

CITY OF CHICAGO ZONING BOARD OF APPEALS
FRIDAY- March 18, 2016
121 N. LaSalle Street- Room 200

PHYSICALLY PRESENT FOR ALL PORTIONS

Blake Sercye, Chairman
Sol Flores
Sam Toia
Amanda Williams

Chairman Sercye called meeting to order at 9:16 AM and then undertook a roll call to establish the presence of a quorum. The morning hearing commenced with three members present (Sercye, Toia and Williams). Flores arrived at 9:20 AM.

Motion to approve the minutes from the February 19, 2016 regular made by the Chairman. Second by Toia. Motion carried 3-0; yeas – Sercye, Toia and Williams.

Motion to approve the March 18, 2016 agenda made by the Chairman. Second by Toia. Motion carried 3-0; yeas – Sercye, Toia and Williams.

9:00 AM

Request for extension of a special use for Cal. No. 28-15-S 1501 N. Milwaukee Avenue. Motion to approve made by the Chairman. Second by Flores. Motion denied 3-0; yays – Sercye, Flores and Williams (Toia recused).

98-16-S	ZONING DISTRICT: B3-5	WARD: 27
APPLICANT:	JAB Merger	
OWNER:	MRR 227 North LLC	
PREMISES AFFECTED:	1546-56 N. Weiland Street/ 227-233 W. North Avenue	
SUBJECT:	Application for a special use to reduce required residential parking from the required 60-spaces to 16-spaces to serve a proposed 6-story retail, 42 dwelling unit and 18 efficiency unit building.	
	Continued until April 15, 2016 at 2:00 PM.	

99-16-Z	ZONING DISTRICT: B3-5	WARD: 27
APPLICANT:	JAB Merger	
OWNER:	MRR 227 North LLC	
PREMISES AFFECTED:	1546-56 N. Weiland Street/ 227-233 W. North Avenue	
SUBJECT:	Application for a variation to eliminate the one required loading berth for a six story 60 unit residential building (42 dwelling unit and 18 efficiency units) with 2,400 square feet of commercial space on the ground floor and 16 parking spaces.	
	Continued until April 15, 2016 at 2:00 PM.	

107-16-Z **ZONING DISTRICT: RM-5** **WARD: 44**
APPLICANT: 658 Melrose, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 658 W. Melrose Street
SUBJECT: Application for a variation to reduce the rear setback from 34.83' to 12.43'; to reduce the west side setback from 2' to 0.33'; to reduce the east side setback from 2' to 1'; and, to reduce the combined side setback from 5' to 1.33' for a proposed, four-story, two-unit building with a rooftop deck and front, attached, two-car garage accessed directly from West Melrose Street.
Continued until April 15, 2016 at 2:00 PM.

108-16-Z **ZONING DISTRICT: RM-5** **WARD: 44**
APPLICANT: 658 Melrose, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 658 W. Melrose Street
SUBJECT: Application for a variation to increase the maximum allowed height of 45' by no more than 10% (4.5') for a proposed, four-story, two-unit building with a roof top deck and front, attached, two-car garage accessed directly from West Melrose Street.
Continued until April 15, 2016 at 2:00 PM.

109-16-Z **ZONING DISTRICT: RS-3** **WARD: 47**
APPLICANT: Patrick Meenan
OWNER: Same as applicant
PREMISES AFFECTED: 3840 N. Hermitage Avenue
SUBJECT: Application for a variation to reduce the front setback from 17.4' to 7.67' for a proposed, covered, open, front porch to be added to an existing, two-story, single-family residence; the existing, rear, detached, two-car garage and residence will otherwise remain unchanged.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

110-16-S **ZONING DISTRICT: B3-1** **WARD: 33**
APPLICANT: Rich Damsel LLC
OWNER: Anastacia Salnas and Ascencion C. Salinas
PREMISES AFFECTED: 2920 W. Irving Park Road
SUBJECT: Application for a special use to permit the establishment of a hair and nail salon.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

123-16-Z **ZONING DISTRICT: RS-3** **WARD: 1**
APPLICANT: Anup Bhattarai
OWNER: Same as applicant
PREMISES AFFECTED: 2128 N. Maplewood Avenue
SUBJECT: Application for a variation to increase the pre-existing height of 30' by no mre than 10% (3') for a proposed, third floor, dormer addition to an existing, two-story, two-unit building; the rear, detach two-car garage will remain unchanged.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

124-16-S **ZONING DISTRICT: M1-2** **WARD: 24**
APPLICANT: Adrian Sanchez/DBA Prefer Valet Parking Service, Inc.
OWNER: Tony Sanchez
PREMISES AFFECTED: 2814-38 West 26th Street
SUBJECT: Application for a special use to permit the establishment of a non-accessory parking lot.
Continued until April 15, 2016 at 2:00 PM.

125-16-S **ZONING DISTRICT: B1-3** **WARD: 4**
APPLICANT: Sahan Motherland
OWNER: 5228 S. Blackstone, LLC
PREMISES AFFECTED: 1424-1428 E. 53rd Street
SUBJECT: Application for a special use to permit the establishment of a beauty and nail salon.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 3-0; yeas –Sercye, Toia and Williams.

126-16-S **ZONING DISTRICT: C1-3** **WARD: 32**
APPLICANT: Jarla, LLC
OWNER: Same as the applicant
PREMISES AFFECTED: 1823-56 W. Webster Avenue/ 2134 N. Wood Street
SUBJECT: Application for a special use to permit the establishment of an outdoor, rooftop patio.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

The Chairman moved to recess at 12:40 PM. Second by Williams. Motion carried 4-0; yeas – Sercye, Flores, Toia and Williams.

The Board reconvened at 2:10 PM. The Chairman undertook a roll call to establish the presence of a quorum. The hearings commenced with three members present (Sercye, Toia and Williams). Flores arrived at 2:13 PM.

130-16-Z
APPLICANT: 1736 Erie, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 1736 W. Erie Street
SUBJECT: Application for a variation to reduce the rear setback from 34.1' to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

131-16-Z
APPLICANT: 1939 W. Ohio, LLC
OWNER: Same as the applicant
PREMISES AFFECTED: 1939 W. Ohio Street
SUBJECT: Application for a variation to reduce the rear setback from 26.6' to 22.33' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the existing, rear, detached, two-car garage which will be connected to the existing, two-story, single-family residence via a catwalk; the existing garage and residence will remain otherwise unchanged.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

132-16-Z
APPLICANT: Michael Mintle
OWNER: Same as applicant
PREMISES AFFECTED: 2827 S. Eleanor Street
SUBJECT: Application for a variation to reduce the front setback from 12.7' to 6', the rear setback from 30.26' to 22' for a proposed 2-story single-family residence with a rear attached open deck and stair leading to a proposed rooftop deck over a proposed rear detached private garage.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

133-16-Z
APPLICANT: Oxford 1, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 1421-25 W. Fullerton Avenue
SUBJECT: Application for a variation to reduce the rear setback from 30' to zero for a third floor addition and a fourth floor penthouse addition and two stair tower additions to an existing two-story bank building to be converted to eight dwelling units with eight parking spaces within the lower level.
Continued until May 20, 2016 at 2:00 PM.

369-15-Z	ZONING DISTRICT: RM-5	Ward: 46
APPLICANT:	Sunnyside Property Holdings, LLC	
OWNER:	Same as applicant	
PREMISES AFFECTED:	828-38 W. Sunnyside Avenue	
SUBJECT:	Application for a variation to reduce the front setback from 18.27" to 0" for a proposed driveway to allow for access to trash receptacle storage area for a multi-unit, residential building lacking access to an improved alley.	
	Dismissed for want of prosecution.	
38-16-S	ZONING DISTRICT: B3-5	Ward: 27
APPLICANT:	Mark Twain Hotel, Inc.	
OWNER:	Same as applicant	
PREMISES AFFECTED:	101-13 W. Division Street	
SUBJECT:	Application for a special use to establish a five-story, 151-room hotel with ground floor commercial space.	
	Continued until April 15, 2016 at 2:00 PM.	
397-15-S	ZONING DISTRICT: C3-5	Ward: 25
APPLICANT;	Man De Investment Company	
OWNER:	Kin Kuong Chong	
PREMISES AFFECTED:	2010-20 S. Archer Avenue	
SUBJECT:	Application for a special use to establish a five-story, 60-room hotel.	
	Withdrawn.	
54-16-S	ZONING DISTRICT: B3-1	Ward: 22
APPLICANT:	McDonald's USA, LLC	
OWNER:	Franchise Realty Investment Trust - IL	
PREMISES AFFECTED:	4704 S. Cicero Avenue	
SUBJECT:	Application for a special use to renovate and expand an existing, one-story restaurant and establish a second drive-through lane.	
	Motion to approve made by the Chairman. Second by Flores. Motion carried 3-0; yeas –Sercye, Flores and Williams (Toia recused).	
65-16-S	ZONING DISTRICT: B3-1	Ward: 33
APPLICANT:	Mike Slobodan Pavlovic	
OWNER:	Same as applicant	
PREMISES AFFECTED	3949 N. Whipple Street	
SUBJECT:	Application for a special use to expand an existing tavern.	
	Continued until May 20, 2016 at 2:00 PM.	

66-16-Z **ZONING DISTRICT: RM-5** **Ward: 3**
APPLICANT: Steven L. and Marilynn Parker
OWNER: Same as applicant
PREMISES AFFECTED: 3654 S. Giles Avenue
SUBJECT: Application for a variation to reduce the north side setback from 2.73' to 1.34; to reduce the combined side setback from 6.82' to 1.38'; and, to reduce the front obstruction setback from 20' to 11.25' for a proposed, two-story, northside addition to an existing, two-story, single-family residence; said addition will also include a front, attached, one-car garage, accessed directly from South Giles Avenue, with a rooftop deck.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

67-16-Z **ZONING DISTRICT: RT-4** **Ward: 49**
APPLICANT: Ceres Acquisitions, LLC
OWNER: Same as applicant
PREMISES AFFECTED: 1747 W. Wallen Avenue
Subject: Application for a variation to allow for the establishment of a fourth residential unit on a lot whose area of 3,750 square feet is no less than 90% of the required 4,000 square feet for an existing, three-story, three-unit building to be increased to a four-unit building.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

81-16-Z **ZONING DISTRICT: RS-3** **Ward: 44**
APPLICANT: PNC Series, LLC B 1036 W. Wellington
OWNER: Same as applicant
PREMISES AFFECTED: 1036 W. Wellington Avenue
SUBJECT: Application for a variation to reduce the rear setback from 35' to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, two-car garage which will be accessed via an open stair exceeding 6' in height which will be connected to a proposed, two-story, single-family residence.
Motion to approve made by the Chairman. Second by Toia.
Motion carried 4-0; yeas –Sercye, Flores, Toia and Williams.

18-16-Z

ZONING DISTRICT: RM-5

Ward: 2

APPLICANT:

Finprom, Inc.

OWNER:

Frederick Falley Philips (lot 4) and Frederick Falley Philips as successor trustee to the family trust created under the will of Edward H. Bennett, Jr (lot 3)

PREMISES AFFECTED:

1310 North Cleveland Avenue

SUBJECT:

Application for a variation to reduce the rear setback from 33.3' to 1'; to reduce the north side setback from 4.2' to 3'; to reduce the south side setback from 4.2' to 3'; to reduce the combined side setback from 10.6' to 6'; and, to reduce the rear yard open space from 292 square feet to 0 square feet for a proposed, three-story, four-unit building with an attached, four-car garage, accessed directly from North Cleveland Avenue.

Motion to approve made by the Chairman. Second by Flores. Motion split 2-2; yeas –Sercye and Flores; Toia and Williams. Matter continued for absent board member to vote as required by *Melrose Park Nat. Bank v. Zoning Board of Appeals of the City of Chicago*, 97 Ill.App.3d 56 (1st Dist. 1979).

Motion to move into closed session pursuant to Section 2(c)(4) of the Open Meetings Act for the purpose of considering the evidence and testimony presented in open session made by Chairman. Second by Williams. Motion carried 4-0; yeas – Sercye, Flores, Toia and Williams. Meeting went into closed session at 7:00 PM.

Motion to return to open session for voting made by the Chairman. Second by Toia. Motion carried 4-0; yeas – Sercye, Flores, Toia and Williams. Meeting returned to open session at 7:40 PM.

Motion to defer discussion and approval of an update to the Board's Rules of Procedure made by the Chairman. Second by Toia. Motion carried 4-0; yeas – Sercye, Flores, Toia and Williams.

Motion to approve written resolutions containing findings of fact consistent with the votes of the Board at its regular meeting of February 19, 2016 with the exception of Cal. Nos. 433-15-S, 434-15-Z, and 435-15-Z, made by the Chairman. Second by Toia. Motion carried 4-0; yeas – Sercye, O'Grady, Toia and Williams.

Motion to adjourn made by the Chairman. Second by Flores. Motion carried 4-0; yeas – Sercye, O'Grady, Toia and Williams. Meeting adjourned at 7:50 PM.