

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

APPLICANT: Joanna Trochiamowicz **CAL NO.:** 406-06-A
APPEARANCE FOR: John Pikarski **MAP NO.:** 9-M
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 5700 W. Melrose Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to certify two dwelling units in an RS-2 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

RECEIVED
 BOARD OF APPEALS
 -806 CITY HALL
 OCT 25 5 50 PM '06

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

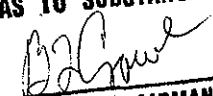
THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006; and

WHEREAS, the district maps show that the premises is located in an RS-2 Residential Single-Unit (Detached House) District; 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 makes the following findings of fact: The appellant presented a 1953 permit # B88248 which allows the addition of the second dwelling unit. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Jerome Weitzel

CAL NO.: 407-06-Z

APPEARANCE FOR:

MAP NO.: 11-K

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 4420 N. Keeler Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, the division of an improved zoning lot. The existing single family residence at 4420 N. Keeler shall have a zero north side yard instead of 2'.

ACTION OF BOARD--
CASE CONTINUED TO DECEMBER 15, 2006

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

ZONING BOARD OF APPEALS
R-808 CITY HALL
2006 DEC -5 P 5:06

APPROVED AS TO SUBSTANCE

B2C
CHAIRMAN

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

APPLICANT: Seher Nubani - Gas Shop & Mini Mart, Inc. **CAL NO.:** 408-06-S

APPEARANCE FOR: James J. Banks **MAP NO.:** 34-E

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 13547 S. Indiana Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a gasoline service station in a B3-1 Community Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

ZONING BOARD OF APPEALS
 R-896 CITY HALL
 2006 DEC -5 P 5:05

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

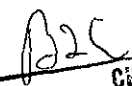
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 establish a gasoline service station; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed gasoline service station, provided it is constructed consistent with the layout and design represented on the site plan and the elevation drawings dated October 28, 2006, prepared by H. E Miller Architect, and provided the final landscape plan is approved by the Department of Planning and Development.

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: Seher Nubani - Gas Shop & Mini Mart, Inc. **CAL NO.:** 409-06-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 34-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 13547 S. Indiana Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B3-1 Community Shopping District, a gasoline service station whose minimum lot area shall be 19,800 sq. ft. instead of 20,000 sq. ft.

**ACTION OF BOARD--
 VARIATION GRANTED**

BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:00

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

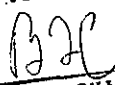
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 establish a gasoline service station whose minimum lot area shall be 19,800 sq. ft.; 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 be 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: Hibernia Bank Holding Company, Inc.,
a Delaware Corp. **CAL NO.:** 410-06-S

APPEARANCE FOR: James J. Banks **MAP NO.:** 2-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 1000 S. Western Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a banking facility with drive thru facility in a C1-2 & 3 Neighborhood Commercial District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

ZONING BOARD OF APPEALS
 R-906 CITY HALL
 2006 DEC -5 P 5:07

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

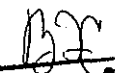
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 establish banking facility with drive thru facility; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive- through facility, provided it is constructed consistent with the site plan dated October 19, 2006, prepared by Vari Architects, and provided the final landscape plan is approved by the Department of Planning and Development.

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: Jacob Weber **CAL NO.:** 411-06-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 11-I
APPEARANCES AGAINST: Richard Doyle **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 2842 W. Wilson Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 2nd floor addition with open front balcony whose combined side yards shall be 5.3' (2.9' on the west and 2.4' on the east) instead of 9' with neither yard less than 4'.

ACTION OF BOARD--
VARIATION GRANTED
 BOARD OF APPEALS
 R-906 CITY
 2006 OCT -5 P 5:07

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 objector in this case stated that he lives next door to the property; he stated that he had previously added a similar addition to his house and that he was able to build the addition with out requesting a variation. The objector stated that he is opposed to the applicant following the existing walls for the addition because it would diminish the space between the two properties; the applicant shall be permitted to construct 2nd floor addition with open front balcony whose combined side yards shall be 5.3' (2.9' on the west and 2.4' on the east) 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 be alter the essential character of the neighborhood; it is therefore

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. **APPROVED AS TO SUBSTANCE**



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

APPLICANT: Andrew Bulkowski **CAL NO.:** 412-06-Z

APPEARANCE FOR: James J. Banks **MAP NO.:** 3-I

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 2502 W. Haddon Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RM-4.5 Residential Multi-Unit District, a proposed 4-story 3 dwelling unit building whose minimum lot area is 1,933 sq. ft. instead of 2,100 sq. ft. and the front yard shall be zero instead of the required 9'-6".

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:53

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

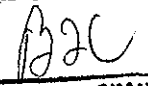
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 4-story 3 dwelling unit building whose minimum lot area is 1,933 sq. ft.; and whose front yard shall be zero; 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 be 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: Krzysztof and Barbara Strzemecki **CAL NO.:** 413-06-Z
APPEARANCE FOR: Mark Kupiec **MAP NO.:** 9-0
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 3417 N. Pacific Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 2-story single family residence, whose front yard shall be 17'-8" instead of 20' and reduce the combined side yard to 5.89' (3.01' on the north and 2.88' on the south) instead of 9'.

ACTION OF BOARD--
variation GRANTED

BOARD OF APPEALS
 R-806 CITY HALL

2006 DEC - 5 P 5:07

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 2-story single family residence, whose front yard shall be 17'-8" and reduce the combined side yard to 5.89' (3.01' on the north and 2.88' on the south); 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 be 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: RCRDC Group, LLC **CAL NO.:** 414-06-Z
APPEARANCE FOR: Joseph Gattuso **MAP NO.:** 1-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 156 W. Superior Street
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a DR-7 Downtown Residential District, a residential building without the one required 10' x 25' loading berth.

**ACTION OF BOARD--
 VARIATION GRANTED**

BOARD OF APPEALS
 R-806 CITY HALL
 2006 OCT -5 P 5:00

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a residential building without the one required 10' x 25' loading berth; 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 be 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: MES Property Development LLC

CAL NO.: 415-06-S

APPEARANCE FOR:

MAP NO.: 4-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 1811 W. 17th Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an expansion of a non-conforming 6 dwelling unit front building and a non-conforming 3 dwelling unit (rear) building on a lot containing two buildings. The duplexing of dwelling unit on the first floor or below (to either building) is a special use as any residential use below the 2nd floor in a B3-2 Community Shopping District.

ACTION OF BOARD--
CASE CONTINUED TO NOVEMBER 17, 2006

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BOARD OF APPEALS
R-005 CITY HALL

2006 DEC -5 P 5:07

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Sunan deVise **CAL NO.:** 416-06-A
APPEARANCE FOR: Thomas Moore **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 1708-10 W. School Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a rear 1 ½-story dwelling unit building which will contain a 3-car garage at the first floor. The parcel contains two multi-unit building of this lot in an RS-3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

BOARD OF APPEALS
 R-006 CITY HALL
 2006 DEC -5 P 5:0

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2006; and

WHEREAS, the district maps show that the premises is located in an RS-3 Residential Single-Unit (Detached House) District; 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 makes the following findings of fact: The appellant will raise the rear building in order to provide parking. The Board will allow this use and a building permit must be obtained before the work is commenced. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE



 CHAIRMAN

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

APPLICANT: Sunan deVise **CAL NO.:** 417-06-Z
APPEARANCE FOR: Thomas Moore **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 1708-10 W. School Street
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 1st floor garage below the 2nd floor to the rear most building which will have a 1'-6" rear yard instead of 37.5'.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 OCT -5 P 5:07

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE			X
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

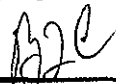
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; and

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 construct a 1st floor garage below the 2nd floor to the rear most building which will have a 1'-6" rear yard; 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 be 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: Anthony Curran **CAL NO.:** 418-06-Z
APPEARANCE FOR: John Pikarski **MAP NO.:** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 1933 N. Wood Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 3-story addition to an existing 2 dwelling unit building whose north side yard shall be zero instead of 2.4', the south side yard shall be 2'-6", the combined south side yards shall be 2'-6" instead of 4.8' with neither yard less than 2' and to increase the existing area by 174 sq. ft. which is not more than 15% of the area that existed prior to the passage of the ordinance.

**ACTION OF BOARD--
 VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-906 CITY HALL
 2006 OCT -5 P 5:07

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 3-story addition to an existing 2 dwelling unit building whose north side yard shall be zero, the south side yard shall be 2'-6", the combined south side yards shall be 2'-6" and to increase the existing area by 174 sq. ft. which is not more than 15% of the area that existed prior to the passage of the ordinance; 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 be 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

B2C

CHAIRMAN

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

APPLICANT: Nancy Suvarnamani -
Century 21 SGR South Loop

CAL NO.: 419-06-Z

APPEARANCE FOR:

MAP NO.: 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 3811-15 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-3 Neighborhood Shopping District, a proposed 4-story 12 dwelling unit and commercial building whose rear yard shall be 11' instead of 30'.

ACTION OF BOARD--
CASE CONTINUED TO DECEMBER 15, 2006

THE VOTE

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:07

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

APPROVED AS TO SUBSTANCE

BLC

CHAIRMAN

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

APPLICANT: James and Monica Prinz **CAL NO.:** 420-06-Z

APPEARANCE FOR: Same **MAP NO.:** 7-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:** October 20, 2006

PREMISES AFFECTED: 2630 N. St. Louis Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed rear 2nd story addition whose north side yard shall be 5 3/8", south side yard shall be 3'-5 3/8", the combined side yards shall be 3-11 1/4" instead of 5' with neither yards less than 5'.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-906 CITY HALL
 2006 OCT -5 P 5:00

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

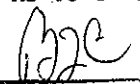
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a rear 2nd story addition whose north side yard shall be 5 3/8", south side yard shall be 3'-5 3/8", the combined side yards shall be 3-11 1/4"; 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 be alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


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

APPLICANT: Pinnacle Invesco LLC **CAL NO.:** 421-06-Z
APPEARANCE FOR: John Fritchey **MAP NO.:** 18-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 7316 S. Claremont Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 3rd story addition to an existing single family residence whose front yard shall be 8.4' instead of 20', a combined side yard total of 2.27' (zero on the north and 2.27 on the south) instead of 5'.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 3rd story addition to an existing single family residence whose front yard shall be 8.4', a combined side yard total of 2.27' (zero on the north and 2.27 on the south); 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 be 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: McDonald's Corporation **CAL NO.:** 422-06-S
APPEARANCE FOR: Timothy Hinchman **MAP NO.:** 19-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 3122 W. Touhy Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a proposed fast food restaurant with drive-thru facility in a B1-1 Neighborhood Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

ZONING BOARD OF APPEALS
 CITY HALL
 OCT 20 5 07 PM '06

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a fast food restaurant with drive-thru facility; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department fo Planning and Development recommends approval of the proposed drive-through facility, provided it is constructed consistent with the layout and design represented on the site plan prepared by Marchris Engineering Ltd; dated November 3, 2005 and the elevation drawings prepared by McDonald's USA, dated July 28, 2006 and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

BDC

CHAIRMAN

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

APPLICANT: Jack Stanley **CAL NO.:** 423-06-S
APPEARANCE FOR: James J. Banks **MAP NO.:** 9-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 3945 N. Sheridan Road
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a kennel in a B3-5 Community Shopping District.

**ACTION OF BOARD--
APPLICATION APPROVED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:00

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 kennel; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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: Todd Winer **CAL NO.:** 424-06-A

APPEARANCE FOR: James Lane **MAP NO.:** 9-H

APPEARANCES AGAINST: Thomas Moore **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 3436 N. Lincoln Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator who issued a zoning certification for a business license for a retail use in a B3-2 Community Shopping District. The appellant contends the use is an adult use which should be before the Board.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS AFFIRMED

BOARD OF APPEALS
 R-805 CITY HALL
 2007 JUN 20 A 11: 21

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS		X	

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application was approved. Requested certification does conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006; and

WHEREAS, the district maps show that the premises is located in an B3-2 Community Shopping District; 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 makes the following findings of fact: The appellant brings this appeal as affected persons owning property near the business called the Pleasure Chest. They contend the Zoning Administrator erred when he issued a limited business license. The current Zoning Administrator had the property inspected before it opened. The business opened and the appeal was filed on July 31, 2006. The appellants stated the Zoning Administrator erred in issuing a limited business license when the use should have been classified as an adult use under §17-17-0104-A. The term "*adult use*" means adult book stores, adult motion picture theaters, adult mini motion picture theaters, adult *entertainment cabarets*, or similar establishments.

An adult book store is an establishment having as a substantial or significant portion of its sales or stock in trade, books, magazines, films for sale or viewing on premises by use of motion picture devices or any other coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or

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

MINUTES OF MEETING:

October 20, 2006

CAL NO.: 424-06-S

relating to "specified sexual activities," or "specified anatomical areas" or an establishment with a segment or section devoted to the sale or display of such material, or an establishment that holds itself out to the public as a purveyor of such materials based upon its signage, advertising, displays, actual sales, presence of video preview or coin-operated booths, the exclusion of minors from the establishment's premises, or any other factors showing that the establishment's primary purpose is to purvey such material.

An adult motion picture theater is an enclosed building with a capacity of 50 or more persons used regularly and routinely for presenting material having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," for observations by patrons therein.

An adult mini motion picture theater is an enclosed building with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.

An adult *entertainment cabaret* is a public or private establishment which (i) features topless dancers, strippers, male or female impersonators; (ii) not infrequently features entertainers who display "specified anatomical areas"; or (iii) features entertainers who by reason of their appearance or conduct perform in a manner which is designed primarily to appeal to the prurient interest of the patron or entertainers who engage in, or engage in explicit simulation of, "specified sexual activities."

The phrase "specified sexual activities" in connection with *adult uses* means:

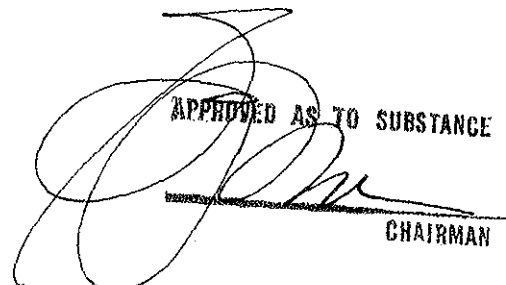
- Human genitals in the state of sexual stimulation or arousal;
- Acts of human masturbation, sexual intercourse or sodomy;
- Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

The phrase "specified anatomical areas" in connection with *adult uses* means:

- Less than completely and opaquely covered: (a) human genitals, pubic region, (b) buttock and (c) female breast below a point, immediately above the top of the areola; and
- Human male genitals in a discernibly turgid state, even if completely and opaquely covered).

of the ordinance.

BOARD OF APPEALS
R-806 CITY HALL
2007 JUN 20 A 11:21


APPROVED AS TO SUBSTANCE
CHAIRMAN

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

BOARD OF APPEALS
R-806 CITY HALL

2007 JUN 20 A 11:21

MINUTES OF MEETING:

October 20, 2006

CAL NO.: 424-06-A

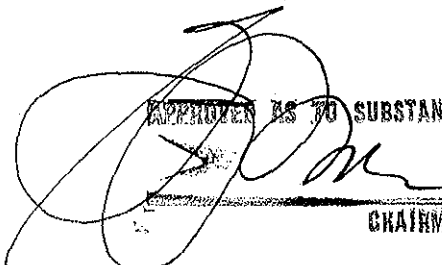
The Board makes the following finding of facts. The Board is limited to a literal reading of the Adult Use ordinance. It must rely on the evidence presented to show the Zoning Administrator erred in allowing the use to be classified as a retail use and not an adult use. Several neighbors including the appellant testified that the previous Zoning Administrator erred when he issued a limited business license instead of classifying this as an adult use.

Mr. James Lane, an attorney represents the appellant, Todd Winer. He stated that the appellant and the neighbor would be making a legal argument to show the previous Zoning Administrator erred when he did not determine the use at this site to be a Special Use. Counsel offered two catalogs or brochures from the store to show the use at this site to be a special use. He also contends the case of Dotties Dress Shop, Inc. v. Village of Lyons, 313 Ill. App. 3d 70 729 N.E. 2d 1. is on point. Counsel stated that this case held that selling sexual paraphernalia required a Special Use under the Lyon's adult use ordinance. Counsel then stated that Lyons adult use is similar to Chicago's adult use ordinance. The appellant stated the majority of sales will be in the category of sexual paraphernalia and therefore an adult use classification is required. Counsel also states that there are sales of adult books and videos which further mandates an adult classification. He visited the store and believed that 70% of the items for sale should be classified as an adult use.

Counsel stated that the Pleasur Chest must be classified as an adult use under the ordinance 's sections covering adult book stores and other similar establishments. Two additional people testified, The appellant, Tod Winer and a neighbor named Pat. Both gentlemen stated that they have visited the store and believe that 2/3 of the merchandise are adult in nature and would fall under the meaning of similar establishments in the ordinance. Each provided the Board with their opinions and then rested.

The Board finds that he appellant has failed to provide sufficient evidence that the Zoning Administrator erred when a limited business license was issued. Two different Zoning Administrators sent inspectors to the site and both have determined that this business does not fall under the adult use category. The evidence shows the amount of sales or stock of adult books is very small The appellant has relied solely on its interpretation of Dotties's Dress Shop as it applies to the case here. He wants the Board to adopt his view that the Chicago Adult Use Ordinance and in particular the phrase "other similar establishments" applies to the items sold at the store. The use here would then be considered an adult use because the items offered for sale must be viewed as sexual paraphernalia or sexually oriented items.

The appellant claims his opinion and the evidence counters the Zoning Administrators decision. The Board is convinced that he appellant bears the burden to prove the Zoning Administrator was in error. There was no evidence presented to convince the Board that his business is an adult book store, an adult motion picture theater, a mini motion picture theater or an adult entertainment venue. The ordinance has clearly defined what an adult use is and the Board has followed the law. The appellant has not demonstrated that the Zoning Administrator's determination to be a mistake. The Appeal is denied.


APPROVEN AS TO SUBSTANCE
CHAIRMAN

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

APPLICANT: Stanley J. Sulkowski **CAL NO.:** 425-06-Z
APPEARANCE FOR: Same **MAP NO.:** 16-C
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 5121 W. 64th Place
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed garage on a thru lot whose front yard (at the garage entrance) shall be 10' instead of 20'.

ACTION OF BOARD--
VARIATION GRANTED

ZONING BOARD OF APPEALS
 R-606 CITY HALL
 2006 OCT -5 P 5:00

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a garage on a thru lot whose front yard (at the garage entrance) shall be 10'; 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 be 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: Westlawn Gospel Chapel **CAL NO.:** 426-06-S
APPEARANCE FOR: Gary Wigoda **MAP NO.:** 4-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 2133-35 S. St. Louis Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, to serve the youth center at 2141-43 S. St. Louis Avenue.

ACTION OF BOARD--
APPLICATION APPROVED

BOARD OF APPEALS
 R-806 CITY HALL
 2006-10-25 P

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIBLE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

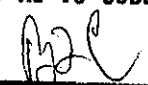
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 off-site parking lot, to serve the youth center at 2141-43 S. St. Louis Avenue; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department fo Planning and development recommends approval of the proposed off-site parking lot, provided the applicant installs landscaping and fencing in compliance with the Chicago Landscape Ordinance.

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: Rodney Clopton **CAL NO.:** 427-06-A
APPEARANCE FOR: Same **MAP NO.:** 16-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 6701 S. Normal Boulevard

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the establishment of a restaurant in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. There is no current business license at this location since 2000.

ACTION OF BOARD--
THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:08

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		


THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2006; and

WHEREAS, the district maps show that the premises is located in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District; 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 makes the following findings of fact: The property contains a commercial building which never contained a residential unit. The area is zoned RT4 and would not allow a restaurant. The Board will allow a restaurant to re-established with a license.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Stephen Poma **CAL NO.:** 428-06-Z
APPEARANCE FOR: Thomas Moore **MAP NO.:** 11-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 4723 N. Monticello Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, reduction of one required parking space. The site contains 2-dwelling units and a two car garage. The applicant wishes to add a dwelling unit but does not wish to add the required additional parking space. The width of this lot would allow 3 parking spaces if the existing 2 car garage was removed.

**ACTION OF BOARD--
VARIATION DENIED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:05

THE VOTE


	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE		X	
GIGI McCABE-MIELE		X	
DEMETRI KONSTANTELOS		X	
DONALD HUBERT		X	
REVEREND WILFREDO DEJESUS		X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 wishes to add one dwelling unit for a total of three dwelling units. There is a two car garage and under sized parking space space, less than eight feet. The width of this lot is approximately 30 feet and a parking space must be 8' wide. If the garage was removed, at least three (3) parking spaces could be provided. Approval criteria and review factor state that strict compliance with regulations and standards of the zoning ordinance would create practical difficulties or hardships for the subject property. It follows that the three parking spaces could be placed on the property once the garage is removed. Another, standard for a variation is that the hardship is unique. When dwelling units are added parking is also required to be added (17-10-0207-A). It is not the case that the parcel is not wide enough to provide 3 spaces, but the applicant does not wish to remove a garage and provide three spaces. The variation is denied; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would not create practical difficulties or particular hardships for the subject property; 2) the requested variation is not consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question can 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 not due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will 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 deny a variation to waive one of the required parking spaces.

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Susan Polk **CAL NO.:** 429-06-Z

APPEARANCE FOR: Thomas Pikarski **MAP NO.:** 9-I

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 2824-26 W. Melrose Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3.5 Residential Single-Unit (Detached House) District, a subdivision of an improved zoning lot. The building at 2826 W. Melrose shall have an east yard of zero instead of 2.5'.

**ACTION OF BOARD--
VARIATION GRANTED**

BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:08

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

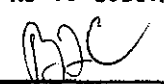
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 sub-divide an improved zoning lot. The building at 2826 W. Melrose shall have an east yard of zero; 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 be 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: William Fleming **CAL NO.:** 430-06-Z

APPEARANCE FOR: Thomas Pikarski **MAP NO.:** 9-N

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 3501 N. New England Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 1-story rear addition whose north side yard shall be 1.77' instead of 4' and the combined side yards shall be 9.69' instead of 10.75'.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:00

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 1-story rear addition whose north side yard shall be 1.77' and the combined side yards shall be 9.69'; 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 be 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: 1923 Campbell, LLC **CAL NO.:** 431-06-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 5-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 1923 N. Campbell Avenue/ 2455-59 W. Homer*

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RM-5 Residential Multi-Unit District, a proposed 3-story 3 dwelling unit townhouse whose front wall, facing a public street, shall be 1' instead of 10', the rear wall, facing private property, shall be 3'-1/4" instead of 10' and to eliminate 175 sq. ft. of open space.

**ACTION OF BOARD--
 VARIATION GRANTED**

BOARD OF APPEALS
 R-806 CITY HALL
 2006 OCT -5 P 5:08

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 3-story 3 dwelling unit townhouse whose front wall, facing a public street, shall be 1', the rear wall, facing private property, shall be 3'-1/4" and to eliminate 175 sq. ft. of open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not be 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

* Amended at Hearing

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

APPLICANT: Antonija Mihelcic **CAL NO.:** 432-06-S

APPEARANCE FOR: Frederick Agustin **MAP NO.:** 11-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 2216 W. Irving Park Road

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B1-1 Neighborhood Shopping District.

**ACTION OF BOARD--
APPLICATION APPROVED**

BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:00

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

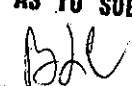
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 will establish a beauty salon; the testimony of the appraiser was that his business will not have an adverse impact on the community and is in character with the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development has no objection to the establishment of a beauty salon at this location.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: An Nguyen **CAL NO.:** 434-06-S
APPEARANCE FOR: Ninh Ma **MAP NO.:** 15-L
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 5401 W. Devon Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

ACTION OF BOARD--
APPLICATION APPROVED

BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:00

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 will establish a beauty salon; the testimony of the appraiser was that his business will not have an adverse impact on the community and is in character with the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development has no objection to the establishment of a beauty salon at this location.

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

APPROVED AS TO SUBSTANCE

BAC

CHAIRMAN

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

APPLICANT: Bank of America, N.A. **CAL NO.:** 433-06-S
APPEARANCE FOR: Karen Way **MAP NO.:** 1-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 530 N. LaSalle Drive
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a bank facility in a DX-7 Downtown Mixed-Use District.

ACTION OF BOARD--
APPLICATION APPROVED

RECEIVED
 BOARD OF APPEALS
 R-606 CITY HALL
 2006 DEC -5 P 5

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

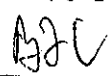
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 establish a bank facility; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive through facility, provided it is constructed consistent with the layout and design represented on the site plan, dated September 28, 2006, and the elevation drawings, dated October 16, 2006, prepared by Ochulus, Inc., and provided the final landscape plan is approved by the Department of Planning and Development.

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: Bogdan Korzeniowski

CAL NO.: 435-06-Z

APPEARANCE FOR:

MAP NO.: 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 1010 N. Hoyne Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3rd floor addition whose total combined sideward shall be zero instead of 4.8' with neither yard less than 2' for an existing 2 dwelling unit building.

ACTION OF BOARD--
CASE CONTINUED TO DECEMBER 15, 2006

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

BOARD OF APPEALS
 R-306 CITY HALL
 2006 DEC -5 P 5:08

APPROVED AS TO SUBSTANCE

BAC

CHAIRMAN

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

APPLICANT: 44th & Berkeley Development, LLC **CAL NO.:** 436-06-Z
APPEARANCE FOR: Jessica Boudreau **MAP NO.:** 10-D
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 4350 S. Berkeley Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3-story 2 dwelling unit building, whose combined side yards shall be zero (zero on the north and zero on the south) instead of 4.8' with neither yard less than 2'.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

BOARD OF APPEALS
 -806 CITY HALL
 06 OCT -5 P 5:08

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

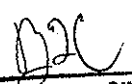
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct 3-story 2 dwelling unit building, whose combined side yards shall be zero (zero on the north and zero on the south); 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 be 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: Omar Saleh **CAL NO.:** 437-06-A
APPEARANCE FOR: Richard Zulkey **MAP NO.:** 11-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 4157 N. Central Park Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the substitution of a dwelling unit in the space which formerly contained a commercial space. There appears to be 3 dwelling units and the appeal would provide a 4th dwelling unit in an RS-3 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

ZONING BOARD OF APPEALS
 R-805 CITY HALL
 2006 DEC -5 P 5:00

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2006; and

WHEREAS, the district maps show that the premises is located in an RS-3 Residential Single-Unit (Detached House) District; 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 makes the following findings of fact: the property contains 3 dwelling units and one commercial space above grade. There was an inspection of the property which disclosed a fourth dwelling unit in the basement. The Board will allow the substitution of a dwelling unit on the first floor where the commercial use space existed on the condition that the illegal dwelling unit in the basement is removed (de-converted) with a permit. The plans must show the substituted dwelling unit will be permitted only when the same set of plans de-convert the basement dwelling unit. The building will contain only four lawful dwelling units and all shall be above grade. A permit must be issued to effectuate this resolution.

APPROVED AS TO SUB

BLC

CHAIRMAN

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

APPLICANT: Dwayne Lawrence

CAL NO.: 438-06-A

APPEARANCE FOR:

MAP NO.: 6-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 2550 S. Wabash Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow interior parking spaces to be accessed from aisles which do not measure 22 feet. The aisles vary in widths from 18'-6" to 21'-6" within an existing building which is being converted to residential units. The indoor aisle width may be reduced to 20 feet if the parking space width is increased to 8.5 feet in width in a C1-5 Neighborhood Commercial District.

ACTION OF BOARD--
CASE CONTINUED TO NOVEMBER 17, 2006

THE VOTE

BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:08

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

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: Board of Education of the City of Chicago **CAL NO.:** 439-06-Z
APPEARANCE FOR: Terry Diamond **MAP NO.:** 12-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 5410 S. State Street
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House)/C1-2 Neighborhood Commercial Districts, a 3-story addition in the front yard of an existing public high school whose front yard shall be 6'-6" instead of 20' and to exceed the existing floor area by not more than 10% of that area which existed 50 years prior to this ordinance.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

ZONING BOARD OF APPEALS
 R-806.CITY HALL
 2006 DEC -5 P 5:08

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 3-story addition in the front yard of an existing public high school whose front yard shall be 6'-6" and to exceed the existing floor area by not more than 10% of that area which existed 50 years prior to this ordinance; 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 be 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

BZC

CHAIRMAN

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

APPLICANT: Altgeld Properties, LLC **CAL NO.:** 440-06-Z
APPEARANCE FOR: Lisa Marino **MAP NO.:** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 2113 W. Webster Avenue/2112 W. Shakespeare Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 2 dwelling unit building whose front yard (on Webster) shall be 3'-2"* instead of 15', to reduce the east side yard to zero instead of 2.4', to reduce the midpoint area to zero on a through lot. The building fronting on Shakespeare is a one unit and the building on Webster will be considered an additional dwelling unit to this parcel.

**ACTION OF BOARD-
 VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 OCT 25 P 5:00

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 2 dwelling unit building whose front yard (on Webster) shall be 3'-2"*, to reduce the east side yard to zero, to reduce the midpoint area to zero on a through lot. The building fronting on Shakespeare is a one unit and the building on Webster will be considered an additional dwelling unit to this parcel; this is a two unit building and not two separate single family residences that merely touch. There must be a viable connection between these units so that there will be only one building which contains two dwelling units; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not be alter the essential character of the neighborhood; it is therefore

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

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

* Amended at Hearing

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: James Jann **CAL NO.:** 441-06-Z
APPEARANCE FOR: John Pikarski **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 3536-40 N. Ashland Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-2 Neighborhood Shopping District, a proposed 4-story 6 dwelling unit and commercial space building whose minimum lot area shall be 5,400 sq. ft. instead of 6,000 sq. ft.

**ACTION OF BOARD--
 VARIATION GRANTED**

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIBLE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BRIAN L. CROWE
 GIGI McCABE-MIBLE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 4-story 6 dwelling unit and commercial space building whose minimum lot area shall be 5,400 sq. ft.; 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 be 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: James Jann **CAL NO.:** 442-06-Z
APPEARANCE FOR: John Pikarski **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 3516-20 N. Ashland Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-2 Neighborhood Shopping District, a proposed 4-story 6 dwelling unit and commercial building whose minimum lot area shall be 5,400 sq. ft. instead of 6,000 sq. ft.

**ACTION OF BOARD--
VARIATION GRANTED**

2006 OCT 20 5 08 PM
 ZONING BOARD OF APPEALS
 R-906 CITY HALL

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 4-story 6 dwelling unit and commercial building whose minimum lot area shall be 5,400 sq. ft. 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 be 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: James Jann **CAL NO.:** 443-06-Z
APPEARANCE FOR: John Pikarski **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 3530 N. Ashland Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-2 Neighborhood Shopping District, a proposed 4-story 3 dwelling unit and commercial building whose minimum lot area shall be 2,700 sq. ft. instead of 3,000 sq. ft.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC - 5 P. 5

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 4-story 3 dwelling unit and commercial building whose minimum lot area shall be 2,700 sq. ft. 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 be 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: McDonald's Corporation
a Delaware Corporation

CAL NO.: 444-06-S

APPEARANCE FOR: Amy Kurson

MAP NO.: 2-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 11421 S. Halsted Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a fast food restaurant with drive thru facility in a B3-1 Community Shopping District.

**ACTION OF BOARD--
APPLICATION APPROVED**

BOARD OF APPEALS
 R-905 CITY HALL
 1000 000 - 5 P 00

THE VOTE

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 25, 2006; 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 establish a fast food restaurant with a drive thru facility; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-thru facility, provided it is constructed consistent with the layout and design represented on the site plan prepared by Marchris Engineering Ltd., dated July 28, 2006 and the elevation drawings prepared by Infinity Dzines, Inc., dated March 6, 2006, and provided the final landscape plan is approved by the Department of Planning and Development.

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: Treana 99th Street LLC **CAL NO.:** 445-06-Z

APPEARANCE FOR: Daniel Bormolini **MAP NO.:** 24-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 1732 W. 99th Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RT-3.5 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3-story 5 dwelling unit townhouse whose west side end wall shall be zero instead of 12 feet.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 CITY HALL
 ROOM 905
 2006 OCT -5 P

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 3-story 5 dwelling unit townhouse whose west side end wall shall be zero; 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 be 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 Transit Authority **CAL NO.:** 446-06-Z
APPEARANCE FOR: Langdon Neal **MAP NO.:** 15-L
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 5304 W. Armstrong Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a M1-1 Limited Manufacturing/Business Park District, a proposed CTA bus washing system and water reclamation system in an existing CTA storage yard. The required 20 foot set back which runs along an adjoining Residential district will need to be reduced to zero.

**ACTION OF BOARD--
 VARIATION GRANTED**

ZONING
 BOARD OF APPEALS
 R-806 CITY HALL
 2006 OCT -5 P 5:09

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 establish a CTA bus washing system and water reclamation system in an existing CTA storage yard. The required 20 foot set back which runs along an adjoining Residential district will be reduced to zero; 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 be 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

BLL

CHAIRMAN

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

APPLICANT: 6311 W. Belmont, LLC

CAL NO.: 447-06-S

APPEARANCE FOR:

MAP NO.: 7-M

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 6311 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a proposed 3-story 3 dwelling building with residential use below the 2nd floor in a B3-2 Community Shopping District.


ACTION OF BOARD--
CASE CONTINUED TO DECEMBER 15, 2006

THE VOTE

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

ZONING BOARD OF APPEALS
 R-805 CITY HALL
 2006-000-5 P 5:09

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Ernest and Daria Wang

CAL NO.: 448-06-Z

APPEARANCE FOR:

MAP NO.: 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 1427 W. Lill Avenue

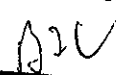
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 1st floor addition to an existing 3-story single family residence whose existing floor area shall exceed the floor area which existed 50 years prior to the passage of this ordinance. The addition shall be no more than 15% of the existing area or 398 sq. ft.

ACTION OF BOARD--
WITHDRAWN ON MOTION OF THE APPLICANT

ZONING
 BOARD OF APPEALS
 R-806 CITY HALL
 2006 OCT -5 P 5:00 PM

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Patrick Gibbons **CAL NO.:** 449-06-Z
APPEARANCE FOR: Thomas Moore **MAP NO.:** 9-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 832 W. Roscoe Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RM-5 Residential Multi-Unit District, a proposed rear 3-story addition to a 4 dwelling unit building whose combined side yards shall be 3'-6" (6" on the west* and 3' on the east*) instead of 5' with neither yard less than 2'.

ACTION OF BOARD--
VARIATION GRANTED
 BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 PM 09

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

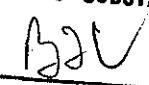
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; and

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 construct a rear 3-story addition to a 4 dwelling unit building whose combined side yards shall be 3'-6" (6" on the west* and 3' on the east*); 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 be alter the essential character of the neighborhood; it is therefore

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

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

* Amended at Hearing

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Joseph Swiatek **CAL NO.:** 450-06-Z
APPEARANCE FOR: John Pikarski **MAP NO.:** 13-M
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 5765 W. Higgins Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RM-5 Residential Multi-Unit District, a proposed 4-story 16 dwelling unit building whose front yard shall be 5' instead of 19' and the rear yard shall be 19'-11" instead of 38'-6".

**ACTION OF BOARD--
VARIATION GRANTED**

BOARD OF APPEALS
 R-905 CITY HALL
 2006 10 20 5 15 09

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 4-story 16 dwelling unit building whose front yard shall be 5' instead of 19' and the rear yard shall be 19'-11"; 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 be 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

ZONING BOARD OF APPEALS
R-806 CITY HALL

2006 DEC -5 P 5:09


MINUTES OF MEETING:

October 20, 2006

CAL NO.: 450-06-Z

pursuant to Section 17-10-0500 of the Chicago Zoning Ordinance, the Board hereby makes and sets the following restriction(s) on the applicant and project herein. The developer is hereby prohibited from selling the parking spaces within the subject building to anyone other than a purchaser of one of the condominium units. It is further required that the Condominium Declaration provide, or be amended to provide, that a sale by the developer of a condominium unit is to be the sale of a condominium unit and, at least, one parking space. The Condominium Declaration shall further provide that all subsequent sales of a condominium unit and the parking space(s) included at the initial sale. The condominium unit owners may lease their parking space to persons who are not owners of the condominium units but are prohibited from selling the parking space to anyone other than a subsequent purchaser of their condominium unit. Where there are parking spaces in excess of the number of parking spaces required under the Chicago Zoning ordinance for the number of units within the building, those excess parking spaces shall be designated for use by guests, delivery vehicles and vehicles parking for maintenance or service to the building or its owners. Those spaces shall not be designated as limited common elements, but rather, common elements owned and managed by the condominium association for benefit of all the unit owners. This restriction is intended to be a covenant running with the land. Additionally, the applicant is hereby required to record this order before the Variations contained herein becomes effective;

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: 7215 N. Oakley, LLC **CAL NO.:** 451-06-Z
APPEARANCE FOR: Gary Wigoda **MAP NO.:** 19-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 7215 N. Oakley Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-2 Neighborhood Mixed-Use District, a proposed 4-story 9 dwelling unit building whose minimum lot area shall be 8,750 sq. ft. instead of 9,000 sq. ft., to reduce the front wall facing a public street to zero instead of 12', to reduce the end wall facing a public street to zero instead 10 feet and to place a private yard of 200 sq. ft. above the 4' on a rooftop deck.

**ACTION OF BOARD--
 VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-306 CITY HALL
 2006 OCT -5 P 5:09

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on September 25, 2006; 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 construct a 4-story 9 dwelling unit building whose minimum lot area shall be 8,750 sq. ft., to reduce the front wall facing a public street to zero, to reduce the end wall facing a public street to zero and to place a private yard of 200 sq. ft. above 4' on 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 be 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

B2C

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

BOARD OF APPEALS
R-206 CITY HALL

2006 DEC -5 P 5:09

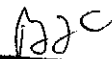
MINUTES OF MEETING:

October 20, 2006

CAL NO.: 451-06-Z

pursuant to Section 17-10-0500 of the Chicago Zoning Ordinance, the Board hereby makes and sets the following restriction(s) on the applicant and project herein. The developer is hereby prohibited from selling the parking spaces within the subject building to anyone other than a purchaser of one of the condominium units. It is further required that the Condominium Declaration provide, or be amended to provide, that a sale by the developer of a condominium unit is to be the sale of a condominium unit and, at least, one parking space. The Condominium Declaration shall further provide that all subsequent sales of a condominium unit and the parking space(s) included at the initial sale. The condominium unit owners may lease their parking space to persons who are not owners of the condominium units but are prohibited from selling the parking space to anyone other than a subsequent purchaser of their condominium unit. Where there are parking spaces in excess of the number of parking spaces required under the Chicago Zoning ordinance for the number of units within the building, those excess parking spaces shall be designated for use by guests, delivery vehicles and vehicles parking for maintenance or service to the building or its owners. Those spaces shall not be designated as limited common elements, but rather, common elements owned and managed by the condominium association for benefit of all the unit owners. This restriction is intended to be a covenant running with the land. Additionally, the applicant is hereby required to record this order before the Variations contained herein becomes effective;

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: John K. O'Malley **CAL NO.:** 452-06-A

APPEARANCE FOR: Tatiana Czaplicki **MAP NO.:** 7-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 3740-44 W. Wrightwood Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the rear 3-story addition to be 36'-3" in a RS-3 Residential Single-Unit (Detached House) District. The existing 3-story building's height is 36'-3". The Board has previously allowed a front yard variation to permit balconies (203-06-Z).

ACTION OF BOARD--
THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

BOARD OF APPEALS
 R-905 CITY HALL
 2006 OCT -5 P 5:09

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:


WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 20, 2006; and

WHEREAS, the district maps show that the premises is located in an RS-3 Residential Single-Unit (Detached House) District; 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 makes the following findings of fact: The Board has previously allowed variations to this building in 203-06-Z. At the time the applicant did not request to increase the building as it filled in the space at the rear of the structure. The Board has allowed the area to be filled in and its height shall not exceed the existing height of 36'-3". A permit shall be issued to effectuate this resolution.

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Roger Keaton

CAL NO.: 66-06-S

APPEARANCE FOR:

MAP NO.: 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 17, 2006

PREMISES AFFECTED: 3960 W. Irving Park Road

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a proposed service station with a fast food restaurant and drive through in a B2-2 Neighborhood Mixed-Use District.

ACTION OF BOARD--
CASE CONTINUED TO JANUARY 19, 2007

THE VOTE

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

BOARD OF APPEALS
R-806 CITY HALL
2006 DEC -5 P 5:09

APPROVED AS TO SUBSTANCE

BLC

CHAIRMAN

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

APPLICANT: Roger Keaton

CAL NO.: 67-06-Z

APPEARANCE FOR:

MAP NO.: 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 3960 W. Irving Park Road

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-2 Neighborhood Mixed-Use District, a proposed service station and fast food restaurant with drive through whose area shall be 17,557 sq. ft. instead of 20,000 sq. ft..

ACTION OF BOARD--

CASE CONTINUED TO JANUARY 19, 2006

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

ZONING BOARD OF APPEALS
 R-896 CITY HALL
 2006 OCT -5 PM 5:09

APPROVED AS TO SUBSTANCE
BJC
 CHAIRMAN

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

APPLICANT: Donna Rose Gilcrease

CAL NO.: 222-06-Z

APPEARANCE FOR:

MAP NO.: 8-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 921 W. 31st Place

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 2nd floor addition to an existing 3-dwelling unit building whose rear yard shall be 24' instead of 31' and the combined side yards shall be zero instead of 5' with neither more than 2'.

ACTION OF BOARD--
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ADSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

APPROVED AS TO SUBSTANCE

B2C

CHAIRMAN

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

APPLICANT: Fifth Third Bank **CAL NO.:** 246-06-S

APPEARANCE FOR: Kate Duncan **MAP NO.:** 2-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 601-29 S. Clark Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a bank with drive thru facility in a DX-12 Downtown Mixed-Use District.

**ACTION OF BOARD--
APPLICATION APPROVED**

ZONING BOARD OF APPEALS
 R-906 CITY HALL
 2006 DEC -5 PM

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 30, 2006; 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 bank with a drive- thru facility; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The department of Planning and Development recommends approval of the proposed drive-thru facility, provided it is constructed consistent with the layout and design represented on the site plan, dated August 2, 2006 and the elevation drawings, dated July 31, 2006, prepared by the Architectural Partnership and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Fifth Third Bank **CAL NO.:** 247-06-Z

APPEARANCE FOR: Kate Duncan **MAP NO.:** 2-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 601-29 S. Clark Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a DX-12 Downtown Mixed-Use District, a Class 2 Street (section 17-4-0704B and section 17-13-1003S A & B), the relocation and widening of two driveways for a proposed bank.

**ACTION OF BOARD--
VARIATION GRANTED**

BOARD OF APPEALS
 R-2006 CITY HALL
 2006 DEC -5 P

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

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 June 16, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on May 30, 2006; 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 relocate and widen to drive thru lanes to serve a bank (approved in case 246-06-S); the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not be 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

BJC

CHAIRMAN

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

APPLICANT: William E. Jones, Jr.

CAL NO.: 272-06-A

APPEARANCE FOR:

MAP NO.: 26-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 10736 S. Church Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a parking within 20' of the front yard for a single family residence with front drive-way and curb cut in an RS-2 Residential Single-Unit (Detached House) District.

ACTION OF BOARD--
CASE CONTINUED TO DECEMBER 15, 2006


THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

BOARD OF APPEALS
 R-806 CITY HALL
 2006 OCT -5 P 5:09

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Juan and Pilar Gines **CAL NO.:** 281-06-Z

APPEARANCE FOR: Lisa Marino **MAP NO.:** 1-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 1459 W. Grand Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-2 Neighborhood Shopping District, a proposed 4-story commercial and residential building whose combined side yards shall be 1'-6" (1'-6" on the west side yard) instead of 5' with neither yard less than 2' and to reduce the required mid-point (on a through lot) to zero instead of 16'.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

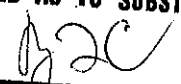
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 6, 2006; and

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 construct a 4-story commercial and residential building whose combined side yards shall be 1'-6" (1'-6" on the west side yard and zero on the east) and to reduce the required mid-point (on a through lot) to zero; 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 be alter the essential character of the neighborhood; it is therefore

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

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

* Amended at Hearing

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Shannonside Development, LLC **CAL NO.:** 283-06-Z

APPEARANCE FOR: James J. Banks **MAP NO.:** 2-I

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 708 S. Campbell Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RM-4.5 Residential Multi-Unit District, a proposed 3-story 6 dwelling unit building whose front yard shall be 6' instead of 12' and the north side yard shall be 3' * instead of 5.36'.

**ACTION OF BOARD--
VARIATION GRANTED**

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:10

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

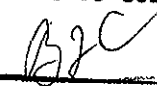
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 6, 2006; 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 construct a 3-story 6 dwelling unit building whose front yard shall be 6' instead of 12' and the north side yard shall be 3' * ; 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 be 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: Marc Sokol

CAL NO.: 314-06-A

APPEARANCE FOR:

MAP NO.: 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 2031 N. Mohawk Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a 20' x 12' rear open trellis which will be 34' above grade and at the zero mark of the rear yard (6' above the existing 2-story rear wall of single family residence) instead of 15' in an RM-4.5 Residential Multi-Unit District.

ACTION OF BOARD--
CASE CONTINUED TO JANUARY 19, 2006

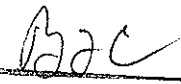
THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

ZONING BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:10

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Gentile Imports **CAL NO.:** 319-06-S
APPEARANCE FOR: James J. Banks **MAP NO.:** 2-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006
PREMISES AFFECTED: 1160 W. Taylor Street
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a wine store in a B3-2 Community Shopping District.

**ACTION OF BOARD--
APPLICATION APPROVED**

THE VOTE

BOARD OF APPEALS
 -806 CITY HALL
 DEC - 5 P 5 10

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS			X

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 26, 2006; 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 wine store; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development has no objection to the establishment of the proposed wine store.

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: Faith Community Baptist Church **CAL NO.:** 334-06-S
APPEARANCE FOR: Rev. Randall Harris **MAP NO.:** 2-1
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 805 S. Albany Street
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot to serve the church at 3056 W. Polk in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

**ACTION OF BOARD--
 APPLICATION APPROVED**

BOARD OF APPEALS
 R-806 CITY HALL
 2006 DEC -5 P 5:11

THE VOTE

BRIAN L. CROWE
 GIGI McCABE-MIELE
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 26, 2006; 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 establish an off-site parking lot to serve the church at 3056 W. Polk; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

BJC

CHAIRMAN

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

APPLICANT: Faith Community Baptist Church **CAL NO.:** 335-06-Z
APPEARANCE FOR: Rev. Randall Hariss **MAP NO.:** 2-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 October 20, 2006
PREMISES AFFECTED: 805 S. Albany Street
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a shared parking lot to accommodate the required parking for a church located at 3056 W. Polk Street.

**ACTION OF BOARD--
 VARIATION GRANTED**

BOARD OF APPEALS
 R-906 CITY HALL
 2006 OCT - 5 P
 5 P - 335 9007

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIBLE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

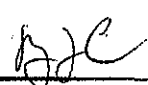
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2006, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on July 26, 2006; 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 establish a shared parking lot to accommodate the required parking for a church located at 3056 W. Polk; 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 be 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: DB Real Estate Assets I LLC

CAL NO.: 375-06-S

APPEARANCE FOR:

MAP NO.: 3-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
October 20, 2006

PREMISES AFFECTED: 1207 N. California Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a proposed expansion of an existing fast food restaurant with drive-thru facility in a M1-1 Limited Manufacturing/Business Park District.

ACTION OF BOARD--
CASE CONTINUED TO JANUARY 19, 2006


THE VOTE

BOARD OF APPEALS
R-806 CITY HALL
2006 DEC -5 P 5:10

BRIAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
DONALD HUBERT
REVEREND WILFREDO DEJESUS

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Wait a Bit, Inc. **CAL NO.:** 383-06-S

APPEARANCE FOR: Endy Zemenides **MAP NO.:** 10-D

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
October 20, 2006

PREMISES AFFECTED: 4251-57 S. Cottage Grove Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a proposed gas station with mini-mart car wash in a C1-3 Neighborhood Commercial District.

**ACTION OF BOARD--
APPLICATION APPROVED**

BOARD OF APPEALS
 R-906 CITY HALL
 2006 DEC -5 P 5

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	X		
GIGI McCABE-MIELE			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
REVEREND WILFREDO DEJESUS	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18 2006, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 30, 2006; 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 establish a gas station with a mini-mart and a car wash; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The department of Planning and Development recommends approval of the proposed service station, provided it is constructed consistent with the layout and design represented on the site plan and the elevation drawings dated September 14, 2006, prepared by Corporate Design + Development Group, and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

BZC

CHAIRMAN