

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

APPLICANT: Behringer Harvard Burnham, LLC **CAL NO.:** 86-15-S
APPEARANCE FOR: Kate Duncan **MINUTES OF MEETING:** April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 720-30 South Clark Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of non-accessory parking garage for 103 spaces in an existing six, level, 267-space parking garage at this location.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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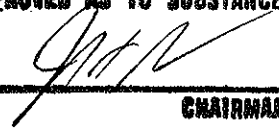
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-accessory parking garage for 103 spaces in an existing six, level, 267-space parking garage at this location; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish a non-accessory parking garage for 103 spaces in an existing six level, 267-space parking garage at this location.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Behringer Harvard Burnham, LLC **CAL NO.:** 87-15-S
APPEARANCE FOR: Kate Duncan **MINUTES OF MEETING:**
 April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 720-30 South Clark Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of public, leased or rented parking spaces in up to 45% (73 parking spaces) of the current, required, accessory 164 parking spaces in an existing 267-space parking garage.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015
 CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a public, leased or rented parking spaces in up to 45% (73 parking spaces) of the current, required, accessory 164 parking spaces in an existing 267-space parking garage; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish public, leased or rented parking spaces in up to 45% (73 parking spaces) of the current, required, accessory 164 parking spaces in an existing 267-space parking garage.

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

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: R&K Mangan Family LP **CAL NO.:** 88-15-Z
APPEARANCE FOR: Kate Duncan **MINUTES OF MEETING:**
April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3101 N. Damen / 1946-56 W. Barry Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the south front wall setback from 12' to 0'; to reduce the north rear wall setback from 12' to 4" and, to reduce the 200 square foot private yard to 0 square feet for a proposed two-story, three-townhouse development with a side, three-car garage with roof deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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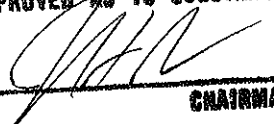
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the south front wall setback to 0'; to reduce the north rear wall setback to 4" and, to reduce the 200 square foot private yard to 0 square feet for a proposed two-story, three-townhouse development with a side, three-car garage with roof deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Greenview Custom, LLC

CAL NO.: 89-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED: 3748 N. Greenview Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the front setback from 8.29' to 0' and to reduce the rear setback from 19.36' to 10.25' for a proposed, three-story, single-family residence with a front, attached, three-car garage which access the alley adjacent to the southern boundary of the subject property.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 19, 2015

THE VOTE

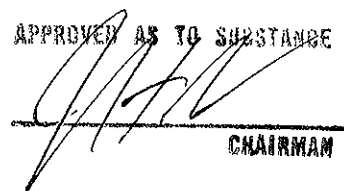
JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Central Parking System, Inc.

CAL NO.: 90-15-S

APPEARANCE FOR:

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED: 415-17 W. Chicago/ 745-55 N. Hudson Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of 66-space, non-accessory, surface parking lot.

ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

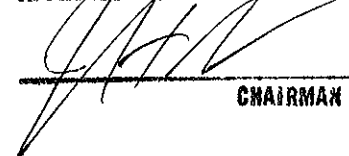
JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 02 2015
CITY OF CHICAGO

1518 North Astor, LLC
APPLICANT

91-15-Z
CALENDAR NUMBER

1518 North Astor Street
PREMISES AFFECTED

April 17, 2015
HEARING DATE

Thomas S. Moore
APPEARANCE FOR APPLICANT

John J. George
APPEARANCE FOR OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the rear setback from 30.8' to 0' and to reduce the south side setback from 4' to 0' for a proposed rear mud room and garage addition to an existing three-story single-family residence.

ACTION OF BOARD

THE VOTE

The application for the variation is denied.

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Catherine Budzinski	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Thomas S. Moore, counsel for the Applicant, explained the underlying basis for the relief sought;

WHEREAS, Ms. Dina Tognarelli testified on behalf of the Applicant; that she and her husband have purchased the subject property; that the subject property is improved with one of the iconic classic mansions in the City; that she and her husband hired an architectural firm known for renovating and preserving classic landmarked properties; that it is her intention to preserve the mansion on the subject property; that nevertheless,

APPROVED AS TO SUBSTANCE


CHAIRMAN

she and her husband would like to add a family room to the mansion; that the subject property is only 117' deep and is a landmark property; that her architect has been working with the Commission on Chicago Landmarks ("Landmarks") with respect to this family room; that the proposed family room is only 634.5 square feet but will be crucial to her family's wellbeing; that Landmarks would not allow the Applicant to put the family room in the side-yard of the subject property; that Landmarks wished to preserve the courtyard between the mansion on the subject property and the McCormick Mansion next door; that therefore, in order to have a family room, the Applicant requests a rear yard variation to put said family room behind the kitchen and over the garage of the mansion; that she is in the kitchen ninety percent (90%) of the day making special meals for her children, as her children cannot process protein, and needs a place where she can let her children play and do homework; and

WHEREAS, Ms. Abby Randall testified on behalf of the Applicant; that her architectural firm prides itself on preservation and landmark work; that the existing mansion on the subject property was designed by Mundie & Jensen and constructed in 1911; that the mansion is in the Astor Street Landmarks District; that therefore, it is important to preserve not only the front façade of the mansion but also the view from the side, that her firm attempted to minimize the view of the proposed addition from Astor Street; that Landmarks has approved the addition of the 634.5 square feet above the existing garage; that Landmarks does not approve additions to landmark properties that can be seen from the street; that the Applicant's proposed addition therefore cannot be seen from the street; that the only other possible place to put the Applicant's proposed addition would be in the Applicant's side yard; that this is impossible due to Landmarks aforementioned rule as well as the fact that the side-yard is an historic courtyard; that her firm designed the proposed addition to fit into the character of the neighborhood; and

WHEREAS, Ms. Randall further testified that to ensure that the proposed addition fit into the character of the neighborhood, she and her firm walked the alleys within a one (1) block radius of the subject property and found many examples of single-family residences that had second stories above the garage spaces; that therefore, the proposed addition is in keeping with the character of the neighborhood on those three (3) blocks; that she showed the Board pictures of the alley on the particular block of the subject property; that she explained there were other properties on the block with substantial buildings in the rear; that the Applicant has accommodated some of the neighbors by revising the proposed addition; that she has done a shadow study for the proposed addition; that the finding of the shadow study is that the proposed addition will cast a little bit of shadow onto the bottom of the garages opposite the alley but said shadow does not encroach on any of the living space or on any of the windows during 10:00 AM on the equinoxes; that additionally, during the winter solstice the proposed addition will add more shadow to one of the neighbor's roof deck; that other than that, the proposed addition will not affect the neighbor's house at all and will definitely not affect any of the light going into the house; that the proposed addition has no effect on light or air to the living spaces of the neighbors; that the Applicant can only put the proposed addition in the rear of the property; that the Applicant did not create the Landmarks Ordinance and therefore did not create the condition; and

WHEREAS, Ms. Randall further testified that under the current zoning, the Applicant would be allowed to have 11,000 square feet; that the Applicant is only requesting a variation for an addition of only 634.5 square feet; that the Applicant only needs the setback relief due to Landmarks and not due to Floor Area Ratio (FAR); that she has changed her original plans for the proposed addition due to requests of the neighbors; that therefore, the Applicant's proposed garage addition is now 2' off of the alley and has detailing – such as greenery on the terrace and windows – to make it feel more residential; and

WHEREAS, Mr. Timothy Barton testified on behalf of the Applicant; that his credentials as an expert in land planning were acknowledged by the Board; that prior to working the Board, he worked with Landmarks; that he worked as Landmarks' Director of Research; that in this capacity, he did research on historic properties to see if said historic properties met the criteria for Landmarks' landmark designation; that in his opinion, the proposed addition will not alter the character of the neighborhood; that the proposed addition will not affect light and air; that the proposed location of the proposed addition is a very sympathetic location in terms of the landmark designation of the property and the other historic properties on Astor Street; that the Board has granted similar kinds of relief in the 1300 and 1400 blocks of State and Astor; that despite the Board granting only eight (8) similar approvals, there are two (2) dozen structures with one and two-story additions located within two (2) feet of the rear lot line in the alleys of the three (3) block radius; that this, therefore, is the predominate condition of the three (3) alleys; that the proposed addition will minimally impact light and air of the surrounding properties; that the predominate factor of shadows in the neighborhood is from the high-rises on Lake Shore Drive; that the rear is the only place the Applicant can build its proposed addition as Landmarks will not allow additions that are visible from the public way on landmark properties; that therefore, strict compliance with this Zoning Ordinance is not possible; that the existing garage is in the rear yard already; that therefore it is a practical consideration to build an addition along the same rear property line; that as the existing garage has a 0' setback, the proposed addition could also be built right up to the alley line; that the Applicant will not be building the proposed addition up to the alley line to accommodate the neighbors across the alley; and

WHEREAS, Mr. Maury Tognarelli testified on behalf of the Applicant; that he and his wife searched a long time for a home; that he and his wife wish to raise their children in the mansion and are prepared to make significant investments in the community; that he and his wife shared their proposed addition plans to the neighbors; that he and his wife have made many concessions and accommodations with respect to the plans; that he and his wife have tried to be sensitive to the feedback of the neighbors; that he and his wife need a family room due to their lifestyle; that the proposed location of the family room is adjacent to the mansion's existing kitchen, which is the location of family rooms in ninety-eight percent (98%) of households in the country; that the McCormick Mansion next to the subject property is now a condominium association; that although one of condo owners might be an objector to the Applicant's application, the board of the condominium association has no objection; and

WHEREAS, Mr. John J. George, counsel for the Objectors, was given leave to cross-examine Ms. Randall prior to putting on his case-in-chief; and

WHEREAS, Ms. Randall further testified that she prepared the plans for the proposed addition; that said plans identify all the reconstruction and rehabilitation the Applicant will be doing to the mansion; that said plans show a playroom being constructed on the lower level of the building; that there is a plan identified as D130, which is a demolition plan, that shows a recreation room on the third floor of the mansion; that said recreation room is being removed for bedrooms; that the Applicant is requesting a variation for the proposed addition; that the plans for the proposed addition show a family room, a study, and a terrace on top of the garage; that the plans for the proposed addition also show a deck on top of the family room; that the proposed terrace will be accessed off the kitchen; that although there is a roof deck on top of the existing building, this roof deck will be taken down as part of the Applicant's agreement with Landmarks; that Landmarks has approved the Applicant's proposed addition; that the subject property is a double lot and therefore fifty feet (50') wide; that the existing mansion is 7200 square feet; that once the Applicant is done renovating, the mansion will be 8900 square feet; and

WHEREAS, Mr. George then began his case-in-chief; that he represented objectors to the application that lived adjacent to or behind the subject property: Miss Maria Swift; Mr. and Mrs. David Solomon; Mr. and Mrs. William Sexton; Mrs. Trisha Rooney Alden; and Mr. Robert Engoven; that Miss Swift and Mr. Engoven were not in attendance in the hearing but he had with him letters from them regarding the application; and

WHEREAS, Mr. David Solomon, of 1515 N. State, testified in objection to the application; that he is currently an investment banker; that he holds a Master's Degree in Architecture from Yale University and practiced architecture for five (5) years after receiving said degree; that he has reviewed the Applicant's plans for the proposed addition as he looked to find ways of compromise for the "family room" issue; that his home is directly across the alley from the subject property; that the townhouses in the neighborhood are on the north and south; that therefore, all light and air comes from east to west; that the typical pattern for the townhouses in the neighborhood is to be very formal on the street side and very tight with each other but as the townhouses move from the street towards the alley, the townhouses pull away from each other, emitting more light, more windows and actually stepping down toward the alley to allow more light and air; that he and most of his neighbors get substantially most of their light from the alley; that he and most of his neighbors also have their backyards in the alley; that he and his family have a roof deck off their garage and have an exterior patio on the main floor; that he and his family spend a lot of time in both outdoor areas as it is their backyard; that he and his family get precious little sun in the backyard as it is; that the issue is not only direct sun but also light and air and openness in the backyards; that virtually all of the buildings in the alley are either one (1) story or lower; that the only building that is not like that is the McCormick mansion; that, however, the McCormick mansion is set eight (8) feet back from the rear property line; that this pattern of development is very

important to both himself and his neighbors; that this pattern of development is important as a precedent throughout the neighborhood; and

WHEREAS, Mr. Solomon then showed the Board pictures of the alley; that he further testified that the condition of the alley is one of one (1) story garages, many of which have roof top decks; that Ms. Rooney's roof deck would be completely covered by the proposed addition; that from the pictures, the Board could see that the one (1) story with roof deck pattern is very prevalent in the neighborhood; that the proposed family room on top of the existing garage really closes in and violates the principles of openness, light, and air that he and his neighbors have come to enjoy in the alley; that with an existing 7200 square feet, an architect could creatively move spaces around to develop a plan for a full house for a family of five (5); and

WHEREAS, Mr. Moore inquired if Mr. Solomon was being put on as a neighbor, an architect, or as an expert; and

WHEREAS, Mr. George stated he had granted Mr. Moore extreme leeway during Mr. Moore's case-in-chief; that Mr. Solomon was therefore testifying as both a neighbor and an architect; and

WHEREAS, the Board stated this was no different than a neighbor that was also a lawyer; that the Board hears such persons all the time; and

WHEREAS, Mr. Moore stated it was fine; and

WHEREAS, Mr. Solomon then testified that the family room as proposed is described as being adjacent to the kitchen so that Ms. Tognarelli can visibly see the children while they're playing; that the proposed family room is actually about fifteen (15) feet away from the kitchen and up a flight of stairs; that therefore, it would be difficult to see anybody in the family room from the kitchen the way the proposed addition is actually designed; that the roof deck of the proposed addition adds another four (4) feet in height to the proposed addition that further closes in the alley; that given the existing mansion is not lacking in outdoor space at either the ground level or the deck currently on top of the garage, the addition of a further deck on top of the family rooms only adds another four (4) feet that closes the alley in; and

WHEREAS, Ms. Trish Rooney Aiden, of 1520 N. Astor, testified in opposition to the application; that her home is directly north of the subject property; that the rear of her home is improved with a terrace; that she has looked at the plans for the proposed addition; that the proposed addition would impact the use of the rear part of her home because she would have no southern light, no light over her terrace in her south windows, and no light in her east windows; that the proposed addition would therefore have an adverse effect on her light, air, and sun; that she is also concerned about privacy as the proposed addition contemplates a terrace that looks down onto her terrace; and

WHEREAS, Ms. Debra Sexton, of 1519 N. State, testified in opposition to the application; that she has a terrace on the second floor of her home; that she believes the proposed addition would affect her light, air and privacy; and

WHEREAS, Mr. Joe Feldman, of 1301 N. Astor, testified in opposition to the application; that he is the Chairman of the History and Education Committee of the Gold Coast Neighbors Association ("Association"); that the Association is not in favor of the proposed addition; that there are various structures in rear yards within the Gold Coast; that he suspects that one of the main reasons why this Zoning Ordinance was changed to impose fifteen foot (15') height restrictions was to stop people from putting units in their rear yards; that the Association is very concerned about preserving the open feel of the rear yard; that the Association welcomes new neighbors to the neighborhood and hopes the Applicant can work out a plan that is a bit less intrusive; and

WHEREAS, Mr. Michael Perlstein, of 1260 N. Astor, testified in opposition to the Application; that he is the Chairman of the Zoning Committee of the Association; that one of the many purposes of this Zoning Ordinance is to ensure adequate light, air, privacy, and access to property; that this is the major concern of the surrounding neighbors; that is also concern what the precedent of granting this request would do to the rest of the neighborhood; and

WHEREAS, Mr. George then provided the Board with a copy of a letter from Mr. Engoven; and

WHEREAS, Alderman Michele Smith, of the 43d Ward, testified in opposition to the application; that the Gold Coast is a very special neighborhood because: (1) it is one of the City's major landmark districts; and (2) the residents of the neighborhood view their stewardship of the community very highly; that the high-rises constructed in the neighborhood years ago led to the creation of the landmark district; that since that time, the community has worked very hard as neighbors to improve their homes in such a manner that maintains the very special character of the neighborhood; that this corner of North Astor is even more special because it sits at the foot of the archbishop's home; that all of the buildings in this corner are landmark "orange rated" buildings; that as this corner is both in a landmark area and in the private lakefront area, redevelopment is always a very sensitive topic; that a few years ago, the Association took steps to preserve a few of the existing wooden alleys in the area; that she does not believe the Applicant has met the requirements of this Zoning Ordinance with respect to its request for a variation; that one of the purposes of this Zoning Ordinance is to maintain our neighborhoods; that this area is a very popular tourist attraction; that in consequence, the rear yards of the areas of the neighborhood are where residents keep themselves private from tourists; that if someone had proposed to build a coach house in the subject property's rear yard area, the decision to say no would be very easy as there is a fifteen foot (15') height limitation under this Zoning Ordinance; that the neighbors accommodate one another with the fifteen foot (15') garages by beautifying them with roof decks; that the proposed addition is a step beyond anything in this alley, this block, and this area as the proposed addition is adding another floor of living space and then

adding a deck on top of said floor; that while this kind of proposed addition in the rear yard may have occurred in other places, such as in Lincoln Park, it has not occurred in this neighborhood; that without the Applicant demonstrating the kind of hardship this Zoning Ordinance requires, the proposed addition will change the neighborhood; that while the Gold Coast welcomes new neighbors, part of being a neighbor is recognizing the give and take and sacrifices that go with living in a landmark property and in a landmark district; and

WHEREAS, Mr. George stated that he had a chance to look over the Landmarks letter; that the Landmarks letter states the proposed addition will require a variation or an administrative adjustment; that the letter further states that Landmarks takes no position regarding the requesting variation or administrative adjustment; that in order for the Board to grant a variation, the Board must find hardship or difficulty for the subject property; that he does not believe that the Applicant has shown any hardship as the home is 8900 square feet and the proposed addition is only 574 square feet; that someplace in a 8900 square foot building, the Applicant could find 574 feet for this proposed recreation room; that this Zoning Ordinance also requires that the requested variation insures adequate light or privacy and access to the surrounding properties; that the testimony of his clients is that the proposed addition will impact their light, air and privacy; that moreover, any hardship of the Applicant is self-imposed as the Applicant is rehabbing the property; that the proposed addition will alter the character of the neighborhood as evidenced by the testimony of those that live in the neighborhood and by the Association; and

WHEREAS, Mr. Moore was granted leave to cross-examine Mr. Feldman; that Mr. Feldman further testified that Mr. Perlstein is the Association's Vice President and Chairman of the Zoning Committee; that the Association had no objection to the project when it went before Landmarks; that the Association only reviewed the plans for the proposed addition with respect to Landmarks; that the Association did not review them for any variation; and

WHEREAS, Mr. Moore was granted leave to cross-examine Mr. Solomon; that Mr. Solomon further testified that he and his wife use the subject property to turn into their garage; that his building is built to the lot line of the alley; that his building existed in that condition when he purchased it; that his building maintains the consistent one (1) story with a roof deck pattern; and

WHEREAS, Mr. Moore was granted leave to cross-examine Ms. Rooney; that Ms. Rooney further testified that she has viewed the shadow study of the proposed addition; that the shadow study shows that her property will be affected by the proposed addition on the vernal equinox; and

WHEREAS, Mr. Moore then was granted leave to recall Ms. Randall; that Ms. Randall further testified that shadow studies were done by modeling buildings in three dimensions and then casting light from the direction that the sun would be at specific time of day on specific days of the year; that the shadow study showed that the proposed

addition would cause diminution of sunlight on the winter solstice and vernal equinox; that the proposed addition would affect Ms. Rooney's deck on the winter solstice; that the proposed addition would not ever affect Ms. Rooney's home; that on the vernal equinox, the proposed addition would not affect the light or air quality of the living spaces of the neighbors across the alley, only their garages; that in the winter, the proposed addition would have some effect on Ms. Rooney's deck; that she followed all scientific procedures when doing the shadow study; and

WHEREAS, Mr. George was granted leave to cross-examine Ms. Randall; that Ms. Randall testified that the proposed addition does not impact the home next door to the subject property at the vernal autumnal equinox; that at 12:00 o'clock there is some shade but the shade on the existing residence is created by the existing lattice; that the shade on the proposed residence is created by the proposed addition; and

WHEREAS, Ms. Randall then testified that that the shade on the roof of the garage will be approximately 200 square feet; and

WHEREAS, the Board asked Alderman Smith to clarify her testimony that this would be the first time a garage would have a floor added in this alley; and

WHEREAS, Alderman Smith testified that this was correct with respect this particular alley running from the archbishop's residence down to the end of the block; and

WHEREAS, the Board then asked the City to make a statement with respect to Alderman Smith's testimony; and

WHEREAS, Mr. Steven Valenziano, staff member of the Department of Planning and Development, testified that he was not familiar with this particular stretch of this particular alley; that therefore he cannot speak specifically to this segment of the alley; that he is aware that variations have been granted for similar setbacks in this historic district; that he is specifically aware of variations that have come before the Board for similar variations to build a second floor addition that would expand above a garage in this historic district in this neighborhood; and

WHEREAS, the Board asked the Applicant to clarify that the proposed addition was a one-story addition with a roof deck; and

WHEREAS, Mr. Moore confirmed this was the case; and

WHEREAS, in response to further questions by the Board, Mr. Barton further testified that the closest, most similar variation approved by the Board to the subject property is at 1416 N. Astor; that said variation was for a proposed rear two-story addition and is a block south of the subject property; that said variation was approved by the Board and has been built; that another similar variation is at 1427 N. State; that said

variation was approved by the Board, was for a proposed second floor addition, and has since been built; and

WHEREAS, the Board inquired if Mr. George had a chance to look at the resolutions approving said variations; and

WHEREAS, Mr. George stated he had not although he was quickly reviewing them now; that nevertheless, the Board looks to the specifics for each particular case before it; that what happened three (3) or two (2) blocks away from the subject property is not relevant; that what happened three (3) or two (2) blocks away goes into the character of the neighborhood but that the Board must still individually look at each case; that in this particular case, the Applicant proposes to build an addition twenty-seven (27) feet above grade and then add a deck on top of those twenty-seven (27) feet; that the Board must take each case on its own merits and review it based on the criteria set forth under this Zoning Ordinance; that to use the Board's other decisions as some criteria as to grant or deny the relief sought by the Applicant is not correct; that the correct approach is for the Board to look at the merits of the case before it today and see whether or not the criteria set forth under this Zoning Ordinance are satisfied; and

WHEREAS, in closing, Mr. Moore stated that in some ways he agreed with Mr. George that the Board must look at this case on its own merits; that many of the fears expressed by the Objectors is the fear that they will lose their views; that these fears are not going to be realized as there is scientific evidence before the Board that the proposed addition will have no effect on light or air; that with respect to the fears that the neighbors' privacy will be invaded, the Board should not rule on a fear that privacy will be invaded by a window thirty (30) to forty (40) feet away; that this case represents a classic zoning case as this Zoning Ordinance mandates that we try to preserve our older, more classic buildings; that the subject property is one of the iconic buildings in the City; that although the variation is firmly within the purview of the Board and Landmarks has not expressed any opinion on the variation, Landmarks has looked at the subject property from a landmarks point of view and determined that the rear of the subject property would be a good place to put the proposed addition; that the Applicant has not met its FAR; that the Applicant actually has additional FAR but because of the landmarks nature of the subject property, the Applicant cannot put the proposed addition in the side yard as part of the mandate to preserve older buildings is to keep that side yard space open; that the only logical place to put the proposed addition is in the rear yard; that the proposed addition will not affect anyone else; that change is always troubling but this type of change has been done many times in other alleys of this area; that the proposed variation is therefore within the character of the area; that therefore the Applicant requests the Board's affirmative vote; and

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

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

1. The Board finds that pursuant to 17-13-1107-A that the Applicant did not prove its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property. The Board makes this finding because the variation, if granted, will alter the essential character of the neighborhood. As set forth in 17-13-1107-B, the Board can only determine that a practical difficulty or particular hardship exists when a variation, if granted, will not alter the essential character of the neighborhood. Since the Board finds the requested variation does alter the essential character of the neighborhood, the Board cannot find pursuant to 17-13-1107-A that the Applicant has proved its case that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property.

2. The Board finds that pursuant to 17-13-1107-B that the Applicant did not prove by testimony and other evidence that the variation, if granted, will not alter the essential character of the neighborhood. On the contrary, the Board finds that the Applicant's requested variation will irrevocably alter the essential character of the neighborhood. The Board makes this finding due to the fact that the 1500 block of North Astor is so unique and distinct from any other block of North Astor that it constitutes its own neighborhood. The uniqueness of the 1500 block of North Astor is evidenced by: (1) its wooden alley; (2) its numerous historic and landmarks properties, including the subject property and the McCormick Mansion; (3) it being a popular tourist destination; and (4) the fact that the archbishop's residence comprises much of it. The 1500 block of North Astor, as evidenced by the pictures and drawings presented by both the Applicant and the Objectors, is characterized by one (1) story garages off the alley. The proposed variation will alter this pattern of development and, consequently, alter the character of the neighborhood. Therefore, the Board finds that the Applicant's testimony regarding variations granted on the 1300 and 1400 blocks of North Astor is irrelevant and cannot be used as evidence that this particular variation on this particular block of North Astor will not alter the essential character of the neighborhood.

RESOLVED, the Board finds that the Applicant has not proved its case by testimony and evidence covering the specific criteria of Section 17-13-0905-A, B, and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid variation application is hereby denied.

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

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

APPLICANT: Peerless Real Estate Investments, LLC Series **CAL NO.:** 92-15-Z

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2019 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 44.55' to 9.13' for a proposed two-story, single-family residence with a front porch and rear, detached, two-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

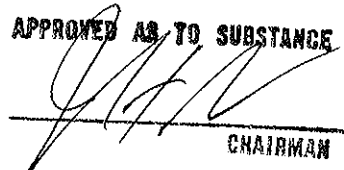
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 9.13' for a proposed two-story, single-family residence with a front porch and rear, detached, two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mark Reistma

CAL NO.: 93-15-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1315 N. Wicker Park Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to allow for the development of a lot and the establishment of a residential unit on such lot whose minimum area of 2,356.25 square feet is no less than 90% of the required 2,500 square feet for a proposed, one-story rear addition to an existing, two-story single family residence with a proposed, rear, one-car garage with a roof deck, connected to a single family residence via a catwalk.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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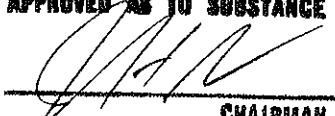
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be granted the authority to allow for the development of a lot and the establishment of a residential unit on such lot whose minimum area of 2,356.25 square feet is no less than 90% of the required 2,500 square feet for a proposed, one-story rear addition to an existing, two-story single family residence with a proposed, rear, one-car garage with a roof deck, connected to a single family residence via a catwalk the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mark Reistma CAL NO.: 94-15-Z
APPEARANCE FOR: Thomas Moore MINUTES OF MEETING: April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1315 N. Wicker Park Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to increase the pre-existing floor area of 2,010 square feet by no more than 15% (301.5 square feet) for a proposed, one-story rear addition to an existing, two-story single-family residence with a proposed, rear, one-car garage with a roof deck, connected to the single-family residence via a catwalk.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for Jonathan Swain, Catherine Budzinski, Sol Flores, Sheila O'Grady, and Sam Toia, all with 'X' in the Affirmative column.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; variation was granted in Cal. No. 93-15-Z for the subject site; the applicant shall also be permitted to increase the pre-existing floor area of 2,010 square feet by no more than 15% (301.5 square feet) for a proposed, one-story rear addition to an existing, two-story single-family residence with a proposed, rear, one-car garage with a roof deck, connected to the single-family residence via a catwalk the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Mark Reistma **CAL NO.:** 95-15-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1315 N. Wicker Park Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the north side setback from 2' to 0'; to reduce the south side setback from 2' to 0'; to reduce the combined side setback from 5' to 0'; and, to reduce the rear setback from 26.39' to 11' for a propose, one-story rear addition to an existing, two-story single-family residence with a proposed, rear, one-car garage with a roof deck, connected to the single-family residence via a catwalk.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

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 April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; additional variations were granted to the subject site in Cal. Nos. 93-15-Z and 94-15-Z; the applicant shall now also be permitted to reduce the north side setback to 0'; to reduce the south side setback to 0'; to reduce the combined side setback to 0'; and, to reduce the rear setback to 11' for a one-story rear addition to an existing, two-story single-family residence with a rear, one-car garage with a roof deck, connected to the single-family residence via a catwalk; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

APPLICANT:

Mark Cozzi

CAL NO.: 96-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED:

1950 N. Howe Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear setback from 35.13' to 2'; to reduce the north side setback from 2.47' to 0'; to reduce the south side setback from 2.47' to 0'; and, to reduce the combined side setback from 6.18' to 0' for a proposed three-story, single-family residence.

ACTION OF BOARD-

CASE CONTINUED TO JUNE 19, 2015

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Jinling Xiang **CAL NO.:** 97-15-S

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5244 N. Sheridan Road

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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THE RESOLUTION:

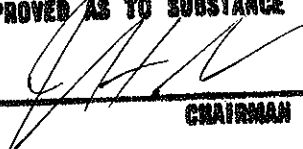
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

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

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Angela C. Xie

CAL NO.: 98-15-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2893 S. Archer Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

THE RESOLUTION:

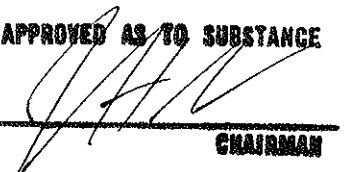
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

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

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Moises Magana/DBA California Barber Shop & Beauty Salon, Inc. **CAL NO.:** 99-15-S
APPEARANCE FOR: Moises Magana **MINUTES OF MEETING:** April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4227 W. 26th Street

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

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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		X
X		
X		
X		

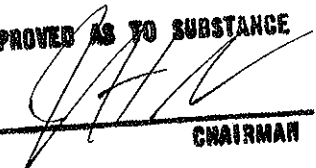
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT:

Health Elements Foot Spa, Inc.

CAL NO.: 100-15-S

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED:

1125 W. 31st Street

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

ACTION OF BOARD-

CASE CONTINUED TO JUNE 19, 2015

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN

CATHERINE BUDZINSKI

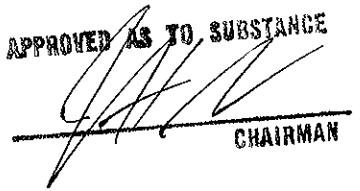
SOL FLORES

SHEILA O'GRADY

SAM TOIA

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: Belmont Hair Care LLC

CAL NO.: 101-15-S

APPEARANCE FOR:

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED: 5554 W. Belmont Avenue

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

ACTION OF BOARD-
CASE CONTINUED TO JUNE 19, 2015

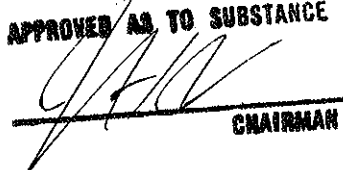
THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

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: Manuel Carchi **CAL NO.:** 102-15-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
 April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6211 W. Belmont Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

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 April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

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

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

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

APPROVED AS TO SUBSTANCE


 CHAIRMAN

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

APPLICANT: CCA Academy

CAL NO.: 103-15-S

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED: 1219-21 S. Pulaski Road

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 29-space, non-required, accessory, surface parking lot to serve a proposed school located at 1231 S. Pulaski Road.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 19, 2015

THE VOTE

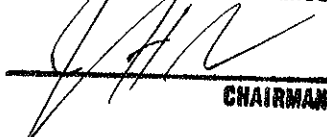
JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

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: CCA Academy

CAL NO.: 104-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED: 1219-21 S. Pulaski Road

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the south side setback from 5' to 1' for a proposed, 29-space, non-required, accessory, surface parking lot to serve a proposed school located at 1231 S. Pulaski Road.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 19, 2015

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

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: Duong Binh Thai/DBA Nick's Billards **CAL NO.:** 105-15-Z
APPEARANCE FOR: Matthew Klein **MINUTES OF MEETING:**
April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 4445 North Pulaski Road, First Floor, Suites B & C

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

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

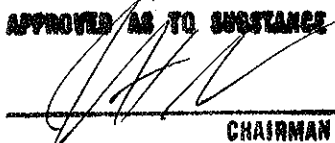
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a public place of amusement license at the subject site; the applicant testified that he is relocating his existing pool hall to the subject site; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Cosmopolitan B&T ATUT 31852 **CAL NO.:** 107-15-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
 April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2551 W. Haddon Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 14.42' to 14'; to reduce the west side setback from 2' to 0.9'; and, to reduce the combined side setback from 4.8' to 3.6' for a proposed third floor and three-story, rear, open porch to be added to an existing, two-story, two-unit building with a rear detached, two-car garage.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JUN 02 2015
 CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

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

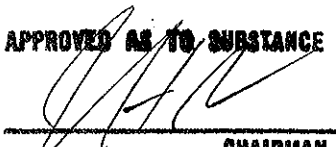
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north side setback to 0'; to reduce the south side setback to 0'; to reduce the combined side setback to 0'; and, to reduce the rear setback to 11' for a one-story rear addition to an existing, two-story single-family residence with a proposed, rear, one-car garage with a roof deck, connected to the single-family residence via a catwalk; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: White Castle System, Inc. **CAL NO.:** 108-15-S
APPEARANCE FOR: Andrew Scott **MINUTES OF MEETING:**
 April 17, 2015
APPEARANCE AGAINST: George Blakemore
PREMISES AFFECTED: 11050 S. Halsted Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a one-lane drive through to serve a one-story restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015
 CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
RECUSED		

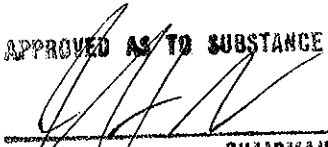
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish a one-story restaurant with one drive-through lane provided the development is established consistent with the design, layout, materials and plans prepared by V3 Companies and dated March 2, 2015 (site plan) and Daniel Weinbach and Partners and dated March 24, 2015 (landscape plan).

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: Saaj Café, Inc. **CAL NO.:** 109-15-S
APPEARANCE FOR: Steven Stavropoulos **MINUTES OF MEETING:**
 April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1558 North Milwaukee Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of an outdoor, rooftop patio.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015
 CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
RECUSED		

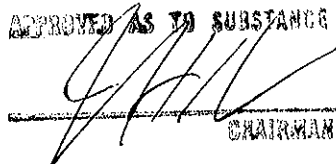
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish an outdoor, rooftop patio.

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: Sweat The Sound, Inc./DBA Cole's Bar **CAL NO.:** 110-15-Z
APPEARANCE FOR: Coleman Brice **MINUTES OF MEETING:**
 April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2338 N. Milwaukee Avenue

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

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JUN 02 2015
 CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

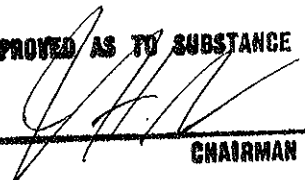
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a public place of amusement license which shall be located within 125' of an RS-3 zoning district; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: The Norwegian Lutheran Bethesda Home Assoc. **CAL NO.:** 111-15-S

APPEARANCE FOR: Bridget O'Keefe

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7000 W. Wolfram Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 24- Space, non-required, accessory, surface parking lot to serve an existing nursing home located at 2833 N. Nordica Avenue

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

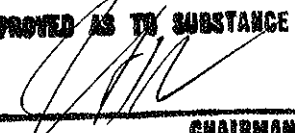
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 24-space, non-required, accessory, surface parking lot to serve an existing nursing home located at 2833 N. Nordica Avenue; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish a 24-space, non-required, accessory, surface parking lot to serve an existing nursing home located at 2833 North Nordica Avenue provided the development is established consistent with the design, layout and plans prepared by Kimley Horn and dated April 15, 2015.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: The Norwegian Lutheran Bethesda Home Association

CAL NO.: 112-15-Z

APPEARANCE FOR: Bridget O'Keefe

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7000 W. Wolfram Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 15' to 9.4' for a proposed, 24-space, Non-required, accessory, surface parking lot to serve an existing nursing home located at 2833 N. Nordica Avenue.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

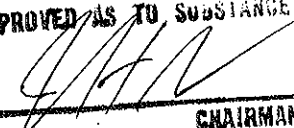
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 111-15-S to permit the establishment of accessory parking; the applicant shall also be permitted to reduce the front setback to 9.4' for a proposed, 24-space, non-required, accessory, surface parking lot to serve an existing nursing home located at 2833 N. Nordica Avenue; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: The Norwegian Lutheran Bethesda Home Association

CAL NO.: 113-15-Z

APPEARANCE FOR: Bridget O' Keefe

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2833 N. Nordica Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the rear setback from 50' to 2.9' for a proposed, one-story addition to an existing nursing home.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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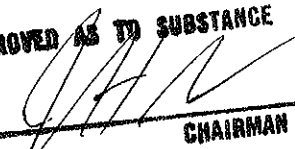
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2.9' for a one-story addition to an existing nursing home; a special use and variation were also granted to the applicant to establish parking at 7000 W. Wolfram with a yard reduction; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Bixi Brewery, LLC **CAL NO.:** 114-15-S
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2515 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of an outdoor, rooftop patio on the proposed second floor to be added to an existing one-story building for a proposed restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
RECUSED		

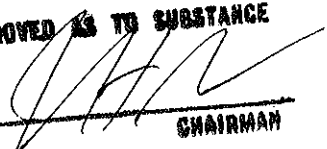
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish an outdoor, rooftop patio.

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: Bixi Brewery, LLC **CAL NO.:** 115-15-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2515 North Milwaukee Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear setback from 30' to 0' for a proposed, second floor residential unit to be added to an existing, one-story building with one, interior, at-grade, rear parking space.

**ACTION OF BOARD-
VARIATION**

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
RECUSED		

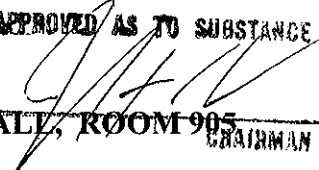
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the applicant in Cal. No.114-15-S, to permit the establishment of an outdoor rooftop patio; the applicant shall also be permitted to reduce the rear setback to 0' for a proposed, second floor residential unit to be added to an existing, one-story building with one, interior, at-grade, rear parking space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT:

Barrett Homes, LLC

CAL NO.: 116-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED:

1702 North Burling Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 12.48' to 6.66'; to reduce the rear setback from 29.12' to 0'; to reduce the north side setback from 2.88' to 0.33'; to reduce the combined side setback from 7.2' to 4.66'; and, to reduce the rear yard open space from 243.36 square feet to 0 for a proposed, three-story, single-family home with a rear, attached, three-car garage with a roof deck.

ACTION OF BOARD-

CASE CONTINUED TO MAY 15, 2015

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Barrett Homes, LLC

CAL NO.: 117-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED: 1722 North Burling Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the front setback from 12.48' to 7.91'; to reduce the rear setback from 29.12' to 0'; to reduce the north side setback from 2.88' to 0.33'; to reduce the combined side setback from 7.2' to 4.66'; and, to reduce the rear yard open space from 243.

ACTION OF BOARD-
CASE CONTINUED TO MAY 15, 2015

THE VOTE

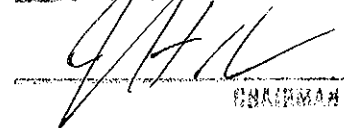
JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
X		

APPROVED AS TO SUBSTANCE



JONATHAN SWAIN

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

APPLICANT:

Inna Elterman

CAL NO.: 118-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED:

1532 N. Wieland Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the front setback from 12.27' to 6'; to reduce the front obstruction setback from 20' to 12.33'; to reduce the rear setback from 28.63' to 0.25'; to reduce the north side setback from 2' to 0'; to reduce the south side setback from 2' to 0.33'; and to reduce the rear yard open space from 134.02 Square feet to 0 square feet for a proposed, four-story, single family residence with a below grade, two- car garage, accessed directly from N. Wieland Street.

ACTION OF BOARD-

CASE CONTINUED TO MAY 28, 2015

THE VOTE

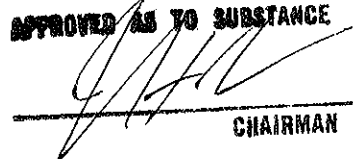
JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

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:

Inna Elterman

CAL NO.: 119-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED:

1532 N. Wieland Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to increase the 45' building height maximum by no more than 10% (4.5') for a proposed, four-story, single-family residence with a below-grade, two-car garage, accessed directly from North Wieland Street.

ACTION OF BOARD-

CASE CONTINUED TO MAY 28, 2015

THE VOTE

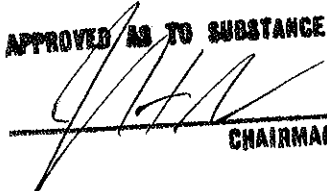
JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

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:

The Church in Chicago

CAL NO.: 120-15-S

APPEARANCE FOR:

MINUTES OF MEETING:

April 17, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED:

3901 West Irving Park Road

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 30-space, off-site, required accessory parking lot to serve the existing, 444-seat church located at 3915 W. Irving Park Road.

ACTION OF BOARD-

CASE CONTINUED TO JULY 17, 2015

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 02 2015

CITY OF CHICAGO

YY Wine & Spirits, Inc.

APPLICANT

121-15-S

CALENDAR NUMBER

3949 W. Ogden Avenue

PREMISES AFFECTED

April 17, 2015

HEARING DATE

Nick Ftikas

APPEARANCE FOR APPLICANT

NO OBJECTORS

NATURE OF REQUEST

Application for a special use to establish a liquor store for the sale of packaged goods.

ACTION OF BOARD

THE VOTE

The application for the special use is denied.

AFFIRMATIVE NEGATIVE ABSENT

Jonathan Swain, Chair
(recused)
Catherine Budzinski
Sol Flores
Sheila O'Grady
Sam Toia (recused)


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THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Nick Ftikas, counsel for the Applicant, explained the underlying basis for the relief sought; that the Applicant is an experienced packaged goods and liquor store operator; that the Applicant is seeking to establish a special use at the subject property; and

WHEREAS, Mr. Shreyas Patel testified on behalf of the Applicant; that his address was 3949 W. Ogden Avenue; that he is the president of the Applicant; that he is an experienced operator of packaged goods and liquor stores in and around the City; that he operates two (2) south side locations; that he is proposing to expand his operation to the

APPROVED AS TO SUBSTANCE

CHAIRMAN

subject property; that the subject property is a three-and-a-half (3.5) acre site and is currently improved with a one-story strip mall shopping center; that there are other businesses currently operating in said strip mall; that said strip mall has over 200 onsite parking spaces to serve its customers; that the subject space the Applicant intends to occupy on the subject property contains about 5000 square feet of total area; that said space is currently vacant and has been vacant for some time; that the subject property is located in a B3-2 Zoning District and therefore a special use is required to locate and establish a packaged goods store on the subject property; that the Applicant intends to sell a variety of products including beer, liquors, spirits, wines, non-alcoholic drinks, sports drinks, water, and packaged foods such as chips and pretzels; that the Applicant also intends to obtain an over-the-counter tobacco license; that the Applicant has maintained both packaged goods licenses and tobacco licenses at its other locations; and

WHEREAS, in response to questions by the Board, Mr. Patel testified the Applicant's other locations are 2587 East Sauk Trail in Sauk Village and 1647 East Sibley in Calumet City; that these are the two locations the Applicant owns; and

WHEREAS, Mr. Patel further testified that he plans to be at the subject property the vast majority of the day; that he will employ between eight and ten (8-10) workers to help operate the store; that as it is a large space, he anticipates hiring additional employees as the business grows as there is an ability to handle a large inventory; that the Applicant's proposed hours of operation at the subject property will be: Monday – Saturday, 10:00 AM – 2:00 AM; Sunday, 12:00 PM – 2:00 AM; that these proposed hours of operation are similar to the hours of operation at the Applicant's other two locations; that the Applicant intends to invest \$200,000 into the physical space; that this figure includes the build-out cost, freezers, display shelves and other equipment to get the store up and operational; that the Applicant is therefore preparing to make significant investments to establish its business at the subject property; and

WHEREAS, Mr. Kareem Musawwir testified on behalf of the Applicant; that his credentials as an expert in land planning were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that the subject property is currently improved with a Save-A-Lot grocery store, a currency exchange and phone store, a number of retail stores, and a gas station on the northeast corner of the subject property; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning Ordinance which must be addressed in support of such an application; that he then orally testified that the proposed special use: (1) complies with all applicable standards of this Zoning Ordinance; (2) is in the interest of the public convenience as there is a market for this type of product; (3) is compatible with the character of the surrounding neighborhood in terms of site planning, building scale and project design; (4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation as the gas station on the subject property operates twenty-four/seven (24/7); and (5) is designed to promote pedestrian safety and comfort; and

WHEREAS, the Board asked if the address of the Applicant is in Muster, Indiana;
and

WHEREAS, Mr. Ftikas stated that Munster, Indiana is the contact address for Mr. Patel; and

WHEREAS, the Board then asked if Mr. Patel only owned the two stores previously mentioned; and

WHEREAS, Mr. Ftikas stated that Mr. Patel controls the liquor licenses for two stores; that these are the stores he has previously named, one in Sauk Village and one in Calumet City; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed special use; now, therefore,

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

1. The Board finds the proposed special use will have an adverse impact on the general welfare of the neighborhood. The Board makes this finding due to the evasive testimony and demeanor of Mr. Patel. The Board finds Mr. Patel to be not credible due to his failure to answer direct questions posed to him by the Board, such as his failure to answer how many stores he owned or the contact address for the Applicant. Mr. Ftikas' attempts to explain do not excuse Mr. Patel's failure to answer. For example, Mr. Patel first stated that his address was 3349 W. Ogden. When the Board asked Mr. Patel if the address of the Applicant was in Munster, Indiana, Mr. Ftikas stated that Munster, Indiana was the contact address for Mr. Patel. This did not answer the Board's question and, in fact, conflicts with Mr. Patel's earlier testimony when he gave the address of 3349 W. Ogden. Further, Mr. Patel never testified whether or not he owned the stores in Calumet City and Sauk Village, despite direct questioning by the Board. Although Mr. Ftikas stated that Mr. Patel controlled the liquor licenses for the stores in Calumet City and Sauk Village, such an explanation did not answer the Board's question. As Mr. Patel is the Applicant's president and testified that he would be at the Applicant's proposed facility the "vast majority of the day," his credibility is a necessary component for the Board determining that the proposed special use will not have an adverse impact on the general welfare of the neighborhood. Since Mr. Patel was not a credible witness, the Board has no choice but to find that the proposed special use will have an adverse impact on the general welfare of the neighborhood.
2. The Board finds that the proposed special use is not compatible with the character of the surrounding area in terms of operating characteristics, such as hours of

operation, outdoor lighting, noise and traffic generation. Again, the Board makes this finding due to the evasive testimony and demeanor of Mr. Patel. Simply put, the Board finds Mr. Patel to be not credible due to his failure to answer direct questions posed to him by the Board, such as failure to answer how many stores he owned or the contact address for the Applicant. Mr. Ftikas' attempts to explain do not excuse Mr. Patel's failure to answer. For example, Mr. Patel first stated that his address was 3349 W. Ogden. When the Board asked Mr. Patel if the address of the Applicant was in Munster, Indiana, Mr. Ftikas stated that Munster, Indiana was the contact address for Mr. Patel. This did not answer the Board's question and, in fact, conflicts with Mr. Patel's earlier testimony when he gave the address of 3349 W. Ogden. Further, Mr. Patel never testified whether or not he owned the stores in Calumet City and Sauk Village, despite direct questioning by the Board. Although Mr. Ftikas explained that Mr. Patel controlled the liquor licenses for the stores in Calumet City and Sauk Village, such an explanation did not answer the Board's question. As Mr. Patel is the Applicant's president and testified he would be at the Applicant's proposed facility the "vast majority of the day," his credibility is a necessary component for the Board determining that the proposed special use would be operated in a manner compatible with the operating characteristics of the surrounding area. Since Mr. Patel was not a credible witness, the Board has no choice but to find that the proposed special use will not be compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.

RESOLVED, the Board finds that the Applicant has not proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby denied.

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

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

APPLICANT: Fulton & Ogden, LLC

CAL NO.: 122-15-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 235 N. Ogden Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 98-space, non-accessory parking lot.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

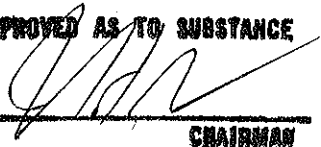
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 2, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 98-space, non-accessory parking lot; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish a 98-space, non-accessory parking lot provided the development is established consistent with the design, layout and plans prepared by Jonathan Splitt Architects and dated February 11, 2015.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 2670 Lincoln, LLC

CAL NO.: 58-15-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2670 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the 8,000 square foot minimum lot area by no more than 10% to 7,370 square feet for a proposed four-story, eight-unit building with eight, enclosed, parking spaces and retail space on the ground floor.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 02 2015

CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

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 April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 5, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the 8,000 square foot minimum lot area by no more than 10% to 7,370 square feet for a proposed four-story, eight-unit building with eight, enclosed, parking spaces and retail space on the ground floor; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Nelson and Josephine Salas

CAL NO.: 69-15-Z

APPEARANCE FOR: Graham Grady

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2726-28 N. Drake Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the front setback from 10.92' to 0' for a 7'-tall, wrought iron fence and to increase the 9,687 square feet of combined floor area in existence for more than 50 years in the two buildings at this location by not more than 15% to 9,800 square feet and to increase the building height from 30' to 36' for a rear third floor addition to the existing three-story, two-unit front building.

ACTION OF BOARD-

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 5, 2015; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 0' for a 7'-tall, wrought iron fence and to increase the 9,687 square feet of combined floor area in existence for more than 50 years in the two buildings at this location by not more than 15% to 9,800 square feet and to increase the building height from 30' to 36' for a rear third floor addition to the existing three-story, two-unit front building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Celeste Suites, LLC **CAL NO.:** 74-15-S
APPEARANCE FOR: Meg George **MINUTES OF MEETING:** April 17, 2015
APPEARANCE AGAINST: None
PREMISES AFFECTED: 739 N. Wells Street, 2nd Floor, Front Unit

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one vacation rental unit in the second floor (front) unit, of an existing, three-story, three-unit building with ground floor and basement retail space.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
 CATHERINE BUDZINSKI
 SOL FLORES
 SHEILA O'GRADY
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
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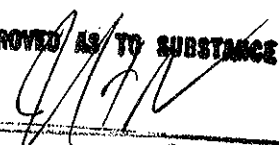
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 5, 2015; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):The Department of Planning and Development recommends approval of the proposal to establish one vacation rental unit in the second floor (front) unit of the existing, three-story, three-unit, residential building with ground floor and basement commercial/retail space.

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: Celeste Suites, LLC

CAL NO.: 75-15-S

APPEARANCE FOR: Meg George

MINUTES OF MEETING:
April 17, 2015

APPEARANCE AGAINST: None

PREMISES AFFECTED: 739 N. Wells Street, 3rd Floor

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one vacation rental unit in the third floor unit, of an existing, three-story, three-unit building with ground floor and basement retail space.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 02 2015
CITY OF CHICAGO

JONATHAN SWAIN
CATHERINE BUDZINSKI
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

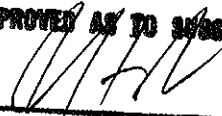
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RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposal to establish one vacation rental unit in the third floor unit of the existing, three-story, three-unit, residential building with ground floor and basement commercial/retail space.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN