

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

APPLICANT:

JAB Merger

CAL NO.: 98-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

1546-56 N. Weiland Street/ 227-233 W. North Avenue

NATURE OF REQUEST: Application for a special use to reduce required residential parking from the required 60-spaces to 16-spaces to serve a proposed 6-story retail, 42 dwelling unit and 18 efficiency unit building.

ACTION OF BOARD-


CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS CHAIRMAN

CHAIRMAN

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

APPLICANT:

JAB Merger

CAL NO.: 99-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

1546-56 N. Weiland Street/ 227-233 W. North Avenue

NATURE OF REQUEST: Application for a variation to eliminate the one required loading berth for a six story 60 unit residential building (42 dwelling unit and 18 efficiency units) with 2,400 square feet of commercial space on the ground floor and 16 parking spaces.

ACTION OF BOARD-

CASE CONTINUED APRIL 15, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT:

JAB Merger

CAL NO.: 100-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1546-56 N. Weiland Street/ 227-233 W. North Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback (for floors containing dwelling units) from 30' to 15' for a six-story 60-unit residential building (42 dwelling units and 18 efficiency units) with 2,400 square feet of commercial space on the ground floor and 16 parking spaces.

ACTION OF BOARD-

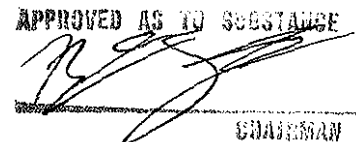
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Howard Brown Health Center, Inc. **CAL NO.:** 101-16-S

APPEARANCE FOR: Lawrence Drumm **MINUTES OF MEETING:**
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 615 W. Wellington Avenue

NATURE OF REQUEST: Application for a special use to continue the operations of a community center.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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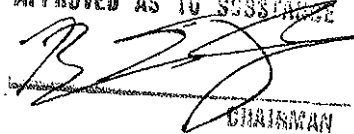
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant has appeared before the Board on two occasions to establish a community center at this location; each approval required that the applicant return after a year to renew the special use; the Board has approved the request each time the applicant has appeared; the applicant has been operating at the subject site without incident for the past two years; the applicant shall be permitted to establish a community center at the subject; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1945 Diversey, LLC **CAL NO.:** 102-16-Z
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1945-47 W. Diversey Parkway

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 0' for a four-story seven- dwelling unit residential building with one story attached seven- car garage, two open balconies on each floor at front facade, and two private residential roof decks on attach garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 0' for a four-story seven- dwelling unit residential building with one story attached seven-car garage, two open balconies on each floor at front facade, and two private residential roof decks on attach 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: Chicago Title Land Trust ATUT #8002349794 **CAL NO.:** 103-16-S

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4240-58 S. Wentworth Avenue/ 4241-59 S. Wells / 200-24 W. 43rd Streets

NATURE OF REQUEST: Application for a special use to expand an existing, eight-pump gas station with a one-story, 7,600 square foot retail and convenience building through the addition of a second, one-story, 6,100 square foot, retail and convenience building and a 6,450 square foot car wash.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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X		
		X
X		
X		

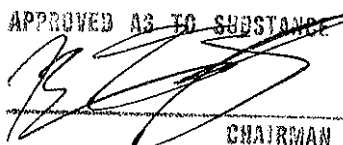
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing, eight-pump gas station with a one-story, 7,600 square foot retail and convenience building through the addition of a second, one-story, 6,100 square foot, retail and convenience building and a 6,450 square foot car wash; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout and plans prepared by Vari Architects and dated October 4, 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: Jenna Flores and Scott Fey

CAL NO.: 104-16-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2130 W. Pensacola Avenue

NATURE OF REQUEST: Application for a variation to reduce the northwest side setback from 4.1' to 0.43', to reduce the northeast side setback from 4.1' to 2.5', to reduce the combined side setback from 10.26' to 2.93' and to reduce the rear setback from 35.03' to 1' for a proposed, two-story, single-family residence with a rear, attached, two-car garage with a rooftop deck, accessed via an open staircase exceeding 6' in height.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the northwest side setback to 0.43', to reduce the northeast side setback to 2.5', to reduce the combined side setback to 2.93' and to reduce the rear setback to 1' for a proposed, two-story, single-family residence with a rear, attached, two-car garage with a rooftop deck, accessed via an open staircase exceeding 6' in height; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAY 04 2016
CITY OF CHICAGO

**Javier Mendoza and Eleanor Ranney
Mendoza**

APPLICANTS

105-16-A

CALENDAR NUMBER

1454 W. Henderson Street

PREMISES AFFECTED

March 18, 2016

HEARING DATE

Warren Silver

APPEARANCE FOR APPLICANT

Steven Valenziano

APPEARANCE FOR ZONING ADMINISTRATOR

NATURE OF REQUEST

An appeal of the decision by the Office of the Zoning Administrator in refusing to permit a 986.567 square foot, third floor addition to an existing three-story, two-unit building which currently exceeds the maximum allowed floor area square footage.

ACTION OF BOARD

THE VOTE

The decision of the Zoning Administrator is upheld.

UPHELD REVERSED ABSENT

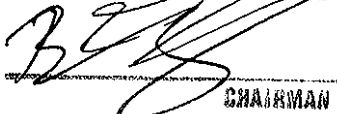
Blake Sercye, Chair
Sol Flores
Sheila O'Grady
Sam Toia
Amanda Williams

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THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this appeal by the Zoning Board of Appeals ("Board") at its regular meeting held on March 18, 2016; and

WHEREAS, the Office of the Zoning Administrator ("Zoning Administrator") determined that Section 17-15-0404 of the Chicago Zoning Ordinance ("Zoning Ordinance") precludes permitting a 986.567 square foot, third floor addition to an existing three-story, two unit building which currently exceeds the maximum allowed floor area square footage; and

APPROVED AS TO SUBSTANCE

CHAIRMAN

WHEREAS, Mr. Warren Silver, counsel for the Applicants stated that the subject property is currently improved with a two-unit building ("building"); that the Applicants live in one of the units and rent out the other unit; that the Applicants need more space but would like to stay at the subject property; that he then submitted to the Board true and accurate photographs that depicted the block on which the subject property was situated; and

WHEREAS, Ms. Eleanor Mendoza testified that her neighbors' homes have had both upward and outward additions; that the other buildings on her block are taller than her building; that to stay in the neighborhood, she would need to build additional space on her building; that the Applicants' addition would be compatible in scale to those of their neighbors; and

WHEREAS, Mr. Silver then submitted to the Board a sketch from the Applicants' architect that showed the proposed addition; and

WHEREAS, Ms. Mendoza continued to testify that the ceiling height of her basement is shallow as it is only slightly over seven feet (7'); that in consequence, it is not as usable as the basements of her neighbors; that her basement is also more than fifty percent (50%) above grade; that this is not the case with the basements of her neighbors; and

WHEREAS, Mr. Silver explained that although the basement was not particularly usable, it counted against the Applicants' floor area because its ceiling was greater than six feet nine inches (6'9"); that the subject property is located in a RT-3.5 zoning district; that every other property on this particular block of West Henderson is also zoned RT-3.5; that as the Applicants' building contains 3668 square feet and 3288 square feet is the maximum floor area currently permitted at the subject property, the Applicants' building is currently legally nonconforming as to the floor area; that the Applicants' solution to their desire for an addition is to reduce the extent of the building's nonconforming as to the floor area while increasing the available space; that the Applicants' proposed program of development calls for an upper-floor addition coupled with the excavation of the basement to a more generous and usable ceiling height, as part of the same project under the same building permit; that this would allow for extra space for the Applicants while reducing the total floor area of the building to 3455 square feet; that the excavation of the basement to greater than fifty percent (50%) below grade would more than offset the addition of less floor area to the upper-story addition; that this Board has previously overturned the Zoning Administrator in a similar matter at the property of 1257 W. Addison; and

WHEREAS, Mr. Silver further explained that the Zoning Administrator has claimed that once the basement floor is removed it cannot be restored, even under the same building permit, because the nonconformity will be eliminated; that the basement will not be removed; that to the contrary, the basement will be made more usable by increasing its ceiling height but because it will be below ground, this Zoning Ordinance will not count the floor area of the basement once it is more than fifty percent (50%) below grade; that the addition of the third floor is permitted because its part of the same project and will

result in a net decrease of the building's floor area; that this Zoning Ordinance expressly permits alteration of a nonconforming development when said alteration reduces the extent of the nonconformity; that Alderman Tunney has provided a letter that he has no objection to the Applicants' appeal; and

WHEREAS, Mr. Silver respectfully requested that the Board find that the Zoning Administrator erred in the determination of denial of the zoning approval in connection with the proposed renovations to the building on the subject property because the proposed renovations will decrease the extent of nonconformity of the already nonconforming development as to floor area; and

WHEREAS, Mr. Silver further requested that the Board direct the Zoning Administrator to issue an official denial of zoning certification instanter so that the Applicants can seek a side yard variation to permit construction of the proposed third-floor addition; and

WHEREAS, in response to questions by the Board, Mr. Silver explained that it was the Applicants' belief that since this Zoning Ordinance permits alteration of a nonconforming development if it reduces the extent of nonconformity, the Applicants' request is permitted because the excavation of the basement and the third-floor addition would be part of the same project; that this is not a situation where the basement would be excavated under one permit and then sometime later someone would seek to separately build a third-floor addition; and

WHEREAS, in response to questions by the Board, Ms. Mendoza testified that the Applicants currently had a tenant in the building's basement; that said tenant had been living in the building's basement since the Applicants purchased the property in 2006; and

WHEREAS, in response to further questions by the Board, Mr. Silver explained that any addition that did not involve excavation of the basement would require a change in the subject property's zoning classification; that although pursuant to Section 17-13-1101-G, the Applicants could apply for a variation to build up to fifteen percent (15%) more than what existed fifty (50) years ago this would not provide anywhere near enough space to allow the Applicants to maintain two (2) dwelling units on the subject property; and

WHEREAS, Mr. Steven Valenziano, Assistant Zoning Administrator, testified on behalf of the Zoning Administrator; that the ruling of the Board in any prior cases sets no precedent in any future cases; that the building on the subject property is a nonconforming development; that Section 17-15-0404-A of this Zoning Ordinance states that when a structure with nonconforming elements is removed or intentionally destroyed, re-establishment of the nonconforming elements is prohibited; that the nonconforming element in this appeal is the floor area ratio ("FAR") as the building is over its allowed floor area; that once the Applicants remove this nonconforming element and bring the building into compliance with this Zoning Ordinance, the Applicants

cannot then go ahead and take it back out of compliance; that therefore, by digging out the basement and lowering the basement floor so that the basement is more than fifty percent (50%) below grade, the Applicants have now come into compliance with this Zoning Ordinance; that if the Applicants want to pursue a third floor addition, they can seek a variation for the side setbacks, the rear setbacks, and a floor area increase of up to fifteen percent (15%); that a floor area increase of up to fifteen percent (15%) would give the Applicants 4218 square feet of floor area, which is quite a large building for this particular block; and

WHEREAS, Mr. Valenziano further testified that this particular block used to be zoned R-4 under the previous Zoning Ordinance; that in 2004, when this Zoning Ordinance was adopted, this block became RT-3.5; that most of the buildings in this neighborhood are nonconforming; that therefore all of these buildings can apply for a variation to do an addition that would give them a fifteen percent (15%) increase in the floor area that already exists; that a basement of six feet nine inches (6'9") or seven feet (7') is common in the area; that by digging their basement out, the Applicants make the basement actual dwelling space and this is a vast increase to floor area for the building; that again, it comes down to the Applicants removing the nonconforming element, which is the floor area, and then wanting to replace it, and again, make the building nonconforming; that this cannot be done; and

WHEREAS, in response to questions by the Board, that the Applicants could ask for an addition of 550 square feet before the Board; that if the Applicants took the basement out or made it part of the same permit as the addition, the overall building floor area may then be in compliance with the RT-3.5 zoning district; that all the Applicants can ask for is a fifteen percent (15%) increase of what existed, including the basement, fifty (50) years ago; and

WHEREAS, Mr. Valenziano further testified that he did not believe the Board had the authority to compel the Zoning Administrator to issue an official denial of zoning certification; that the Zoning Administrator would issue any denials needed; and

WHEREAS, Mr. Silver argued that he was of the opinion that the Board did set precedent; and

WHEREAS, the Board reminded Mr. Silver that the Board looked at each property individually and as an administrative body did not set precedent; and

WHEREAS, Mr. Silver stated that the Applicants needed a 985 square foot addition to meet their needs; that therefore it would not be possible to build the third-story addition with a variation as the variation would only allow for a 550 square foot addition; and

WHEREAS, in response to further questions by the Board, Mr. Valenziano testified that pursuant to Section 17-17-305-A, when a basement or partially below-grade floor is more than fifty percent (50%) below grade, it does not count towards floor area; and

WHEREAS, Mr. Silver again reiterated that the Applicants were not destroying anything; that the Applicants were pushing 1200 square feet of the floor area underground and putting 985 square feet up top; that this is a net reduction in the bulk of floor area that is above grade; that under this Zoning Ordinance, it is a net decrease; and

WHEREAS, in response to questions by the Board, Mr. Valenziano further testified that the Zoning Administrator has consistently applied Section 17-15-0404-A and, in consequence, once the nonconforming element of floor area is removed, it cannot be replaced; that the only way to grant extra floor area in this case is through the variation previously mentioned; and

WHEREAS, in response to questions by the Board, Mr. Silver stated it was the Applicants' interpretation of this Zoning Ordinance that the Applicants could proceed with their plan of development as of right; and

WHEREAS, Alderman Tunney testified in support of the Applicants; and

WHEREAS, Sections 17-13-1207 and 17-13-1208 of the Chicago Zoning Ordinance grant the Board of Appeals authority to hear and decide appeals when it is alleged there is an error in any order, requirement, decision or determination by the Zoning Administrator in the administration or enforcement of this Zoning Ordinance; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to sustain an appeal must be based solely on the approval criteria enumerated in Section 17-13-1208 of the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant's appeal:

1. The Board finds that the Applicants' building is a structure with a nonconforming element. The nonconforming element, as established by testimony of Ms Mendoza and Mr. Valenziano, is the building's floor area. The Board finds that when the Applicants excavate their basement so that it is more than fifty percent (50%) below grade, they will be intentionally removing the nonconforming element of floor area. Pursuant to Section 17-15-0404-A of this Zoning Ordinance, reestablishment of the nonconforming element of floor area on a proposed third floor addition to the building is prohibited.
2. The Board finds that the Applicant did not meet its burden of persuasion that the Zoning Administrator erred as required by under Section 17-13-1208 of this Zoning Ordinance.

RESOLVED, the Board hereby affirms the Zoning Administrator's decision, and the Applicant's appeal is denied.

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: PCM Real Estate Investments, LLC **CAL NO.:** 106-16-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:** March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3315 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 37.09' to 21.17' and to allow the 200 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, three-car garage which will be connected to the existing, three-story, three-unit building via a catwalk; the existing garage and three-story, three-unit building will remain otherwise unchanged.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAY 04 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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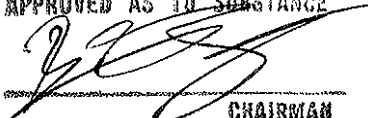
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.17' and to allow the 200 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, three-car garage which will be connected to the existing, three-story, three-unit building via a catwalk; the existing garage and three-story, three-unit building will remain otherwise unchanged; 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: 658 Melrose, LLC

CAL NO.: 107-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 658 W. Melrose Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 34.83' to 12.43'; to reduce the west side setback from 2' to 0.33'; to reduce the east side setback from 2' to 1'; and, to reduce the combined site setback from 5' to 1.33' for a proposed, four-story, two-unit building with a rooftop deck and front, attached, two-car garage accessed directly from West Melrose Street.

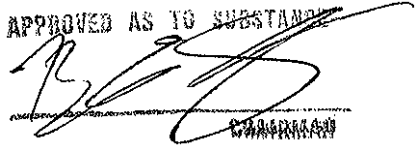
ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 658 Melrose, LLC

CAL NO.: 108-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 658 W. Melrose Street

NATURE OF REQUEST: Application for a variation for the approval of the establishment of to increase the maximum allowed height of 45' by no more than 10% (4.5') for a proposed, four-story, two-unit building with a roof top deck and front, attached, two-car garage accessed directly from West Melrose Street.


ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO MINUTES

CHAIRMAN

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

APPLICANT: Patrick Meenan

CAL NO.: 109-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3840 N. Hermitage Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from 17.4' to 7.67' for a proposed, covered, open, front porch to be added to an existing, two-story, single-family residence; the existing, rear, detached, two-car garage and residence will otherwise remain unchanged.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

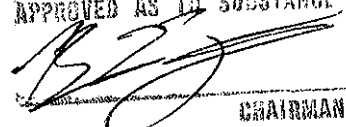
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 7.67' for a proposed, covered, open, front porch to be added to an existing, two-story, single-family residence; the existing, rear, detached, two-car garage and residence will otherwise remain unchanged; 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: Rich Damsel LLC **CAL NO.:** 110-16-S
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2920 W. Irving Park Road

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a hair and nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

[Handwritten Signature]
CHAIRMAN

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

APPLICANT: David Berger

CAL NO.: 111-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1621 W. Berteau Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 16.34' to 8.3'; to reduce the east side setback from 3.44' to 0'; and, to reduce the 225 square feet of rear yard open space to 175 square feet for the proposed sub-division of the existing, subject, 43' x 35' former portion of the subject zoning lot will be combined to an adjacent, 35' x 123.75' zoning lot, located at 4151 N. Paulina Street, resulting in the establishment of such as a 35' x 166.75' zoning lot.

ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 4 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
SECRETARY

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

APPLICANT: David Berger

CAL NO.: 112-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1621 W. Berteau Avenue

NATURE OF REQUEST: Application for a variation to reduce the quantity of off-street vehicular parking spaces by no more than one for the proposed sub-division of the existing, subject, 43' x 93.7' zoning lot into a 43' x 58.7' zoning lot; this 43' x 35' former portion of the subject zoning lot will be combined to an adjacent, 35' x 123.75 zoning lot, located at 4151 N. Paulina Street, resulting in the establishment of such as 35' x 166.75' zoning lot.

ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Jasmines Boutique, Inc.

CAL NO.: 113-16-S

APPEARANCE FOR: Jasmine Muro

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3905 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Washington Family Values, Inc. **CAL NO.:** 114-16-S
APPEARANCE FOR: Annie Washington **MINUTES OF MEETING:**
 March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5014 W. Madison Street

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a barber shop and beauty and nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

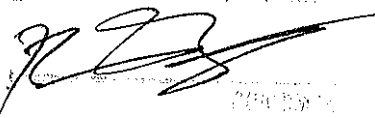
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE


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

APPLICANT: Sung V. Pham **CAL NO.:** 115-16-S
APPEARANCE FOR: Gershon S. Kulek **MINUTES OF MEETING:**
APPEARANCE AGAINST: George Blakemore March 18, 2016
PREMISES AFFECTED: 3845 W. Roosevelt Road, 1st Floor

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

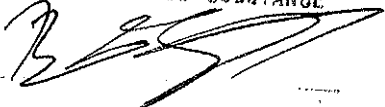
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE


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

APPLICANT: Lloyd W. Holder

CAL NO.: 116-16-S

APPEARANCE FOR:

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 4314 W. Irving Park Road

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a barber shop.

ACTION OF BOARD-
CASE CONTINUED TO MAY 20, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: JoAnne Guillemette **CAL NO.:** 117-16-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4537-39 S. Vincennes Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from 14.77' to 12.23'; to reduce the north side setback from 2.62' to 0'; to reduce the south side setback from 2.62' to 0'; to reduce the combined side setback from 6.55' to 0'; and, to reduce the rear setback from 34.47' to 3.24' to legalize an existing 6.5' tall x 32.78' long, solid, wood fence, topped with a 1' section of decorative iron, along the front of the property; an existing 6' tall x 66' long, solid, wood fence, topped with a 1.5' section of lattice, along the south side of the property; and, an existing 6' tall x 27,78' long, solid, wood fence, topped with a 1.5' section of lattice, along the rear of the property, with a 7.5' tall x 5' long gate.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 04 2016
CITY OF CHICAGO

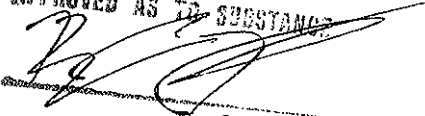
BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant in this matter testified that the fence and variations are needed to provide safety and security for her and her family; the Board will permit the applicant to reduce the front setback to 12.23'; to reduce the north side setback to 0'; to reduce the south side setback to 0'; to reduce the combined side setback to 0'; and, to reduce the rear setback to 3.24' to legalize an existing 6.5' tall x 32.78' long, solid, wood fence, topped with a 1' section of decorative iron, along the front of the property; an existing 6' tall x 66' long, solid, wood fence, topped with a 1.5' section of lattice, along the south side of the property; and, an existing 6' tall x 27,78' long, solid, wood fence, topped with a 1.5' section of lattice, along the rear of the property, with a 7.5' tall x 5' long gate; 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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

CAL NO.: 117-16-Z (Cont'd)

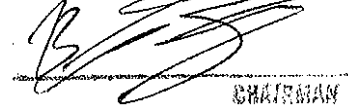
MINUTES OF MEETING:

March 18, 2016

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 CORRECTNESS



CHAIRMAN

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

APPLICANT: Peter Chambers

CAL NO.: 118-16-Z

APPEARANCE FOR: Same

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8423 W. Agatite Avenue

NATURE OF REQUEST: Application for a variation to reduce the west side setback from 7.8' to 3'; to reduce the combined side setback from 23.4' to 14'; and, to reduce the rear setback from 43.63' to 36.75' for two, one-story additions to an existing, single-family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

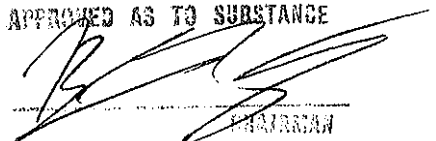
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west side setback to 3'; to reduce the combined side setback to 14'; and, to reduce the rear setback to 36.75' for two, one-story additions to an existing, single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

CAL NO.: 119-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 2241 N. Cleveland Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from 2' to 0'; to reduce the south side setback from 2' to 0'; and, to reduce the combined side setback from 4.8' to 0' for a proposed, second floor, rear addition to an existing, two-story, single-family residence; and, to allow the 126 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, one-car garage which will be accessed via an open stair exceeding 6' in height.

ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: White Castle System, Inc.

CAL NO.: 120-16-S

APPEARANCE FOR: Chemalcom Cooper

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: George Blakemore

PREMISES AFFECTED: 2140 S. Wabash Avenue

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a one-story restaurant with one drive-through lane.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
RECUSED		
X		

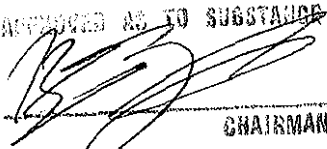
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, and materials in the plans and drawings prepared by Daniel Weinbach and Partners and dated March 11, 2016.

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: Anup Bhattarai **CAL NO.:** 121-16-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:**
 March 18, 2016
APPEARANCE AGAINST: George Blakemore
PREMISES AFFECTED: 2128 N. Maplewood Avenue

NATURE OF REQUEST: Application for a variation to increase the pre-existing floor area of 2,887.6 square feet by no more than 15% (355 square feet) for a proposed, third floor, dormer addition to an existing, two-story, two-unit building; the rear, detached two-car garage will remain unchanged.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFIRMATIVE	NEGATIVE	ABSENT
X		
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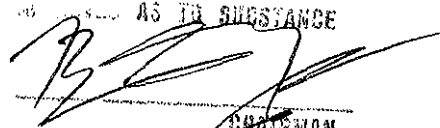
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for variation; the applicant shall be permitted to increase the pre-existing floor area of 2,887.6 square feet by no more than 15% (355 square feet) for a proposed, third floor, dormer addition to an existing, two-story, two-unit building; the rear, detached two-car garage will remain unchanged; additional variations were also granted to the subject site in Cal. No. 122-16-Z and 123-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Anup Bhattarai

CAL NO.: 122-16-Z

APPEARANCE FOR: Same

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: George Blakemore

PREMISES AFFECTED: 2128 N. Maplewood Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from 16.4' to 8.33' and to reduce the north side setback from 2' to 0.97' for a proposed, third floor, dormer addition to an existing, two-story, two-unit building; the rear, detached two-car garage will remain unchanged.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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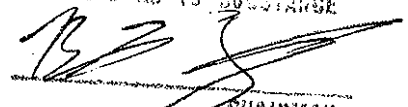
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for variation; the applicant shall be permitted to reduce the front setback to 8.33' and to reduce the north side setback to 0.97' for a proposed, third floor, dormer addition to an existing, two-story, two-unit building; the rear, detached two-car garage will remain unchanged; additional variations were also granted to the subject site in Cal. No. 121-16-Z and 123-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Anup Bhattarai **CAL NO.:** 123-16-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: George Blakemore
PREMISES AFFECTED: 2128 N. Maplewood Avenue

NATURE OF REQUEST: Application for a variation to increase the pre-existing height of 30' by no more than 10% (3') for a proposed, third floor, dormer addition to an existing, two-story, two-unit building; the rear, detach two-car garage will remain unchanged.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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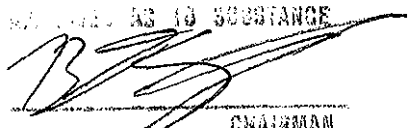
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for variation; the applicant shall be permitted to increase the pre-existing height of 30' by no more than 10% (3') for a proposed, third floor, dormer addition to an existing, two-story, two-unit building; the rear, detach two-car garage will remain unchanged; additional variations were also granted to the subject site in Cal. No. 121-16-Z and 122-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Adrian Sanchez/DBA Prefer Valet Parking Service, Inc. **CAL NO.:** 124-16-S

APPEARANCE FOR:

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 2814-38 W. 26th Street

NATURE OF REQUEST: Application for a special use for the approval of a non-accessory parking lot.


ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sahan Motherland **CAL NO.:** 125-16-S
APPEARANCE FOR: Lewis Powell **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1424-1428 E. 53rd Street

NATURE OF REQUEST: Application for a special use for the establishment of a beauty and nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

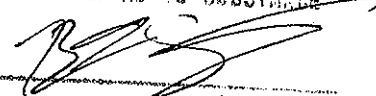
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Jarla, LLC **CAL NO.:** 126-16-S
APPEARANCE FOR: Jim Griffin **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1823-55 W. Webster Avenue/ 2134 N. Wood Street

NATURE OF REQUEST: Application for a special use for the approval of the establishment of an outdoor, rooftop patio.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: B&N Builders Eddy, LLC **CAL NO.:** 127-16-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1165 W. Eddy Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 37.5' to 21.5' and to allow the 406 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, six-car garage which will be connected to the existing, garage and residence will remain otherwise unchanged.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

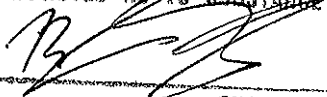
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.5' and to allow the 406 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, six-car garage which will be connected to the existing, garage and residence will remain otherwise unchanged; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAY 04 2016

CITY OF CHICAGO

BAS 3 Development LLC

APPLICANT

128-16-Z

CALENDAR NUMBER

2915-23 W. Armitage/1945-51 N. Richmond

PREMISES AFFECTED

March 18, 2016

HEARING DATE

Mark Kupiec

APPEARANCE FOR APPLICANT

Marco Lopez and George Blakemore

OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the front yard setback from 10' to 0' off North Richmond Street; to reduce the north side setback from 2' to 0' (south side yard to be 4'); to reduce the combined side yard setback from 5' to 4'; and to reduce the rear setback from 30' to 0' in order to allow a proposed 4-story building with office space on the ground floor and 34 on-site parking spaces and 33 dwelling units above the first floor.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

	APPROVE	DENY	ABSENT
Blake Sercye, Chairmain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on March 18, 2016, 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. Mark Kupiec, counsel for the Applicant, explained the underlying history of the subject property and the underlying basis of the relief sought; and

WHEREAS, Mr. Gary Levitas, one of the Applicant's principals, testified on behalf of the application; that with the support of Alderman Moreno ("Alderman"), the Applicant has rezoned the subject property from a B3-3 to a B3-5; that the rezoning was a

APPROVED AS TO SUBSTANCE

CHAIRMAN

Type One and therefore the proposed plans that are currently before the Board were attached to the rezoning; that the rezoning was to permit the proposed building with its 33 residential units; that 3 of the units will be affordable units under the City's Affordable Requirement Ordinance; that after costs of land acquisition and construction are taken into account, the Applicant will have a little less than 10% profit margin on this project; that due to the Applicant's desire to build a building compatible in height to the rest of the neighborhood, the Applicant is only building a 4-story building; that the Applicant therefore needs the requested variation; that the subject property is unique in that there is no east/west alley parallel to Armitage Avenue; that instead, the subject property abuts a north/south alley that runs parallel to Richmond Avenue; that this is unusual for a property on Armitage Avenue as there is usually an east/west alley that separates a residential block from a commercial block; and

WHEREAS, Mr. John Hanna, the project's architect, testified on behalf of the Applicant; that although the property has been rezoned as a Type One, the requested variation is needed to build the project; that the subject property is a corner lot; that the front yard for zoning purposes is on Richmond Avenue; that the rear yard lot line is opposite that; that ordinarily, the B3 zoning district has no front or side setback requirement; that in this case, there is no alley separating the subject property from the residential zoning district down the block on Richmond; that this is a unique feature that causes the Applicant particular hardship; that the City requires a 10' setback on Richmond; that with respect to the north side setback, the Applicant is proposing commercial use on the ground floor; that this is required in a B3 zoning district; that consequently, the proposed project is designed to have a 0' setback on Armitage; that 0' setbacks are common up and down Armitage at this location; that the existing buildings on the subject property have a 0' setback on Armitage; that it would serve no purpose to set the proposed project back 2' on Armitage; that therefore, the Applicant is requesting a reduction from the north side setback from 2' to 0'; that the Applicant is also requesting a reduction to the rear setback; that the rear property line abuts a north/south alley; that typically the B3 zoning district does require a 30' setback for the floors that have residential use; that usually on Armitage, on the other side of the north/south alley, there would be a residential building; that in this case there is no residential building on the other side of the alley but instead a commercial building; that therefore, there is no need for a 30' setback along the alley as there are no residential residences on the other side of the alley to protect; and

WHEREAS, Mr. Hanna further testified that strict compliance with the standards of this Zoning Ordinance would create practical difficulties; that the requested variation is consistent with the stated purpose of this Zoning Ordinance; that the unique circumstances is the lack of an alley separating the subject property from residential property next door; that he has designed other building in this neighborhood; that in his opinion, the requested variation will not alter the essential character of the neighborhood; that the unusual situation of the lack of an alley was not created by the Applicant; that the requested variation will not be detrimental to the public welfare or injurious to other property in the neighborhood; that the requested variation will not impair an adequate supply of light or air to adjacent property; and

WHEREAS, in response to questions by the Board, Mr. Levitas further testified that the proposed project would not go forward without the requested variation as the Applicant would not be able to make a reasonable return on its investment in the subject property; and

WHEREAS, Mr. Marco Lopez, of 1950 N. Richmond, testified in objection to the application; that he is concerned about additional rental residences in the area as there is a multiple unit rental residential building behind his property that has complete disregard for the neighborhood by allowing garbage all over the place; that he is concerned about garbage, especially with respect to the narrowness of the alleys; and

WHEREAS, in response to the concerns raised by Mr. Lopez, Mr. Levitas further testified that there is a spot for garbage collection within the proposed building; that the Applicant will maintain the property; that the contact information and management company information is posted on all the buildings built and managed by the Applicant; and

WHEREAS, Mr. George Blakemore testified in objection to the application; and

WHEREAS, in response to further questions by the Board, Mr. Hanna further testified that the community did not want the Applicant going above four (4) stories; that the Applicant did push back the bulk of the building by about 8' by putting in balconies; and

WHEREAS, Section 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit the 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 the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant's application for variation:

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property because the subject property is a corner lot and lacks a east/west alley separating it from the residential property next door. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.
2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a

reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance as Mr. Levitas testified that without the requested variation, the Applicant could not make a 10% return on its investment; (2) the practical difficulty or particular hardship of the property – namely, the lack of east/west alley separating the residential zoning district from the subject property – is due to the unique circumstances and is not generally applicable to other similarly situated property in a B3 zoning district; and (3) the variation, if granted, will not alter the essential character of the neighborhood as many of the commercial buildings in the area have 0' setbacks and the proposed project will be have commercial use on the ground floor.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the lack of an east/west alley separating it from the residential zoning district – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the lack of an east/west alley separating the subject property from the residential zoning district is not applicable, generally, to other property in the B3 zoning district; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property because the Applicant will only be making a reasonable return of 10% on its investment in the property; (4) the lack of east/west alley separating the subject property from the residential zoning district has not been created by the Applicant; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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

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

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

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

APPLICANT: 1929 Erie, LLC

CAL NO.: 129-16-Z

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1929 West Erie Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 34.02' to 20.17' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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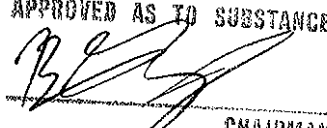
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-01 07B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 20.17' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged; 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: 1736 Erie, LLC

CAL NO.: 130-16-Z

APPEARANCE FOR: Nick Fitkas

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1736 W. Erie Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 34.1' to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

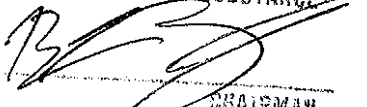
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged 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: 1939 W. Ohio, LLC **CAL NO.:** 131-16-Z
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
 March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1939 W. Ohio Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 26.6' to 22.33' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

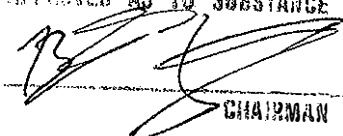
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22.33' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged; 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: Michael Mintle

CAL NO.: 132-16-Z

APPEARANCE FOR: Amy Degnan

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2827 S. Eleanor Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from 12.7' to 6', the rear setback from 30.26' to 22' for a proposed 2-story single-family residence with a rear attached open deck and stair leading to a proposed rooftop deck over a proposed rear detached private garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

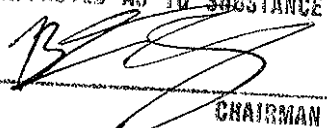
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 6', the rear setback to 22' for a proposed two-story, single-family residence with a rear, attached open deck and stair leading to a proposed rooftop deck over a proposed rear detached private 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: Oxford 1, LLC

CAL NO.: 133-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1421-25 West Fullerton Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to zero for a third floor addition and a fourth floor penthouse addition and two stair tower additions to an existing two-story bank building to be converted to eight dwelling units with eight parking spaces within the lower level.

ACTION OF BOARD-
CASE CONTINUED TO MAY 20, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

[Signature]
CHAIRMAN

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

APPLICANT: Western Adams LLC

CAL NO.: 134-16-S

APPEARANCE FOR: Bernard Citron

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 133-53 S. Western Avenue

NATURE OF REQUEST: Application for a special use for the establishment of one drive-through to serve a one-story restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

MAY 04 2016

CITY OF CHICAGO

THE VOTE

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
RECUSED		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and


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

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

The development is consistent with the design, layout, materials and plans prepared by Watermark Engineering Resources, LTD and dated March 3, 2016.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



MAY 4 2016
CITY OF CHICAGO

Ignite Network, Inc.
APPLICANT

135-16-Z
CALENDAR NUMBER

3341 N. Elston Ave.
PREMISES AFFECTED

March 18, 2016
HEARING DATE

Nick Ftikas
APPEARANCE FOR APPLICANT

NO OBJECTORS

NATURE OF REQUEST

Application for a variation to permit the establishment of a public place of amusement license for a proposed arcade within 125' of a RS3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD

THE VOTE

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

	APPROVE	DENY	ABSENT
Blake Sercye, Chairmain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on March 18, 2016, 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 as continued without additional notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

WHEREAS, Mr. Nick Ftikas, counsel for the Applicant, explained the underlying history of the subject property and the underlying basis of the relief sought; and

WHEREAS, Mr. Flavius Maximus, president of the Applicant, testified on behalf of the application; that the Applicant has been a video game and computer establishment since 2002; that the Applicant previously was licensed as an internet café; that the Applicant moved to the subject property in 2013; that in 2013, the City was reorganizing

APPROVED AS TO SUBSTANCE

CHAIRMAN

and consolidating its licensing categories; that in consequence, that the internet café license no longer existed; that the Applicant was left without a licensing category; that the Applicant's initial option was to license itself as a tavern; that this is not the Applicant's business model; that a tavern license would cost the Applicant about half of its client base; that the Applicant has worked for almost two years with Alderman Mell ("Alderman") to change the City's licensing requirements for video arcade and gaming centers; that with the Alderman's help, the Applicant amended this Zoning Ordinance so that video arcade and gaming center use was allowed in the C1-2 district; that the subject property is zoned C1-2; that the Applicant is now applying for a public place of amusement license ("PPA"); that the Applicant's hardship is the subject property's proximity to a RS3 district; that the Applicant has the Alderman's support; that the Applicant's regular hours of operation are: Monday – Friday, 2:00 PM – 3:00 AM; Saturday – Sunday, 12:00 PM – 3:00 AM; that although the Applicant has a retail food license, the Applicant is not seeking a liquor license; and

WHEREAS, in response to questions by the Board, Mr. Maximus further testified that while the Applicant does not serve liquor, for the purposes of private parties, it does allow BYOB alcohol; that the Applicant does not allow a customer to just walk in with alcohol; and

WHEREAS, in response to questions by the Board, Mr. Ftikas stated that his client would allow the Board to expressly prohibit alcohol outside of a private party; and

WHEREAS, in response to further questions by the Board, Mr. Maximus testified that "private party" meant a party booked forty-eight (48) hours in advance; that at one time, the Applicant allowed BYOB alcohol for walk-in customers; that the Applicant did not like the way it went; that in consequence, the Applicant now only allows BYOB alcohol for private parties; that the Applicant's private parties occur in a separate space; and

WHEREAS, Mr. Sylvester J. Kerwin testified on behalf of the application; 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 he then orally testified that the proposed variation: (1) would be appropriate and compatible with the surrounding area; (2) would not be detrimental to the public welfare or injurious to other property or improvements in the area; (3) would not impair an adequate supply of light and air to the adjacent properties; (4) would not increase the danger of fire or endanger the public safety; (5) would not potentially increase congestion in the public streets in the area; (6) would not substantially diminish or impair property values in the area; and (7) would not alter the essential character of the locality; and

WHEREAS, Section 17-13-1101-M of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to allowing an establishment

requiring a public place of amusement license to locate within 125 feet of any RS1, RS2 or RS3 district; now, therefore,

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

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property because the subject property is zoned C1-2 and therefore were it not for the RS3 district within 125 feet of the subject property, the Applicant could obtain a PPA by right. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance as this Zoning Ordinance is adopted for the purpose of maintaining economically vibrant as well as attractive business and commercial areas.
2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance because the Applicant requires a PPA license to operate its business; (2) the practical difficulty or particular hardship of the property – namely, the proximity to the RS3 district – is due to the unique circumstances of the Applicant's original business license, that of an internet café, no longer existing and is not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as the Applicant has been operating at the subject property since 2013.
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, its proximity to the RS3 district – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the proximity to the RS3 district is not applicable, generally, to other property in the C1-2 zoning district; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property but instead necessary for the Applicant to remain in business at the subject property; (4) the proximity to the RS3 district has not been created by the Applicant as the Applicant did not know the internet café license would no longer exist as a business license when it began leasing the subject property; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the

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

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

RESOLVED, the aforesaid variation application is hereby approved, and the Zoning Administrator is authorized to permit said variation subject to the following condition, pursuant to the authority granted by Section 17-13-1105 of the Chicago Zoning Ordinance:

1. The Applicant shall not serve liquor and shall allow BYOB alcohol only for those of its patrons that are of age and only at private parties. "Private parties" are those parties that are, consistent with Mr. Maximus' testimony, booked at least forty-eight (48) hours in advance and are located in a separate space.

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: Wonder Montessori School

CAL NO.: 136-16-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5624-38 N. Pulaski Road

NATURE OF REQUEST: Application for a special use for the approval of the establishment of an elementary school.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

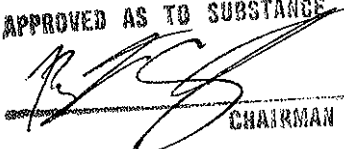
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an elementary school 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 development is consistent with the design, layout, materials and plans prepared by Yung Architects and dated March 17, 2015

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: Wonder Montessori School **CAL NO.:** 137-16-S
APPEARANCE FOR: Paul Kolpak **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5624-28 N. Pulaski Road

NATURE OF REQUEST: Application for a special use for the approval of the establishment of three, off-site, required, accessory parking spaces, within a proposed, nine-space, parking lot, to serve an existing daycare facility located at 5644-48 N. Pulaski Road.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish three off-site, required, accessory parking spaces, within a proposed, nine-space, parking lot, to serve an existing daycare facility located at 5644-48 N. Pulaski Road; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

The development is consistent with the design, layout, and plans prepared by Yung Architects and dated March 17, 2015.

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: 317-321 W. Evergreen Acquisitions, LLC

CAL NO.: 138-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 315 W. Evergreen

NATURE OF REQUEST: Application for a special use for the approval of the establishment of eight required off-site parking spaces that will serve a proposed residential building at 317 W. Evergreen.

ACTION OF BOARD-
CASE CONTINUED TO MAY 20, 2016

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AND FORWARDED
[Signature]
CHAIRMAN

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

APPLICANT: 317-21 W. Evergreen Acquisitions, LLC **CAL NO.:** 139-16-Z

APPEARANCE FOR: **MINUTES OF MEETING:**
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 317 W. Evergreen

NATURE OF REQUEST: Application for a variation to reduce the west setback from 5' to 4.13' for a required 10' total combined side setback with neither less than 5' within a (6.05' east setback) and to reduce the rear setback from 45' to 21.59' for a proposed four-story, fifteen dwelling unit building with seven on-site parking spaces.

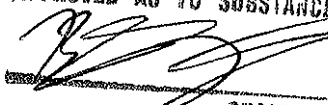
ACTION OF BOARD-
CASE CONTINUED TO MAY 20, 2015

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago America Real Estate LLC **CAL NO.:** 140-16-S
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
 March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 251-69 W. Cermak Road

NATURE OF REQUEST: Application for a special use to allow a revision to the existing special use for a proposed restaurant/café within the existing retail space on the ground floor of the existing hotel.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
RECUSED		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant in this matter has previously appeared before the Zoning Board and was granted a special use at the subject site; in the previous resolution, the Board placed a condition in the resolution that restricted the applicant from establishing a restaurant on the ground floor of the building; the Board will remove the restriction and permit the applicant to establish a restaurant/ café on the ground floor of the existing building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: 1615 Burling LLC

CAL NO.: 141-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1615-27 North Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from required 36'-0" to 8" for a proposed attached garage exceeding the maximum 60% of occupied space for a new four story 15 dwelling unit residential building.


ACTION OF BOARD-
CASE CONTINUED TO MAY 20, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1615 Burling LLC

CAL NO.: 142-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1615-27 N. Burling Street

NATURE OF REQUEST: Application for a variation to increase the 2,592 square foot area within the rear setback (representing a maximum of 60% of said rear setback), which may be occupied by an accessory building, by no more than 10% (259.2 square feet) to 2,851.2 square feet for a proposed, rear, 16 space garage with a roof top deck attached to a proposed four-story, fifteen unit residential building.

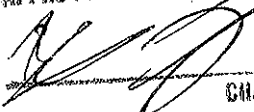
ACTION OF BOARD-
CASE CONTINUED TO MAY 20, 2016

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE:	NEGATIVE:	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Tony Nguyen **CAL NO.:** 143-16-S
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3259 N. Ashland Avenue

NATURE OF REQUEST: Application for a special use for the approval of the establishment of a nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

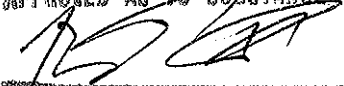
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Maria D. Medina **CAL NO.:** 144-16-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
March 18, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3432 N. Harlem Avenue

NATURE OF REQUEST: Application for a special use the establishment of a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016 , after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: New Hope Bible Church

CAL NO.: 145-160-S

APPEARANCE FOR:

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1801-11 N. Kostner Avenue

NATURE OF REQUEST: Application for a special use for the approval of the establishment of to allow a church with an accessory community room to located at 1801-11 N. Kostner Avenue.

ACTION OF BOARD-
CASE CONTINUED TO MAY 20, 2016

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Elias Abuelizam **CAL NO.:** 347-15-S
APPEARANCE FOR: Lenny Asaro **MINUTES OF MEETING:**
APPEARANCE AGAINST: George Blakemore March 18, 2016
PREMISES AFFECTED: 654-58 East 67th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval to expand an existing retail store for the sale of liquor as a packaged good.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAY 04 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

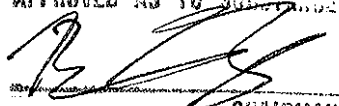
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 3, 2015; 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; George Blakemore testified in opposition to the application for special use; the applicant shall be permitted to expand an existing liquor store at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Sunnyside Property Holdings,LLC

CAL NO.: 369-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 828-38 W. Sunnyside Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 18.27' to 0' for a proposed driveway to allow for access to trash receptacle storage area for a multi-unit, residential building lacking access to an improved alley.

ACTION OF BOARD-
DISMISSED FOR WANT OF PROSECUTION

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO CORRECTNESS


CHAIRMAN

PETITIONER:

Mark Twain Hotel, Inc.

CAL NO.: 38-16-S

APPEARANCE FOR:

MINUTES OF MEETING

APPEARANCE AGAINST:

March 18, 2016

PREMISES AFFECTED:

101-13 West Division Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a five-story, 151-room hotel with ground floor commercial space.

ACTION OF BOARD:

CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO



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

APPLICANT:

Sheng Man De Investment Company

CAL NO.: 397-15-S

APPEARANCE FOR:

MINUTES OF MEETING:
March 18, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

2010-20 S. Archer Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a five-story, 60-room hotel.

ACTION OF BOARD:

WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

MAY 04 2016

CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES

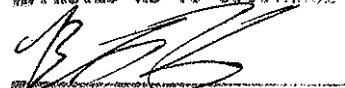
SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: McDonald's USA, LLC

CAL NO.: 54-16-S

APPEARANCE FOR: Tim Hinchman

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4704 S. Cicero Avenue

NATURE OF REQUEST: Application for a special use to renovate and expand an existing, one-story restaurant and establish a second drive-through lane.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

MAY 04 2016
CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
RECUSED		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):
The development is consistent with the design and layout of the site plan prepared by V3 Companies and dated February 9, 2016, and with the design and materials in the elevations prepared by Lingle Design Group and dated February 17, 2016.

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: Steven L. and Marilyn Parker **CAL NO.:** 66-16-Z
APPEARANCE FOR: Scott Barfuss **MINUTES OF MEETING:**
 February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3654 S. Giles Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from 2.73' to 1.34'; to reduce the combined side setback from 6.82' to 1.38'; and, to reduce the front obstruction setback from 20' to 11.25' for a proposed, two-story, north-side addition to an existing, two-story, single-family residence; said addition will also include a front, attached, one-car garage, accessed directly from South Giles Avenue, with a rooftop deck.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

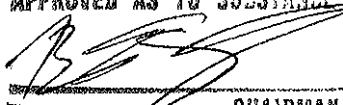
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north side setback to 1.34'; to reduce the combined side setback to 1.38'; and, to reduce the front obstruction setback to 11.25' for a proposed, two-story, north-side addition to an existing, two-story, single-family residence; said addition will also include a front, attached, one-car garage, accessed directly from South Giles Avenue, with a rooftop deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



MAY 04 2016

CITY OF CHICAGO

Ceres Acquisition, LLC

APPLICANT

67-16-Z

CALENDAR NUMBER

1747 W. Wallen Avenue

PREMISES AFFECTED

March 18, 2016

HEARING DATE

Nick Ftikas

APPEARANCE FOR APPLICANT

Michael Land (Office of Ald. Moore)

OBJECTOR

NATURE OF REQUEST

Application for a variation to allow for the establishment of a fourth residential unit on a lot whose area of 3750 square feet is no less than 90% of the required 4000 square feet for an existing three-story three-unit building to be increased into a four-unit building.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

	APPROVE	DENY	ABSENT
Blake Sercye, Chairmain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on March 18, 2016, 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 as continued without additional notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

WHEREAS, Mr. Nick Ftikas, counsel for the Applicant, explained the underlying history of the subject property and the underlying basis of the relief sought; and

WHEREAS, Mr. Adam Freeman, managing member of the Applicant, testified on behalf of the application; that the Applicant purchased the subject property in 2013; that the subject property was a distressed property, and the Applicant purchased the subject property from the bank after the bank had foreclosed on the prior owner; that as part of

APPROVED AS TO SUBSTANCE

CHAIRMAN

the purchase transaction, the Applicant took possession of the subject property "as is/where is" as to the condition of the improvements on the subject property; that the subject property was at that time improved with a 3-story brick building that contained 4 apartments; that at the time the Applicant purchased the subject property, all 4 apartments were occupied by tenants; that the basement unit that is the focus of the hearing before the Board was in fact occupied by a Chicago Housing Authority ("CHA") qualified tenant; that at the time of purchase, the Applicant was provided with a rent roll and CHA voucher paperwork specific to the basement unit; that the Applicant therefore did not question if the basement unit was legally established; that since 2013, the Applicant has made a number of cosmetic updates and improvements to each of the 4 units; that the Applicant maintains the building as a typical rental property; that within the last 6 months, the Applicant has contracted to sell the subject property; that during the due diligence process, it was determined that the City only recognized 3 of the 4 existing units as legal units; that since the subject property is 3750 square feet and located in a RT-4 zoning district, the Applicant can request a variation to reduce the minimum lot area required for 4 residential units from 4000 to 3750 square feet; that this results in a 6.25% reduction of the overall requirement; that other than this request to reduce the minimum lot area required, no other zoning relief is needed by the Applicant; that the existing 130 year old building will remain exactly as it stands today; and

WHEREAS, Mr. Scott McDonald, the Applicant's architect, testified on behalf of the Applicant; that he is a licensed architect in the State of Illinois; that he is familiar with the subject property; that the subject property is improved with a 3-story brick building built in the 1880s; that as it exists today, the building contains 4 residential apartments; that the basement unit appears to have been installed without a permit by a prior owner of the building; that this is the hardship the Applicant is attempting to overcome; that the Applicant retained Mr. McDonald's firm to assist the Applicant in permitting the fourth unit; that in order to permit the fourth unit, the Applicant is seeking a variation to reduce the minimum lot area for 4 residential units from 4000 square feet to 3750 square feet; that this amounts to 6.25% reduction of the overall requirement; that otherwise, the rest of the building is intended to remain exactly as it exists today; that in terms of other applicable codes, such as the City's Building Code, the Applicant will be able to meet all requirements for ingress, egress, light and ventilation; that the requested variation will not be detrimental to the public welfare or injurious to other property or improvements in the immediate area; that the requested variation will not impair an adequate supply of light and air to adjacent properties; that the requested variation will not increase the danger of fire or endanger public safety; that the requested variation will not substantially increase congestion in the public streets; that the requested variation will not substantially diminish or impair property values in the area; that the requested variation will not alter the essential character of the neighborhood; and

WHEREAS, Mr. Michael Land, staff assistant to Alderman Joe Moore ("Alderman"), testified in opposition to the application; that the Applicant had appeared before the Alderman's zoning and land use advisory committee ("Committee") with essentially the same testimony; that it was the Committee's unanimous opinion that given Mr. Freeman's status as a professional real estate developer, Mr. Freeman should have

discovered during his own due diligence period for purchasing the property that the basement unit was not a legal unit; that the Committee would have been happy to consider the application if the Applicant would apply to the housing plus program to make the basement unit accessible and affordable for a 10-year period to a tenant at 60% of the median income for the area; and

WHEREAS, in response to questions by the Board, Mr. Land further testified that the Alderman was therefore unwilling to approve the application as is; that if the Applicant wanted to participate in the housing plus program, the Alderman would be willing to consider approving the application; and

WHEREAS, in response to further questions by the Board, Mr. Freeman further testified that the subject property is the first multi-unit building that he purchased in the City; and

WHEREAS, Section 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation permitting the use of a lot for a use otherwise prohibited because of the insufficient area of the lot, but in no event may the area of the lot be less than 90% of the required minimum lot area; now, therefore,

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

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property because the basement unit of the building currently exists and has existed prior to the Applicant's acquisition of the subject property. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.
2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance as the Applicant believed the basement unit was legally established and contracted to sell the building with 4 legal units; (2) the practical difficulty or particular hardship of the property – namely, the currently illegal basement unit – is due to the unique circumstances and is not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as the subject property has had 4 units since at least 2013.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the currently existing basement unit – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) an illegal, currently existing basement unit is not applicable, generally, to other property in the RT-4 zoning district; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property as the Applicant believed the basement unit was legally established when it purchased the subject property; (4) the illegal basement unit has not been created by the Applicant; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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

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

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

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

APPLICANT: PNC Series, LLC- 1036 W. Wellington **CAL NO.:** 81-16-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:

MARCH 18, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1036 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 35' to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, two-car garage which will be accessed via an open stair exceeding 6' in height which will be connected to a proposed, two-story, single-family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-01 07B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, two-car garage which will be accessed via an open stair exceeding 6' in height which will be connected to a proposed, two-story, single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: PNC Series, LLC - 1034 W. Wellington **CAL NO.:** 82-16-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**

MARCH 18, 2016 *[Signature]*

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3004 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 35' to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, two-car garage which will be accessed via an open stair exceeding 6' in height which will be connected to a proposed, two-story, single-family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAY 04 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, two-car garage which will be accessed via an open stair exceeding 6' in height which will be connected to a proposed, two-story, single-family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN