yard setback to 0.58'; to reduce the total combined side yard setback to 0.58'; and, to reduce the rear yard setback to 26.66;' for a proposed rear enclosed deck with a rear and side patio for an existing, single family residence with a rear 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: J.S. Huron, LLC **CAL NO.:** 374-14-Z

APPEARANCE FOR: Barry Ash **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1345 West Huron Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front yard setback along West Ancona Street from 13.2' to 0'; to reduce the front setback for parking accessed directly from West Ancona Street from 20' to 0'; to reduce the east side yard setback from 2' to 0'; to reduce the west side yard setback from 2' to zero; and to reduce the total combined side yard setback from 4.8' to zero for a proposed three-story, three-unit building with three, rear surface parking spaces accessed directly from W. Ancona Street on a through lot.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front yard setback along West Ancona Street to 0'; to reduce the front setback for parking accessed directly from West Ancona Street to 0'; to reduce the east side yard setback to 0'; to reduce the west side yard setback to zero; and to reduce the total combined side yard setback to zero for a proposed three-story, three-unit building with three, rear surface parking spaces accessed directly from W. Ancona Street on a through lot; 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: Crazy Kids, LLC **CAL NO.:** 375-14-Z

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 2959 North Hamlin Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front yard setback from 13.4' to 0'; to reduce the front setback for parking accessed directly from North Hamlin Avenue from 20' to 0'; to reduce the south side yard setback from 3.75' to 0'; and, to reduce the on-site parking requirement of six spaces by not more than one space for a proposed conversion of ground floor commercial space into a residential unit in an existing three-story, five-unit building

ACTION OF BOARD-
CASE CONTINUED TO NOVEMBER 21, 2014

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: The Catholic Bishop of Chicago **CAL NO.:** 376-14-Z

APPEARANCE FOR: Tom Moore **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7211 West Talcott

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 50' to 7.58' for a proposed, one-story, parish rectory to be constructed adjacent to an existing religious assembly facility.

ACTION OF BOARD-
VARIATION GRANTED

DEC 05 2014
CITY OF CHICAGO

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 7.58' for a proposed, one-story, parish rectory to be constructed adjacent to an existing religious assembly facility; 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

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

APPLICANT: 4840 South Dorchester, LLC **CAL NO.:** 377-14-Z

APPEARANCE FOR: Bernard Citron **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4840 South Dorchester Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 50' to 15'; to reduce the north side yard setback from 5' to 0'; to reduce the combined side yard setback from 10' to 8.67'; and, to reduce the rear yard open space from 2,759 square feet to 850.39 square feet for the proposed conversion of an existing, three story, religious assembly facility into a 13-unit building with 16 below grade parking spaces, a rear two-story addition and a 1.5' above - grade patio.

ACTION OF BOARD-
VARIATION GRANTED

DEC 05 2014
CITY OF CHICAGO

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	RECUSED		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 15'; to reduce the north side yard setback to 0'; to reduce the combined side yard setback to 8.67'; and, to reduce the rear yard open space to 850.39 square feet for the proposed conversion of an existing, three story, religious assembly facility into a 13-unit building with 16 below grade parking spaces, a rear two-story addition and a 1.5' above - grade patio; 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: East-West University **CAL NO.:** 382-14-S

APPEARANCE FOR: John Pikarski **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 801-13 South Wabash Avenue/57-61 East 8th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 174-space, non-accessory parking garage.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY			X
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 174-space, non-accessory parking garage at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):The Department of Planning and Development recommends approval of the proposal to establish a 174-space, non-accessory, parking garage.

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: Stanley Pluta **CAL NO.:** 383-14-Z

APPEARANCE FOR: John Pikarski **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1652-54 North Kedzie Avenue/3201-05 West Wabansia Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 30' to 10'; to reduce the front yard setback from 3.64' to 0'; to reduce the north side yard setback from 5.86' to 0'; to reduce the south side yard setback from 5.86' to 3.5'; for a proposed four-story, 27 unit building with 27 at grade parking spaces accessed directly from West Wabansia via an existing curb cut.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 10'; to reduce the front yard setback to 0'; to reduce the north side yard setback to 0'; to reduce the south side yard setback to 3.5'; for a proposed four-story, 27 unit building with 27 at grade parking spaces accessed directly from W. Wabansia via an existing curb cut; 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: 4900 Kenmore, LLC **CAL NO.:** 385-14-S

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 4900 North Kenmore Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 24-space, non-required, accessory parking lot to serve an existing skilled nursing facility located at 4920 North Kenmore Avenue.

ACTION OF BOARD-
CASE CONTINUED TO NOVEMBER 21, 2014

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

APPROVED AS TO SUBSTANCE

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

APPLICANT: Bruce Jang **CAL NO.:** 386-14-Z

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 2917 North Wisner Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to exceed the floor area of 2,951 square feet, in existence 50 years prior to this filing, by no more than 15% to 3,017 square feet for a proposed dormer addition to an existing two-story, two-unit building with a rear, detached, two-car garage.

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Canal TC, LLC **CAL NO.:** 387-14-S

APPEARANCE FOR: James Banks **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1101 South Clinton Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a non-accessory parking garage for 249 spaces located on the first, second and a portion of the third floors of an existing 678-space parking garage at this location.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY			X
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-accessory parking garage for 249 spaces located on the first, second and a portion of the third floors of an existing 678-space parking garage at this location; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish a non-accessory parking garage for 249 spaces located on the first, second and a portion of the third floors of an existing 678-space parking garage at this location.

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: Dominus Holdings, LLC **CAL NO.:** 388-14-Z

APPEARANCE FOR: Sara Barnes **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 838 W. Erie Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front yard setback from 7.47' to 4'; to reduce the east side yard setback from 3.4' to 0'; to reduce the west side yard setback from 3.4' to 0'; to reduce the combined side yard setback from 8.5' to 0'; and, to increase the allowed height of 50' by no more than 10% to 51.38' for a proposed four-story, eight unit building with nine parking spaces.

ACTION OF BOARD-
VARIATION GRANTED

DEC 05 2014
CITY OF CHICAGO

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front yard setback to 4'; to reduce the east side yard setback from 3.4' to 0'; to reduce the west side yard setback from 3.4' to 0'; to reduce the combined side yard setback from 8.5' to 0'; and, to increase the allowed height of 50' by no more than 10% to 51.38' for a proposed four-story, eight unit building with nine parking spaces 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

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

APPLICANT: Dominus Holdings, LLC **CAL NO.:** 389-14-Z

APPEARANCE FOR: Sara Barnes **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 650 North Green Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 30' to 19.33'; the north side setback from 16.38' to 0" and to increase the allowed height 50' by no more than 10% to 51.25' for a proposed four-story, four-unit building with five parking spaces.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 19.33'; the north side setback to 0" and to increase the allowed height 50' by no more than 10% to 51.25' for a proposed four-story, four-unit building with five parking spaces; 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: MF Partners JV, LLC **CAL NO.:** 390-14-S

APPEARANCE FOR: Sara Barnes **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 948-54 West Fulton Market Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a rooftop patio deck with a new one story penthouse addition to an existing 2 story building with mixed uses.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a rooftop patio deck with a new one story penthouse addition to an existing 2 story building with mixed uses; an additional special use was granted to the applicant for off-site parking in Cal. No. 391-14-S; a variation was also granted to reduce the required parking by not more than one space in Cal. No. 392-14-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 Department of Planning and Development recommends approval of the proposed rooftop patio with a new one story penthouse addition to an existing 2 story building with mixed uses ,provided the development is established consistent with the design, layout and plans prepared by Jonathan Split Architects and dated November 28, 2012.

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: MF Partners, JV, LLC **CAL NO.:** 391-14-S

APPEARANCE FOR: Sara Barnes **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 938 West Lake Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of 15 required, accessory parking spaces within an existing 33-space parking lot to serve an existing mixed-use, retail, restaurant and office development located at 948-54 West Fulton Market Street.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 15 required, accessory parking spaces within an existing 33-space parking lot to serve an existing mixed-use, retail, restaurant and office development located at 948-54 West Fulton Market Street; 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 Department of Planning and Development recommends approval of the proposal to establish 15 required, accessory parking spaces within an existing 33-space parking lot to serve an existing mixed-use, retail, restaurant and office development located at 948-54 West Fulton Market Street.

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: MF Partners JV, LLC **CAL NO.:** 392-14-Z

APPEARANCE FOR: Sara Barnes **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 948-54 West Fulton Market

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the 15 accessory parking space requirement by no more than one parking space for 15 required, accessory parking spaces within an existing 33-space parking lot at 938 West Lake Street.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the applicant to establish a roof top patio to be located at 948-54 W. Fulton Market in Cal. No.390-14-S; the applicant shall also be permitted to reduce the 15 accessory parking space requirement by no more than one parking space for 15 required, accessory parking spaces within an existing 33-space parking lot at 938 West Lake Street; 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: Landtrust of Carol J. Hunniford (No. 19488) **CAL NO.:** 393-14-Z

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 2938 West Bryn Mawr Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required rear yard setback from 35' to 0' for a 7'-tall solid wood fence.

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Andres Velazquez **CAL NO.:** 210-14-Z

APPEARANCE FOR: Same **MINUTES OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2438 North Central Park Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to exceed the existing floor area of 3,288.6 square feet by not more than 15% to 3,449.6 square feet for a proposed third-story addition to an existing two-story, two-unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 5, 2014; 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 exceed the existing floor area of 3,288.6 square feet by not more than 15% to 3,449.6 square feet for a proposed third-story addition to an existing two-story, two-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: 1435 Wells, LLC **CAL NO.:** 219-14-Z

APPEARANCE FOR: **MINUTES OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 1435 North Wells Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard setback from 30' to 0' and to exceed the allowed height of 50' by not more than 10% to 55' for a proposed five-story, four-unit building with ground floor commercial space and an attached two-car garage.

ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

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

APPLICANT: Amigo Meat and Poultry, LLC/DBA Amigo Foods **CAL NO.:** 315-14-Z

APPEARANCE FOR: Katriina McGuire **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5113-43 S. Millard Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front yard setback from 20' to 8' for a proposed, two-story, approximately 41,000 square foot, manufacturing facility.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 31, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front yard setback to 8' for a proposed, two-story, approximately 41,000 square foot, manufacturing facility; 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: 4245 Milwaukee Corp. **CAL NO.:** 319-14-S

APPEARANCE FOR: Sara Barnes **DATE OF MEETING:** August 15, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4245 North Milwaukee Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a drive-through window for an existing restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	Recused		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 31, 2014; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through window for an existing restaurant provided the development is established consistent with the design, layout and plans prepared by Atul Karkhanis Architects and dated June 16, 2014.

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: Letita Johnson **CAL NO.:** 324-14-S

APPEARANCE FOR: Same **MINUTES OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8602 S. Racine Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 2, 2014; and

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

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

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

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Chicago Land Montessori Academy **CAL NO.:** 331-14-S

APPEARANCE FOR: **MINUTES OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 5624-34 North Pulaski Road

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

ACTION OF BOARD-
CASE CONTINUED TO DECEMBER 19, 2014

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: 954 N. Noble, LLC **CAL NO.:** 353-14-S

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** October 17, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 954 North Noble Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 4, 2014; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed residential use below the second floor provided the development is established consistent with the design, layout, materials and plans prepared by Baranyk Associates and dated April 8, 2014.

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: 954 N. Noble, LLC **CAL NO.:** 354-14-Z

APPEARANCE FOR: **MINUTES OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 954 North Noble Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the required minimum lot area from 6,000 square feet to 5,940 square feet for a proposed three-story, six-unit building with a rear, detached, six-car garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

DEC 05 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	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 17, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 4, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to this location in Cal. No. 353-14-S to establish residential below the second floor; the applicant shall now be permitted to reduce the required minimum lot area from 6,000 square feet to 5,940 square feet for a proposed three-story, six-unit building with a rear, detached, six-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.

CHAIRMAN

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

APPLICANT: BCL, 2344 Shakespeare, LLC **CAL NO.:** 254-14-Z

APPEARANCE FOR: **DATE OF MEETING:** October 17, 2014

APPEARANCE AGAINST:

PREMISES AFFECTED: 2344 West Shakespeare

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the west side yard setback from 2' to 0 and to reduce the combined side yard setback from 4.8' to 2' for a proposed three-story, three unit building with three rear, surface parking spaces.

ACTION OF BOARD-
CASE CONTINUED TO JANUARY 16, 2015

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		

DEC 05 2014
CITY OF CHICAGO

APPROVED AS TO SUBSTANCE
CHAIRMAN