

**ZBA
MINUTES
MAY 19, 2017**

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JUN 19 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

SDC 16002, LLC

APPLICANT

169-17-S

CALENDAR NUMBER

5533-57 W. Irving Park Road

PREMISES AFFECTED

May 19, 2017

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the conditions specified below.

Blake Sercye
Sol Flores
Sam Toia (recused)
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 5533-57 W.
IRVING PARK ROAD BY SDC 16002, LLC**

I. BACKGROUND

SDC 16002, LLC (the "Applicant") submitted a special use application for 5533-77 W. Irving Park Road (the "subject property"). The subject property is currently zoned B3-1 and is vacant. The Applicant sought a special use to permit the establishment of a drive-through to serve a proposed one-story coffee shop. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed drive-through provided that the: (1) use of the proposed drive-through is limited to use by the Starbucks Corporation, a Washington corporation doing business as the Starbucks Coffee Company ("Starbucks"); and (2) development is consistent with the design and layout of the site plan prepared by Sumac, Inc., and the landscape plan prepared by Prassas Landscape Studio, both dated May 16, 2017.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on May 19, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and

APPROVED AS TO SUBSTANCE

CHAIRMAN

by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's representative as well as its project architect Mr. Ron Dean and its attorney Mr. Bernard Citroen were present. The Applicant's traffic engineer Mr. Michael Werthmann and its ~~real estate appraiser~~ Mr. Joseph M. Ryan were present. Mr. Andrew Zall from Starbucks was present. Testifying in support of the application were Alderman Nicholas Sposato, Mr. David Fuller, Mr. Paul Csongradi, Mr. George Borovik, Ms. Jennifer Dianowski, and Mr. Kevin Manassa. Testifying in opposition to the application were Ms. Patricia Conway, Mr. Robert Quezada, Ms. Melissa Basilone, Ms. Jessica Vasquez, Ms. Pamela Conway and Ms. Marian Haas. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the expert testimony of Mr. Ron Dean. Mr Dean testified that there is a lack of drive-through coffee shops on Irving Park Road in this part of the City of Chicago ("City"). He testified that the Applicant's proposed special use differed from a typical neighborhood coffee shop as it is focused on a morning, auto-based coffee pick-up. He testified that he prepared the site plan. He testified that his site plan was based on discussions with the Department as the Department was interested in activating the street and promoting pedestrian safety. In consequence, the Applicant has eleven (11) car stacking spaces on its site plan which is more than one typically sees for a drive-through. He further testified that the proposed one-story coffee shop and drive-through will be compatible with the surrounding area in terms of its design, building scale and project design.

The Applicant presented the expert testimony of its traffic engineer Mr. Michael Werthmann. Mr. Werthmann testified that he had been retained by the Applicant to perform a traffic study to determine whether or not there would be any negative impacts due to the Applicant's proposed special use. He testified that the study had been reviewed and approved by the City's Department of Transportation ("CDOT"). Mr. Werthmann then testified to the results of the study, concluding that the Applicant's proposed development is in the interest of the public convenience and will have no significant or adverse impact on traffic in the surrounding area. He testified that the Applicant's site plan had been designed to minimize impact on the existing roadway system.

The Applicant presented the expert testimony of its real estate appraiser Mr. Joseph Ryan. Mr. Ryan testified that he had been retained by the Applicant to prepare an appraisal report regarding the subject property and the proposal to establish a drive-through at the subject property. He testified to the subject property and its surroundings. He then testified to his conclusion that the proposed special use would cause no diminution to the property values of the surrounding area. He further testified that the proposed special use was in the interest of the public convenience.

The Applicant presented the testimony of Mr. Andrew Zall. Mr. Zall testified that he was employed by Starbucks for store development. He testified as to Starbucks' proposed hours of operation for the proposed special use at the subject property. He testified as to Starbucks' proposed amount of employees for the proposed special use at the subject property. He testified that Starbucks had no intention of serving alcohol at the subject property. He testified that in a typical Starbucks location such as the subject property, the drive-through would account for sixty percent (60%) of the sales; the café would account for the remaining forty percent (40%). He testified that on weekends, sales from the café would be a bit higher. He testified while Starbucks did not consider locations like the subject property as major generators of traffic, Starbucks does capitalize on the existing traffic. In fact, one of the main success factors for Starbucks locations such as the subject property is ability to capitalize on existing traffic.

Mr. David Feller, of 6028 W. Waveland and president of the West Portage Neighbors' Association, Mr. Paul Csongradi, of 5940 W. Bernice, Mr. George Borovik, of 5829 W. Irving Park and executive director of the Portage Park Chamber of Commerce, Ms. Jennifer Dianowski, of 5626 W. Patterson and president of Friends of Portage Park, and Mr. Kevin Manassa, of 5324 W. Warner, all testified in support of the Applicant's application.

Ms. Patricia Conroy, of 5515 W. Pensacola and president of Portage Park Neighborhood Association, Mr. Robert Quezada, of 5535 W. Addison, Ms. Melissa Basilone, of 5912 W. Patterson, Ms. Pamela Conroy, of 5529 W. Pensacola, and Ms. Marian Haas, of 5322 W. Hutchinson (collectively, the "Objectors"), all testified in opposition to the Applicant's application. Their opposition to the application stemmed from their belief that the Applicant's proposed special use would negatively impact pedestrian safety and comfort.

In rebuttal to the Objectors' testimony, the Applicant presented further expert testimony from its traffic engineer Mr. Werthmann. Mr. Werthmann further testified that the Applicant's site plan had been designed in a number of ways to improve pedestrian safety and vehicle safety. He testified that the Applicant has taken the unprecedented step of prohibiting left turns out of all three access drives during the day. He testified that CDOT has approved this, and there will be signage posted to prohibit said left turns. He testified that safety is CDOT's number one priority. He testified that the intersection of Central and Irving Park Road is under traffic signal control, with pedestrian countdown signals and high visibility crosswalks. He testified that the Applicant will be locating access drives away from that intersection. He testified that the bus stop is at that intersection, and again the Applicant will be locating its access drives away from that intersection. He testified that the Applicant will be providing sufficient stacking on-site, and so the Applicant's proposed special use will not stack up on the roadway system.

In rebuttal to the Objectors' testimony, the Applicant presented further expert testimony from its real estate appraiser Mr. Ryan. Mr. Ryan further testified that there is nothing incompatible with putting a drive-through across the street from a park. He testified that the Applicant's drive-through is appropriately designed.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Dean further testified that in addition to the no left turn signs, the Applicant would also provide additional signage for pedestrian safety, such as "pedestrian crossing" or "watch for pedestrians."

In response to questions by the ZONING BOARD OF APPEALS, Mr. Steven Valenziano of the Department testified as to what the Department determined – along with CDOT – that the Applicant's site plan was the best plan for pedestrian safety.

Alderman Nicholas Sposato testified in support of the Applicant's application.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it 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 (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. *The proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.*

The property is in a B3-1 Neighborhood Shopping District. The applicant seeks to build a Starbucks coffee shop with drive-through service typical of this type of business. The coffee shop use is a permitted use in a B3-1 zoning district; however a drive through requires special use approval. The restaurant and drive-through will be constructed in conformance with the submitted site plan and landscape plan, which have been reviewed and approved by the CDOT and the Department. The proposed building will be within floor area, height, and other bulk regulations in the Chicago Zoning Ordinance. More generally, the proposed new coffee shop and drive through will operate in conformance with all applicable standards of the Chicago Zoning Ordinance, the Municipal Code of the City of Chicago, and other applicable ordinances and laws.

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use will provide and fulfill a need for a drive-through coffee shop on Irving Park Road in this part of the City. As very credibly testified to by Mr. Ryan, proposed special use will cause no diminution to the property values of the surrounding area. Thus, the proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The proposed building has been designed to fit into the streetscape along this portion Irving Park Road. The proposed special use has been designed minimize impact on the existing roadway system as well as to provide maximum pedestrian safety and comfort.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

The proposed drive-through facility's hours of operation, as testified to by Mr. Zell, are compatible with other drive-through facilities in the area noted by Mr. Ryan. As noted above, the proposed drive-through has been designed to minimize impact on the existing roadway system as well as to provide maximum pedestrian safety and comfort. The proposed special use will not be open twenty-four hours, and no alcohol will be served in conjunction with the special use.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

The Applicant has included ample car stacking on its site plan so that car stacking will not back up into the roadway system. The Applicant has taken the unprecedented step of prohibiting left turns out of all three access drives during the day. There will be signage posted to prohibit said left turns. There will also be signage posted at all access drives reminding to watch out for pedestrians. The Applicant has located its access drives away from the intersection of Irving Park Road and Central.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the

Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The development shall be consistent with the design and layout of the site plan prepared by Sumac, Inc., and the landscape plan prepared by Prassas Landscape Studio, both dated May 16, 2017;
2. There shall be reflective "watch for pedestrians" or "pedestrian crossing" placed at the exit of all the subject property's access drives; and
3. This special use shall be limited to operation by Starbucks. In the event that another entity seeks to operate the drive-through, a new special use shall be required.

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: Lionstone, LLC Series 2110 CAL NO.: 248-17-Z
APPEARANCE FOR: Thomas Moore MINUTES OF MEETING: May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2110 W. Washington Boulevard

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 14.88' to 7', west setback from 2.4' to 1.5' (east will be 3'), combined side setback from 6.0' to 4.5' for a proposed four-story, four dwelling unit building with a roof deck, rooftop stair enclosure, front open porch and four open parking stalls.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for BLAKE SERCYE, SOL FLORES, SAM TOIA, AMANDA WILLIAMS.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 7', west setback to 1.5' (east will be 3'), combined side setback to 4.5' for a proposed four-story, four dwelling unit building with a roof deck, rooftop stair enclosure, front open porch and four open parking stalls; an additional variation was granted in Cal. No. 249-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Lionstone LLC, Series 2110 CAL NO.: 249-17-Z

APPEARANCE FOR: Thomas Moore MINUTES OF MEETING:

May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2110 W. Washington Boulevard

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 195.3 square feet to zero, for a proposed four story, four dwelling unit building with a roof deck, roof top stair enclosure, front open balconies, patio at grade, rear four-story open porch and four open and four open parking stalls.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE



JUN 19 2017

CITY OF CHICAGO ZONING BOARD OF APPEALS

BLAKE SERCYE SOL FLORES SAM TOIA AMANDA WILLIAMS

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show votes for Blake Sercye, Sam Toia, and Amanda Williams.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space from the required 195.3 square feet to zero, for a proposed four story, four dwelling unit building with a roof deck, roof top stair enclosure, front open balconies, patio at grade, rear four-story open porch and four open and four open parking stalls; an additional variation was granted to the subject site in Cal. No. 248-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

Signature of Chairman

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Taco Makers of Illinois, LLC

APPLICANT

250-17-S

CALENDAR NUMBER

6631 S. Cicero Avenue

PREMISES AFFECTED

May 19, 2017

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the conditions specified below.

Blake Sercye
Sol Flores
Sam Toia (recused)
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 6631 S.
CICERO AVENUE BY TACO MAKERS OF ILLINOIS, LLC**

I. BACKGROUND

Taco Makers of Illinois, LLC (the "Applicant") submitted a special use application for 6631 S. Cicero Avenue (the "subject property"). The subject property is currently zoned B1-1 and is partially improved with a single-story brick structure containing approximately 1317 square feet. The Applicant sought a special use to permit the establishment of a drive-through to serve a proposed one-story fast food restaurant. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed drive-through provided that the development is consistent with the design and layout of the site plan, the landscape plan and the elevations, all dated May 17, 2017, and prepared by MRV Architects.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on May 19, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's chief financial officer Mr. Jack Goldberg and its attorney Mr. Richard Toth were present. The Applicant's architect Mr. Mario Valentini and its appraiser Mr. Terrance O'Brien were also present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the testimony of Mr. Jack Goldberg. Mr Goldberg testified as to the drive-through's proposed hours of operation. He further testified as to the car stacking of the proposed drive-through.

The Applicant presented the expert testimony of its architect Mr. Mario Valentini. Mr. Valentini testified as to how the Applicant's application met all the standards for a special use.

The Applicant presented the expert testimony of its appraiser Mr. Terrance O'Brien. Mr. O'Brien testified as to how the Applicant's application met all the standards of a special use.

The ZONING BOARD OF APPEALS noted that the car queuing depicted on the site plan was slightly unusual for a drive-through, as those cars exiting the drive-through would have to cross the traffic that would be entering into the Applicant's parking lot from Cicero Avenue. The ZONING BOARD OF APPEALS then asked if there would be some sort of sign to remind people that were exiting from drive-through back into the Applicant's parking lot that there would be crossing incoming traffic from Cicero Avenue.

In response to the ZONING BOARD OF APPEALS' question, Mr. Valentini testified that the Applicant would be willing to put a stop or yield sign for those exiting the drive-through.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it 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 (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. *The proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.*

The property is in a B1-1 Neighborhood Shopping District. The applicant seeks to build a Taco Bell restaurant with drive-through service typical of this type of business. The restaurant use is a permitted use in a B1-1 District, however a drive-through requires special use approval. The restaurant and drive-through will be constructed in conformance with the submitted site plan and landscape plan, which have been reviewed and approved by the Chicago Department of Transportation ("CDOT") and the Department. The proposed building will be within floor area, height, and other bulk regulations in the Chicago Zoning Ordinance. More generally, the proposed new restaurant and drive through will operate in conformance with all applicable standards of the Chicago Zoning Ordinance, Municipal Code of the City of Chicago, and other applicable ordinances and laws,

2. *The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use will provide and fulfill a need for the residences and businesses located in the subject area as well as traffic that circulates on Cicero Ave. The subject property has substantial frontage on Cicero Ave., which is considered a primary thoroughfare in the area. Immediately south of the subject is a Dunkin Donuts that has a drive-through facility. Located within an approximate two mile radius of the subject property are at least nine other drive-through facilities. Located immediately west of Cicero Ave. is a large commercial development with numerous multi-story hotels and restaurants. Finally, properties located immediately north, south and west of Cicero Ave. are all zoned for business/ commercial uses.

3. *The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The proposed special use will be housed in a building with an architecturally pleasing exterior and interior appearance. Said building will be primarily built of masonry exterior finishes. A new color scheme and introduction of elements such as an accent siding with the look of aged wood will provide the building with a soft but modern approach to the exterior facades and will be designed to

complement the surrounding area's architectural details of brick, stone, glass and steel. The building will be single-story in height. Located in the surrounding area are numerous structures that are equal or greater in height; immediately west of Cicero Ave. are several structures whose heights range from three to six (3-6) stories. Therefore the scale and size of the building will certainly not exceed the intensity of other uses in the subject area.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

The proposed drive-through facility hours of operation will be approximately 7:00 a.m. to 2:00 a.m., similar to other retail, commercial and drive-through facilities in the area, and similar to other Taco Bell sites all over the City of Chicago. There are several commercial uses in the surrounding area whose hours of operation are similar to that proposed for the subject property. The proposed drive-through will have ample stacking so that during peak times it will not interfere with circulation and parking. The traffic pattern is designed so as to limit circulation to the primary thoroughfare of Cicero Ave., and the proposed special use will not result in any excessive traffic in the surrounding residential streets, nor will there be any excessive noise as a result of the proposed use. CDOT has reviewed and approved the site plan

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

The proposed special use will be housed in a building immediately adjacent to Cicero Ave., providing easy access to pedestrians along Cicero Ave. Access to the parking area will be from Cicero Ave. Additionally, there is relatively little pedestrian traffic along the sidewalks that abut the property. The number and size of curb cuts / driveways on Cicero Ave. are minimized to avoid interference with pedestrian traffic. CDOT has reviewed and approved the site plan.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following conditions:

1. The special use shall be developed consistent with the design and layout of the site plan, the landscape plan and the elevations, all dated May 17, 2017 and prepared by MRV Architects; and
2. There shall be a stop or yield sign placed at the exit to the drive-through back into the Applicant's main parking lot so that exiting cars can be reminded that there is incoming traffic from Cicero Avenue into the Applicant's parking lot.

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: SNS Realty Group **CAL NO.:** 251-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1841 N. California Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from 8.56' to 3', rear setback from 30' to 2' on floors containing dwelling units for a proposed four-story, fourteen dwelling unit building with eight enclosed parking spaces and two attached garages, roof decks, balconies, roof top stair way, elevator enclosure and two attached garages.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

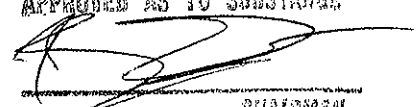
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 3', rear setback to 2' on floors containing dwelling units for a proposed four-story, fourteen dwelling unit building with eight enclosed parking spaces and two attached garages, roof decks, balconies, roof top stair way, elevator enclosure and two attached garages; 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: Sofia Beautique Salon, Inc.

CAL NO.: 252-17-S

APPEARANCE FOR: Fred Augustin

MINUTES OF MEETING:

May 19, 2017

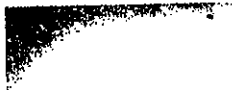
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1627 W. Belmont Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE RESOLUTION:

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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: Tria Sorelle Group, Incorporated **CAL NO.:** 253-17-S
APPEARANCE FOR: Mara Georges/Rich Toth **MINUTES OF MEETING:**
 May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3300 S. Halsted Street/801-11 W. 33rd Street

NATURE OF REQUEST: Application for a special use to permit the establishment of an outdoor rooftop patio to serve a one-story restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
RECUSED		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 to serve a one-story restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated November 22, 2017, prepared by IR Design Inc.

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: Room 1520 LLC **CAL NO.:** 254-17-S
APPEARANCE FOR: Paul Montes **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 301 N. Justine Street

NATURE OF REQUEST: Application for a special use to permit the establishment of a small venue located in PMD #4A.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for a special use; the applicant shall be permitted to establish a small venue located in PMD #4A at the subject site; a special use to permit accessory off-site parking was granted in Cal. No. 255-17-S and a variation to permit shared parking in an existing parking lot was granted in Cal. No. 256-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the site plan and first floor plan dated October 22, 2015, and the elevations dated August 21, 2015, all prepared by Pavlecic Trudeau Architects, LLC., and provided the maximum number of occupants is never more than 149 persons.

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: Room 1520 LLC

CAL NO.: 255-17-S

APPEARANCE FOR: Paul Montes

MINUTES OF MEETING:

May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1532-42 W. Fulton Street

NATURE OF REQUEST: Application for a special use to permit the establishment of an accessory off-site parking lot to serve a proposed small venue located at 301 N. Justine Street.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for a special use; the applicant shall be permitted to establish an accessory off-site parking lot to serve a proposed small venue located at 301 N. Justine Street; a special use to establish a small venue located in PMD #4A was granted in Cal. No. 254-17-S and a variation to permit shared parking was granted in Cal. No. 256-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided there is a 10-year parking agreement.

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: Room 1520 LLC

CAL NO.: 256-17-Z

APPEARANCE FOR: Paul Montes

MINUTES OF MEETING:
May 19, 2017

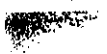
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1532-42 W. Fulton Street

NATURE OF REQUEST: Application for a variation to permit shared parking in an existing parking lot that will serve an existing business and a proposed small venue located at 301 N. Justine which is within 600 feet of the shared parking lot.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the variation application; the applicant shall be permitted to establish an accessory off-site parking lot to serve a proposed small venue located at 301 N. Justine Street; a special use to establish a small venue located in PMD #4A was granted in Cal. No. 254-17-S and another special use to permit accessory off-site parking lot was granted in Cal. No. 255-17-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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: Willow Creek Community Church, Inc. **CAL NO.:** 257-17-S

APPEARANCE FOR: Jack George **MINUTES OF MEETING:**
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1319-49 S. State Street

NATURE OF REQUEST: Application for a special use to permit the expansion of an existing religious assembly.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

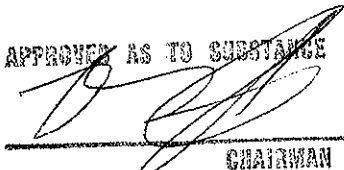
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated March 20, 2017, prepared by Pasma Group Architects.

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: 356-366 Erie, LLC **CAL NO.:** 258-17-S
APPEARANCE FOR: Jack George **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 356-60 W. Erie Street/659-67 N. Sedgwick Street

NATURE OF REQUEST: Application for a special use to permit the establishment of an eleven story residential building with thirty-eight dwelling units and fifty-two parking spaces.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

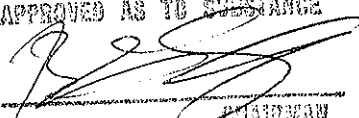
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the landscape plan dated May 10, 2017, the floor plans and elevations dated January 26, 2017, as well as the site plan and ground floor plan dated April 5, 2017, all prepared by GREC Architects.

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: Sky Real Estate, LLC-Series 2430 N. Albany

CAL NO.: 259-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2426 N. Albany Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 6.61' to 1.5', north setback from 5' to 3', rear setback from 15.43' to 2.5' for a proposed two-story single family residence with a rooftop stair enclosure, deck, trellis and two-car garage and a spiral stair located on the North West corner.

ACTION OF BOARD-

Continued to June 16, 2017 at 2 p.m.

THE VOTE



JUN 19 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sky Real Estate, LLC-Series 2430 N. Albany

CAL NO.: 260-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2426 N. Albany Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 117.52 square feet to zero for a proposed two-story, single family residence with a roof top stair enclosure, deck, trellis and two-car garage and an open spiral stair case located on the North West corner.

ACTION OF BOARD-

Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Sky Real Estate, LLC-Series 2430 N. Albany

CAL NO.: 261-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

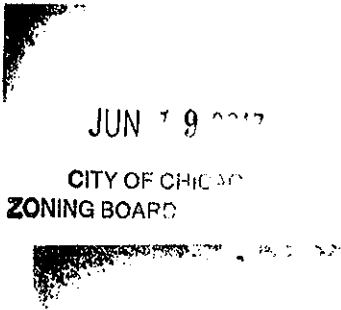
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2430 N. Albany Avenue

NATURE OF REQUEST: Application for a variation to reduce the south setback from the required 5' to zero for the subdivision of a lot. The existing three-story, four dwelling unit building will remain.

ACTION OF BOARD-

Continued to June 16, 2017 at 2 p.m.



THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sky Real Estate, LLC-Series 2430 N. Albany

CAL NO.: 262-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2430 N. Albany Avenue

NATURE OF REQUEST: Application for a variation to reduce the lot area from the required 4,000 square feet to 3,605 square feet for the subdivision of a lot. The existing three-story, four dwelling unit building will remain.

ACTION OF BOARD-

Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Anthony Caruso

CAL NO.: 263-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 447 W. Webster Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 34.8' to 0.17', west setback from 2' to 0.17' (east setback to be 2.25'), combined from 5' to 2.42' for a proposed one-story garage with an open stair to the roof deck, a bridge to the roof deck and privacy walls at the rear.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 0.17', west setback to 0.17' (east setback to be 2.25'), combined to 2.42' for a proposed one-story garage with an open stair to the roof deck, a bridge to the roof deck and privacy walls at the rear; 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 with the standards 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: Renewal Group LLC Medill **CAL NO.:** 264-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2335 N. Drake Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear wall setback from the required 12' to 3' for a rear one-story, four car attached garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 wall setback to 3' for a rear one-story, four car attached 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 with the standards 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: Luke and Mindi Devries **CAL NO.:** 265-17-Z
APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2841 N. Hamlin Avenue

NATURE OF REQUEST: Application for a variation to increase the non-conforming floor area by 410.07 square feet which is a 14.985% increase of the existing floor area for a proposed third floor addition for the two-story single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 increase the non-conforming floor area by 410.07 square feet which is a 14.985% increase of the existing floor area for a proposed third floor addition for the two-story single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: LUX Properties

CAL NO.: 266-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:

May 19, 2017

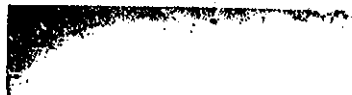
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2027 W. Giddings Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 16.64' to 10.64', rear setback from 34.40' to 2', west setback from 3.01' to 2', (east to be 2.76') combined side setback from 7.54' to 4.76' for front open covered porch and a stair to access the garage roof deck which shall also contain the relocated rear yard open space.

ACTION OF BOARD-

Withdrawn



JUN 19 2017

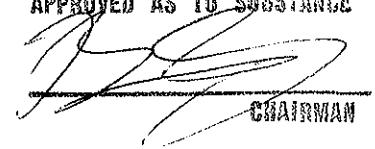
CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Ogee Chi, LLC

CAL NO.: 267-17-S

APPEARANCE FOR: Stephen Patterson

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 67 E. Oak Street

NATURE OF REQUEST: Application for a special use to permit the establishment of a body art service (micro-blading and permanent makeup).

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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X		
X		

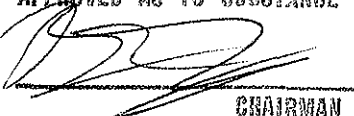
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 body art service (micro-blading and permanent makeup) at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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: Royal Palms Chicago, LLC

CAL NO.: 268-17-S

APPEARANCE FOR: Redmond McGrath

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1750 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to permit the establishment of a roof top outdoor patio.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

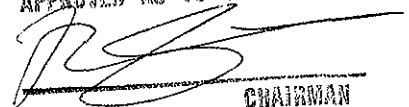
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated January 12, 2017, prepared by Jonathan Splitt Architects, Ltd.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: McDonald's Corporation

CAL NO.: 269-17-S

APPEARANCE FOR: Timothy Hinchman

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5624 W. Roosevelt Road

NATURE OF REQUEST: Application for a special use to permit the establishment of a dual drive through lane to serve an existing fast food restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE RESOLUTION:

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

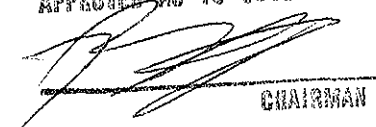
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of both the site plan and landscape plan dated October 13, 2016, prepared by Watermark Engineering Resources, Ltd.

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: Anant and Ashley Handa

CAL NO.: 270-17-Z

APPEARANCE FOR: Aaron Fox

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1233 W. Ohio Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35.5' to 21.5' for a proposed bridge to access a proposed garage roof deck on the existing garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

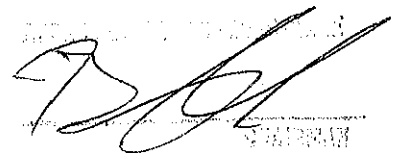
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.5' for a proposed bridge to access a proposed garage roof deck on the existing 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 with the standards 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
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Capricorn Real Estate Group, LLC
APPLICANT

271-17-Z & 272-17-Z
CALENDAR NUMBERS

2556-60 W. Armitage Avenue
PREMISES AFFECTED

May 19, 2017
HEARING DATE

ACTION OF BOARD

THE VOTE

The applications for the variations are approved.

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 2556-60 W.
ARMITAGE AVENUE BY CAPRICORN REAL ESTATE GROUP, LLC**

I. BACKGROUND

Capricorn Real Estate Group, LLC (the "Applicant") submitted two variation applications for 2556-60 W. Armitage Avenue (the "subject property"). The subject property is currently zoned B2-3 and is currently improved with two existing buildings built to the lot lines. The Applicant proposed to demolish these buildings and redevelop the subject property with a new four story, mixed-used building. The new building would have ground floor office space and an interior garage with fourteen (14) parking spaces. The upper floors of the building would have fourteen (14) dwelling units. On November 16, 2016, the City Council of the City of Chicago approved a Type-1 rezoning of the subject property specifically for the new mixed-use building. To permit this proposed construction, the Applicant sought variations to: (1) reduce the rear setback from the required 30' to 15'; and (2) eliminate the one (1) required loading berth.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on May 19, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF

APPROVED AS TO SUBSTANCE

CHAIRMAN

APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing-member Ms. Mari J. Whipple and its attorney Mr. Mark Kupiec were present. The Applicant's architect Mr. John Hanna was also present. Mr. Timothy King and Mr. George Blakemore were in opposition to the applications. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the testimony of its managing-member Ms. Mari J. Whipple. Ms. Whipple testified that without the requested variations, the Applicant would be forced to build smaller residential units. Ms. Whipple testified that if the variations were granted so that larger residential units could be built, the Applicant projected an eighteen percent (18%) return on its investment. She testified that if the variations were not granted and smaller residential units were all that were allowed, the Applicant projected only a five percent (5%) return on its investment. This five percent (5%) return would not be adequate, as the Applicant's lenders for the project required at minimum an eight to fifteen percent (8 – 15%) return. She testified that she had been a developer in the City of Chicago ("City") for over twenty-five (25) years and had done other projects in the neighborhood. She testified that the proposed variations, if granted, would not alter the essential character of the neighborhood. She testified that with respect to the request to eliminate the one (1) required loading berth, there would still be a loading space in the new mixed-use building. She further testified that the Applicant planned to apply to the City for a loading zone in front of the new mixed-use building.

The Applicant presented the expert testimony of its architect Mr. John Hanna. Mr. Hanna testified that originally the Applicant intended an eighteen (18) dwelling unit building, but after meetings with community groups, the Applicant reduced the building to fourteen (14) dwelling units. He testified that while the Chicago Zoning Ordinance required a thirty foot (30') rear setback for those floors with a residential use, a fifteen foot (15') rear setback was adequate for residential floors. He testified that his commission from the Applicant was to keep the new mixed-used building to four (4) stories. To do this, and to fit fourteen (14) large dwelling units, the variations are necessary. Otherwise, the Applicant would have to build a higher building. He testified that a taller building would be more out of character with the buildings on this part of Armitage. He testified that the proposed new mixed-use building will in fact have a 10' x 20' loading berth. He testified that a Chicago Zoning Ordinance compliant loading berth is 10' x 25'. However, he testified that a 10' x 20' loading berth is adequate for the Applicant's purpose as it will fit most panel vans.

Mr. Timothy King, of 2024 N. Stave Street, testified in opposition to the applications. His opposition stemmed from his belief that the new mixed-used building would create congestion, trash, noise and reduce sunlight to his home.

Mr. George Blakemore, address unknown, testified in opposition to the applications.

In rebuttal to Mr. King's testimony, the Applicant presented further expert testimony from its architect Mr. Hanna. Mr. Hanna testified the variations would not: (1) be

detrimental to the public welfare; (2) injurious to other property or improvements in the area; (3) impair an adequate supply of light and air to adjacent property; (4) increase the danger of fire; and (5) endanger public safety. He testified that there is an alley to the rear of the subject property. He testified that the alley is a sixteen foot (16') public foot alley, and therefore, there would be thirty-one feet (31') from Mr. King's property rear property line to the rear wall of the Applicant's residential floors (i.e., floors two through four). He testified that this thirty-one feet (31') provided more than adequate light and air to Mr. King's property. He testified that the current building on the subject property was built all the way to the rear lot line while the first floor of the new proposed building is set back from the rear property line two feet two inches (2'2").

In rebuttal to Mr. King's testimony, the Applicant presented further testimony from Ms. Whipple. Ms. Whipple testified as to the availability of public transportation of the subject property.

B. Criteria for a Variation

Pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance, no variation application may be approved unless the ZONING BOARD OF APPEALS finds, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

Pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance, in order to determine that practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must find evidence of each of the following: (1) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance; (2) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood.

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the

neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

JII FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for variations pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance:

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.*

Due to the Applicant's need for larger residential units in order to finance its proposed redevelopment of the subject property and the Applicant's need to keep the proposed mixed-use building at only four stories, strict compliance with the regulations and standards of the Chicago Zoning Ordinance would create practical difficulties for the subject property.

2. *The requested variations are consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

The requested variations maintain a range of housing choices and options as set forth in Section 17-1-0512 of the Chicago Zoning Ordinance.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for variations pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance:

1. *The property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

As Ms. Whipple very credibly testified the Applicant can only obtain financing for the proposed redevelopment of the subject property if the Applicant makes an eight to fifteen percent (8-15%) return on its investment. If the Applicant had to use the subject property only in accordance with the standards of the Chicago Zoning Ordinance, the Applicant would only obtain a five percent (5%) return on its investment. Consequently, without the requested variations, the property in question could not yield a reasonable rate of return.

- 2. The practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property.*

The unique circumstances of needing to keep the proposed mixed-used building at only four stories while at the same time providing large residential units are not generally applicable to other similarly situated property.

- 3. The variations, if granted, will not alter the essential character of the neighborhood.*

The variations will not alter the essential character of the neighborhood. Presently, the subject property is improved with two buildings that are built lot line to lot line. The Applicant's proposed mixed-use building will, in contrast, be set off of the lot lines. Further, the new building will be capped at four stories, which is in keeping with the character of the neighborhood.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for variations pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance:

- 1. The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

As noted above, the character of the surrounding neighborhood lends itself to four story buildings. If the variations were not granted, the Applicant would need to build a taller building to yield a reasonable rate of return. Therefore, the particular physical surroundings of the subject property result in particular hardship upon the property owner as distinguished from mere inconvenience, if the strict letter of the regulations were carried out.

- 2. The conditions upon which the petition for the variations are based would not be applicable, generally, to other property within the same zoning classification.*

The conditions of keeping the proposed mixed-used building at only four stories while at the same time providing large residential units are not applicable, generally, to other property within the B2-3 zoning classification.

- 3. The purpose of the variations is not based exclusively upon a desire to make more money out of the property.*

The variations are not based exclusively upon a desire to make more money out of the property but rather a desire to make a rate of return on the subject property that make the Applicant's proposed redevelopment feasible.

4. *The alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property.*

The Applicant did not create the practical difficulty of keeping proposed mixed-used building at only four stories while at the same time providing large residential units.

5. *The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

As very credibly testified to by Mr. Hanna, the granting of these variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located. The Applicant will have a loading berth of 10' x 20' and a loading zone outside the front of the proposed building.

6. *The variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

7. As very credibly testified to by Mr. Hanna, the variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. There will be at least thirty-one feet (31') between Mr. King's rear property line and the rear wall of the Applicant's residential floors (i.e., floors two through four). Further, there will be fourteen (14) onsite parking spaces for each of the fourteen units, and as Ms. Whipple very credibly testified, there is ample public transportation in the vicinity. Moreover, the trash area will be contained within the proposed building.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's applications for variations, and the Zoning Administrator is authorized to permit said variations.

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: Anthony Carey **CAL NO.:** 273-17-Z
PEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1430 W. Polk Street

NATURE OF REQUEST: Application for a variation to reduce the west setback from the required 2' to 0.25' (east to be 3.06'), combined side setback from 4.8' to 3.31' for a proposed rear two story addition and a raised rear patio onto the existing two-story, single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for a variation; the applicant shall be permitted to reduce the west setback to 0.25' (east to be 3.06'), combined side setback to 3.31' for a proposed rear two story addition and a raised rear patio onto the existing two-story, single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the Requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: 2037 N. Kenneth, Inc. **CAL NO.:** 274-17-Z
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:** May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1653 W. Division Street

NATURE OF REQUEST: Application for a variation to eliminate two required parking spaces for a proposed three-story, two dwelling unit building with ground floor office space.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 eliminate two required parking spaces for a proposed three-story, two dwelling unit building with ground floor office 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 with the standards 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: Avondale Villas, LLC

CAL NO.: 275-17-Z

APPEARANCE FOR: Bernard Citron

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3650 N. Avondale Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from 21.58' 15.67', north to 6.79' to 3.67', combined side setback from 16.99' to 10.46' for a proposed two-story single family residence, front open porch, rear open deck and an attached two car garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

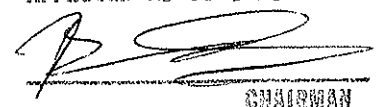
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 15.67', north to 3.67', combined side setback to 10.46' for a proposed two-story single family residence, front open porch, rear open deck and an attached 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 with the standards 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: Pianoforte Properties, LLC

CAL NO.: 276-17-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2110 W. Belmont Avenue

NATURE OF REQUEST: Application for a special use to permit the establishment of residential use below the second floor for a proposed three-story, three dwelling unit building with a detached, three-car garage.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 residential use below the second floor for a proposed three-story, three dwelling unit building with a detached, three-car garage; a variation was granted to the subject site in Cal. No. 277-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated May 19, 2017, prepared by Hannah Architects, Inc.

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: Pianoforte Properties, LLC

CAL NO.: 277-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
May 19, 2017


APPEARANCE AGAINST: None

PREMISES AFFECTED: 2110 W. Belmont Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 21'-4" for a proposed open stair case to access a proposed garage rooftop deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE


JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21'-4" for a proposed open stair case to access a proposed garage rooftop deck; a special use was granted to the subject site in Cal. No. 276-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Patricia F. Bravo
APPEARANCE FOR: Same as applicant
APPEARANCE AGAINST: None
PREMISES AFFECTED: 6922 W. Diversey

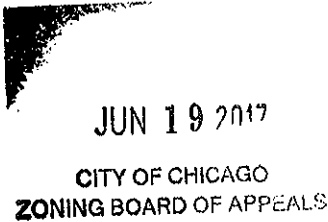
CAL NO.: 278-17-S

MINUTES OF MEETING:
 May 19, 2017

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

ACTION OF BOARD-
 APPLICATION APPROVED

THE VOTE



JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a beauty / 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 site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

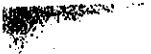
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: 3220 Lincoln, LLC **CAL NO.:** 279-17-Z
APPEARANCE FOR: Paul Shadle / Kate Dale **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3220-22 N. Lincoln Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30' to 10.85' for a proposed five story, nineteen dwelling unit building with ground floor retail.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for a variance; the applicant shall be permitted to reduce the rear yard setback to 10.85' for a proposed five story, nineteen dwelling unit building with ground floor retail; 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 with the standards 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: Rubicon X. Cicero, LLC **CAL NO.:** 280-17-S

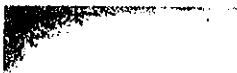
APPEARANCE FOR: Michael Ezgur **MINUTES OF MEETING:**
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4145-57 N. Cicero / 4724-36 W. Berteau Avenue

NATURE OF REQUEST: Application for a special use to permit the establishment of a one lane drive through to serve a fast food restaurant.

ACTION OF BOARD-
Continued to July 21, 2017 at 2 p.m.



THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Cantina Chicago, LLC

CAL NO.: 281-17-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5354 S. Pulaski Road

NATURE OF REQUEST: Application for a special use to permit the establishment of a one lane drive-through to serve a proposed fast food restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE RESOLUTION:

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

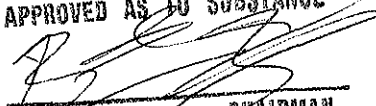
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
RECUSED		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the site plan dated May 17, 2017, prepared by Norman J. Toberman and Associates LLC., as well as the landscape plan dated May 18, 2017, prepared by Saang, Inc.

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: Mr Clark 3473 Operating LLC

CAL NO.: 282-17-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
May 19, 2017

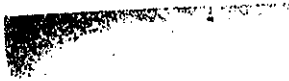
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3469-75 N. Clark Street

NATURE OF REQUEST: Application for a special use to permit the establishment of a fifty-three room hotel in an existing four-story building with a five story horizontal addition, which will have retail on the ground floor and a roof top patio.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO

THE RESOLUTION ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 fifty-three room hotel in an existing four-story building with a five story horizontal addition, which will have retail on the ground floor and a roof top patio at the subject site; an additional special use was granted to the subject site in Cal. No. 283-17-S and a variation was granted to the subject site in Cal. No. 284-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated January 17, 2017, prepared by Norr Illinois Inc.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

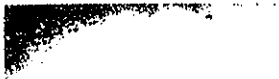
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Mr Clark 3473 Operating LLC **CAL NO.:** 283-17-S
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3469-75 N. Clark Street

NATURE OF REQUEST: Application for a special use to permit the establishment of a roof top patio to serve a proposed fifty-three room hotel in an existing building with a five story horizontal addition.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 roof top patio to serve a proposed fifty-three room hotel in an existing building with a five story horizontal addition at the subject site; an additional special use was granted to the subject site in Cal. No. 282-17-S and a variation was granted to the subject site in Cal. No. 284-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated January 17, 2017, prepared by Norr Illinois Inc.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

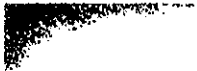
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Mr Clark 3473 Operating LLC **CAL NO.:** 284-17-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3469-75 N. Clark Street

NATURE OF REQUEST: Application for a variation to eliminate the required 10' x 25' loading berth for a proposed fifty-three room hotel in an existing building with a five story horizontal addition.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE


JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

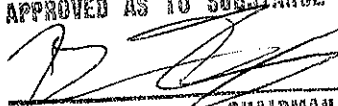
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; two special uses were granted to the subject site in Cal. Nos. 282-17-S and 283-17-S; the applicant shall be permitted to eliminate the required 10' x 25' loading berth for a proposed fifty-three room hotel in an existing building with a five story horizontal addition; 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 with the standards 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: La Caridad Jewelry, Inc.

CAL NO.: 285-17-S

APPEARANCE FOR: Pericles Abbasi

MINUTES OF MEETING:

May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4246 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use to permit the establishment of a pawn shop.

ACTION OF BOARD-

Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Adam & Nicole Friedman

CAL NO.: 286-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 331 W. Concord Place

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 27.68' to 2.17', west setback from 2' to 0.32', east from 2' to 0.45', combined side setback from 4.82' to 0.77' for an open stair to access a garage roof deck with a trellis and screen walls on the existing garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

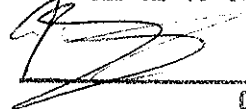
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 2.17', west setback to 0.32', east to 0.45', combined side setback to 0.77' for an open stair to access a garage roof deck with a trellis and screen walls on the existing 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: Kevin and Bridget Sheahan Carey **CAL NO.:** 287-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:** May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3252 N. Damen Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 36' to 23.59' for a proposed open bridge/catwalk to access a garage roof deck.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

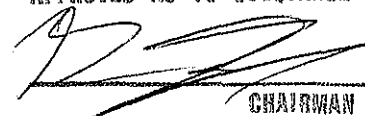
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 23.59' for a proposed open bridge/catwalk to access a garage 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 with the standards 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: Carol and Marc Koif

CAL NO.: 288-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2458 N. Burling Street

NATURE OF REQUEST: Application for a variation to increase the existing floor area by no more than 8.73% from 3692.74 square feet with an addition of 322.05 square feet for a rear three story addition and rooftop stair enclosure, rear three story open porch, roof top pergola and detached two car garage.

ACTION OF BOARD-
Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Carol and Marc Koif

CAL NO.: 289-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2458 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.73' to 35.65', north setback from 2' to 0.4' (south to be 2.58'), combined side setback from 5' to 2.98', the front building line setback for stairway enclosures and pergolas exceeding the maximum height from 20' to 12.63'.

ACTION OF BOARD-
Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Carol and Marc Koif

CAL NO.: 290-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2458 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the required parking spaces from three spaces to two for an existing three-story, three dwelling unit building.

ACTION OF BOARD-
Continued to June 16, 2017 at 2 p.m.

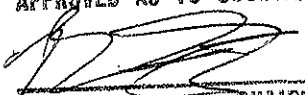
THE VOTE



JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Kenneth Moore

CAL NO.: 291-17-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5642 N. Broadway

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

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

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: Reflejos 88 Professional Corporation **CAL NO.:** 292-17-S
APPEARANCE FOR: Manuel Cardenas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 19, 2017
PREMISES AFFECTED: 4715 W. Lawrence

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

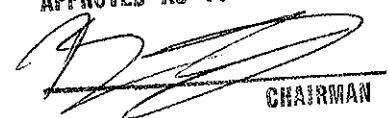
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

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

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: Timothy P. Roach
APPEARANCE FOR: Paul Kolpak
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2423 W. Byron Street

CAL NO.: 293-17-Z

MINUTES OF MEETING:
May 19, 2017

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.93' to 1.88', east setback from 2.19' to zero (west to be 3.09'), combined side setback from 5.47' to 3.09', for an as built single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 1.88', east setback to zero (west to be 3.09'), combined side setback to 3.09', for an as built single family residence; an additional variation was Granted to the subject site in Cal. No. 294-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Timothy P. Roach

CAL NO.: 294-17-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2423 W. Byron Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 225 square feet to zero for an as built single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

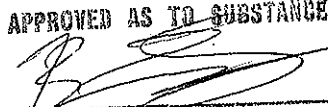
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to zero square feet for an as built single family residence; an additional variation was granted to the subject site in Cal. No. 293-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Fullerton Properties LLC

CAL NO.: 295-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
May 19, 2017

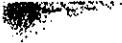
APPEARANCE AGAINST: None

PREMISES AFFECTED: 2533 W. Fullerton Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback on floor containing dwelling units from the required 30' to 15', rear setback from the rear property line to the attached garage from 2' to zero for a proposed five-story mixed use building with an attached nineteen car garage and loading zone to be accessed off North Maplewood.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

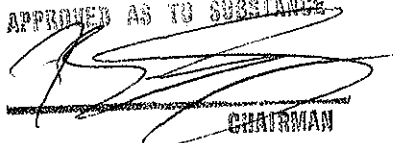
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 on floor containing dwelling units to 15', rear setback from the rear property line to the attached garage to zero for a proposed five-story mixed use building with an attached nineteen car garage and loading zone to be accessed off North Maplewood; 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 with the standards 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: Loyola Properties Limited LLC

CAL NO.: 296-17-S

APPEARANCE FOR: Martin Murphy

MINUTES OF MEETING:

May 19, 2017

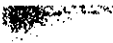
APPEARANCE AGAINST: None

PREMISES AFFECTED: 6500-06 W. Imlay Avenue

NATURE OF REQUEST: Application for a special use to permit the establishment of residential use below the second floor for a proposed four dwelling unit town home building.

ACTION OF BOARD-
Continued to June 16, 2017 at 2 p.m.

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Loyola Properties Limited LLC **CAL NO.:** 297-17-Z
APPEARANCE FOR: Martin Murphy **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 19, 2017
PREMISES AFFECTED: 6500-06 W. Imlay Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback for a townhome front wall facing a public street from 12' to 8.5' for a proposed four dwelling unit townhome building.

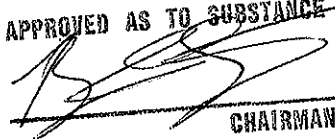
ACTION OF BOARD-
Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 4646 N. Damen LLC

CAL NO.: 298-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4646 N. Damen

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 8.46' to zero, north setback from 3.2' to zero and south setback from 3.13' to 0.67' for a proposed four-story with retail at grade at nine dwelling units above and four unenclosed parking spaces.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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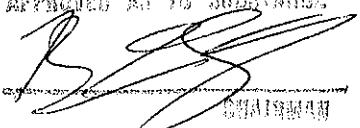
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 zero, north setback to zero and south setback to 0.67' for a proposed four-story with retail at grade at nine dwelling units above and four unenclosed parking spaces; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Nathaniel Klein **CAL NO.:** 299-17-Z
APPEARANCE FOR: Same as applicant **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1610 S. Union Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off street parking from three spaces to two spaces to permit the conversion of an existing two dwelling unit building to a three dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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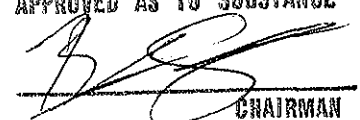
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 required off street parking from three spaces to two spaces to permit the conversion of an existing two dwelling unit building to a three dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Chicago Title and Land Trust u/t/a/d 12/6/11
a/k/a/d 12/6/11 a/k/a Trust no. 8002358446

CAL NO.: 300-17-Z

APPEARANCE FOR: Meg George

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2230 N. Dayton Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.82' to 0.95', north setback from 2' to zero, south from 2' to 0.8', combined side setback from 4.8' to 0.8' for an open stair to access a garage roof deck with metal screens that exceeds 15' in height from grade.

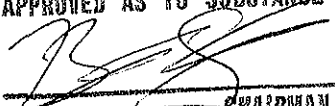
ACTION OF BOARD-
Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN


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

APPLICANT: 1800 W. Warner, LLC **CAL NO.:** 302-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1800-06 W. Warner / 4138-40 N. Ravenswood

NATURE OF REQUEST: Application for a variation to reduce the south setback from the required 12' to 10.25', east setback from 5' to 0.75" for two town home buildings. One building will have with three homes and the other will have two homes.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE


JUN 19 2017
 CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

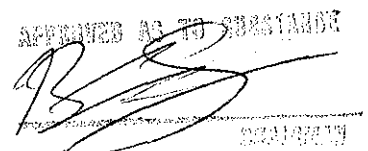
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to 10.25', east setback to 0.75" for two town home buildings; one building will have with three homes and the other will have two homes; 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 with the standards 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
 SECRETARY

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

APPLICANT: GPA 4053, LLC

CAL NO.: 303-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:

May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4053 N. Leavitt Avenue / 2157 W. Belle Plaine

NATURE OF REQUEST: Application for a variation to reduce the east setback from the required 2' to zero, west will remain at zero, combined side setback from 4.8' to zero for the existing three-story, six-dwelling unit building at 4053 N. Leavitt to permit the subdivision of a lot into two zoning lots.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east setback to zero, west will remain at zero, combined side setback to zero for the existing three-story, six-dwelling unit building at 4053 N. Leavitt to permit the subdivision of a lot into two zoning lots; 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 with the standards 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: Development Group, LLC-East Village **CAL NO.:** 304-17-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 925 N. Damen Avenue

NATURE OF REQUEST: Application for a special use to permit the establishment of residential use below the second floor for a proposed four story, three-dwelling unit building with roof top enclosure, open porch, three car detached garage with a roof deck.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 residential use below the second floor for a proposed four story, three-dwelling unit building with roof top enclosure, open porch, three car detached garage with a roof deck at the subject site. A variation was also granted in Cal. No. 305-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated February 27, 2017, prepared by Hannah Architects, Inc.

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: Development Group LLC-East Village CAL NO.: 305-17-Z

APPEARANCE FOR: Sara Barnes MINUTES OF MEETING: May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 925 N. Damen Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 21.16' for a proposed four-story, three-dwelling unit with rooftop enclosures, open porch and three car garage with roof deck with an open stair.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

JUN 19 2017 CITY OF CHICAGO ZONING BOARD OF APPEALS

BLAKE SERCYE SOL FLORES SAM TOIA AMANDA WILLIAMS

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows show 'X' marks for affirmative votes.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.16' for a proposed four-story, three-dwelling unit with rooftop enclosures, open porch and three car garage with roof deck with an open stair. A special use was also granted to the subject site in Cal. No. 304-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Ryan Einfeldt **CAL NO.:** 306-17-Z

APPEARANCE FOR: Joshua Eckburg **MINUTES OF MEETING:**


APPEARANCE AGAINST: None May 19, 2017

PREMISES AFFECTED: 3703 N. Whipple Street

NATURE OF REQUEST: Application for a variation to increase the building height from the existing 31'-7" to 34'-8" for a proposed third floor addition on the north and south sides of the existing three story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE


JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

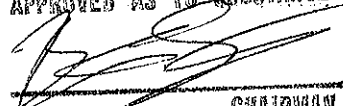
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 increase the building height to 34'-8" for a proposed third floor addition on the north and south sides of the existing three story, two dwelling unit building. Two additional variations were granted to the subject site in Cal. Nos. 307-17-Z and 308-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Ryan Einfeldt **CAL NO.:** 307-17-Z
APPEARANCE FOR: Joshua Eckburg **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3703 N. Whipple Street

NATURE OF REQUEST: Application for a variation to reduce the north setback from the required 2.0' to 0.24' (south will be 3.82'), combined side setback from 5' to 4.06' for a third floor addition on the north and south side of the existing three-story, two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 setback to 0.24' (south will be 3.82'), combined side setback to 4.06' for a third floor addition on the north and south side of the existing three-story, two dwelling unit building. Two additional variations were granted to the subject site in Cal. Nos. 306-17-Z and 308-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Ryan Einfeldt

CAL NO.: 308-17-Z

APPEARANCE FOR: Joshua Eckburg

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3703 N. Whipple Street

NATURE OF REQUEST: Application for a variation to increase the non-conforming floor area ratio by 19 square feet which does not exceed 15% of the existing floor area that has been in existence for 50 years for a proposed third floor addition on the north and south side of the existing three-story, two dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 increase the non-conforming floor area ratio by 19 square feet which does not exceed 15% of the existing floor area that has been in existence for 50 years for a proposed third floor addition on the north and south side of the existing three-story, two dwelling unit building. Two additional variations were granted to the subject site in Cal. Nos. 306-17-Z and 307-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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.: 309-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2243 N. Halsted Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.5' to 23.42' for a proposed open connection between an open stair and a landing to access a garage roof deck.

ACTION OF BOARD-
Continued to June 16, 2017 at 2 p.m.

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: M Hair Design, Inc. **CAL NO.:** 310-17-S
APPEARANCE FOR: Same as applicant **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 19, 2017
PREMISES AFFECTED: 3101 W. 25th Street
NATURE OF REQUEST: Application for a special use to permit the establishment of a beauty / barber shop.

**ACTION OF BOARD-
APPLICATION APPROVED**

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

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

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

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: Land Trust No. 8003265780

CAL NO.: 311-17-Z

APPEARANCE FOR: Tyler Manic

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2126 N. Dayton Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 2', north from 5' to zero to convert an existing garage to habitable living space, an open deck to an enclosed screened deck, an 8' high rear gate, 10' high masonry wall fence with overhead door for parking access and a 10' masonry fence to be located at the north end of the lot for the existing three-story, single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

JUN 19 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

THE RESOLUTION:

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

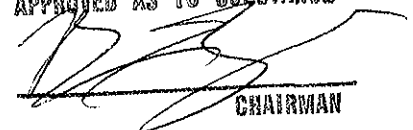
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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', north to zero to convert an existing garage to habitable living space, an open deck to an enclosed screened deck, an 8' high rear gate, 10' high masonry wall fence with overhead door for parking access and a 10' masonry fence to be located at the north end of the lot for the existing three-story, single family residence; an additional variation was granted to the subject site in Cal. No. 312-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Land Trust No. 8003265780 **CAL NO.:** 312-17-Z
APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:**
 May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2126 N. Dayton Street

NATURE OF REQUEST: Application for a variation to eliminate the required 812.52 square feet of rear yard open space to convert an existing garage to habitable space, an open deck to an enclosed screened deck, 8'high rear gates, 10' high masonry wall fence with an overhead door for open parking and a 10' masonry fence to be located at the north end of the lot for the existing three-story, single family residence.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JUN 19 2017

CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
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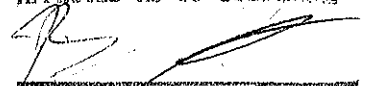
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 eliminate the required 812.52 square feet of rear yard open space to convert an existing garage to habitable space, an open deck to an enclosed screened deck, 8'high rear gates, 10' high masonry wall fence with an overhead door for open parking and a 10' masonry fence to be located at the north end of the lot for the existing three-story, single family residence; an additional variation was granted to the subject site in Cal. No. 311-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Kasia Milon DBA Kismet Beauty Lounge **CAL NO.:** 11-17-S
APPEARANCE FOR: Thomas Boundas **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 19, 2017
PREMISES AFFECTED: 6858 W. Archer Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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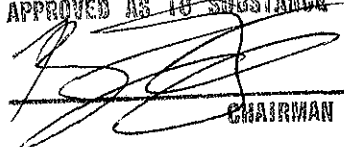
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 6, 2017; and

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

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

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: Wayland Ng and Jimmy Ng

CAL NO.: 12-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 330 W. 25th Place

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 9.48' to zero, west setback from 2' to 1.68' (east to be 2.37') the combined side setback from 5.19' to 4.05' for a proposed front open balcony to the existing two-story two dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE



JUN 19 2017

 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

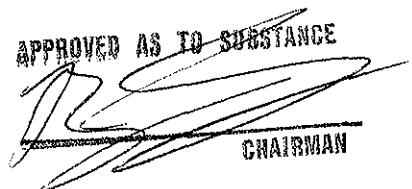
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on January 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 zero, west setback to 1.68' (east to be 2.37') the combined side setback to 4.05' for a proposed front open balcony to the existing two-story two dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JUN 19 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

Kimberly Buford—DBA Color Me Nail Bar
APPLICANT

123-17-S
CALENDAR NUMBER

1810 ½ W. 99th Street
PREMISES AFFECTED

May 19, 2017
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition specified below.

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1810 ½ W.
99TH STREET BY KIMBERLY BUFORD – DBA COLOR ME NAIL BAR**

I. BACKGROUND

Kimberly Buford – DBA Color Me Nail Bar (the “Applicant”) submitted a special use application for 1810 ½ W. 99th Street (the “subject property”). The subject property is currently zoned B1-1 and is improved with a multi-tenant commercial building. The Applicant proposes to operate a nail salon in one of the storefronts of said building. The Applicant sought a special use to permit the establishment of said nail salon. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City’s Department of Planning and Development (“Department”) recommended approval of the proposed nail salon.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant’s special use application at its regular meeting held on May 19, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS’ Rules of Procedure, the Applicant had submitted her proposed Findings of Fact. The Applicant Ms. Kimberly Buford and her

APPROVED BY THE BOARD

SECRETARY

attorney Mr. William Martin were present. The Applicant's land planner Mr. Kareem Musawwir as well as neighborhood businessman Mr. Paul Montez were present. Testifying in support of the Applicant's application was Mr. George Blakemore. Testifying in opposition to the Applicant's application was Alderman Matthew O'Shea. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant testified that she had been a licensed nail technician for over twenty-five (25) years. She testified that she had been an independent contractor for the past fifteen (15) years. She testified that she planned to have four (4) stations at her nail salon. She testified that the hours of the proposed nail salon would be 10:00 AM to 7:00 PM. She testified she anticipated ten (10) total clients a day. She testified that she anticipated two to three (2-3) clients per hour; therefore at most, the proposed special use would generate two to three (2-3) cars per hour. She testified that her business would be appointment only, and she would not take walk-in clients. She testified that she is a resident of Beverly, is familiar with the immediate neighborhood of the subject property and believes there is ample parking in the immediate area.

The Applicant presented the expert testimony of her land planner Mr. Kareem Musawwir. Mr. Musawwir testified that the Applicant met all the criteria for a special use at the subject property. He testified that while there was another personal service use in the immediate area, said personal service use was a hair salon. He testified that the Applicant's proposed special use and the other personal service use therefore offered different types of personal service. He testified that parking for the proposed use would not be an issue, as there is on-street parking in the area as well as parking across the street. He testified that a nearby auto repair shop had offered the use of its parking to the Applicant when the auto repair shop was closed. Further, he testified that the largest use in the multi-tenant building – a Montessori school – has its own on-site parking. He testified that under the Chicago Zoning Ordinance, the proposed special use had no parking requirement.

Alderman Matthew O'Shea (the "Alderman") testified in opposition to the Applicant's application. He testified that due to the Montessori school on the subject property as well as a Montessori school across the street, there are around 100 cars dropping children off every morning and picking children up at around 3:00 PM in the afternoon. He testified that there is also a drycleaners next-door to the Applicant's proposed storefront. He testified that the aforementioned hair salon and auto repair shop were in the immediate area. He testified that in consequence to all these uses, traffic is very congested and there is a parking problem. He testified that he did not believe the Applicant's special use would be compatible with the character of the area as there are two (2) schools that create a bottleneck, one lane of traffic in each direction and no parking. He conceded, however, that the subject property was zoned B1-1 and that any business would contribute to traffic.

In response to the Alderman's testimony, the Applicant presented the testimony of local businessman Mr. Paul Montez. Mr. Montez testified that his law offices were

across the street from the subject property. He testified that while there was a bottleneck issue due to the two schools and the Metra station in the area, such bottleneck only occurred in the morning and in the afternoon. He testified that there is thirty-minute or one hour parking in the area, and such parking is designed to promote parking for businesses in the area. He testified that the businesses in the immediate area are service oriented, such as his law offices and the dry cleaners. He testified that while the businesses in the area do promote drop-off, people do not tend to stay long at any one business as such businesses are service oriented.

In response to the Alderman's testimony, Ms. Buford further testified that she had an informal arrangement with the nearby auto repair shop to use its parking when the auto repair shop was closed. She testified that with respect to the parking concerns raised by the Alderman, she was "willing to work out something" and would do "whatever it would take" to make her proposed nail salon work.

Mr. George Blakemore testified in support of the special use.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it 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 (5) it is designed to promote pedestrian safety and comfort.

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's applications for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. *The proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.*

The subject property is in a B1-1 zoning district. Therefore, were it not for the pre-existing hair salon, the Applicant's proposed use would be allowable as-of-right under Section 17-9-0112 of the Chicago Zoning Ordinance. Since there is a pre-existing hair salon, the Applicant requires a special use to comply with the Chicago Zoning Ordinance. Subject to the Zoning Administrator issuing the special use

permit, the proposed special use complies with all applicable standards of the Chicago Zoning Ordinance.

- 2. The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.*

The proposed special use is in the interest of the public convenience because as Mr. Mussawir very credibly testified there is not a nail salon within the immediate area. The proposed special use will not have a significant adverse impact on the general welfare of the neighborhood or community because the proposed special use is service-oriented and as Mr. Montez very credibly testified the other businesses in the area are service-oriented.

- 3. The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The proposed special use will be located within an existing multi-tenant building and therefore will be compatible with the character of the surrounding area in terms of site planning and building scale and project design.

- 4. The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation. The Applicant's proposed hours of operation are 10:00 AM – 7:00 PM. Therefore, the Applicant's hours of operation will not conflict with the morning drop-off of children at the nearby schools. Moreover, due to the condition imposed by the ZONING BOARD OF APPEALS, the Applicant's hours of operation will not substantially contribute with the afternoon bottleneck described by the Alderman and Mr. Montez. In addition, as conceded by Alderman O'Shea any business would generate traffic. The Applicant's business operations of only seeing clients by appointment and only having two to three (2-3) clients per hour will keep the traffic generated by the proposed special use low.

- 5. The proposed special use is designed to promote pedestrian safety and comfort.*

The proposed special use will be located within an existing building. Further, as noted above, the Applicant's hours of operation will not conflict with the morning drop-off of children at the nearby schools. Due to the condition imposed by the ZONING BOARD OF APPEALS, the Applicant's hours of

operation will not substantially contribute to the afternoon bottleneck described by the Alderman and Mr. Montez. Consequently, the proposed special use will not impact traffic to the detriment of pedestrian safety and comfort.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following condition:

1. The Applicant shall make best efforts to work with local residents and business owners to reduce the traffic congestion on this section of 99th Street.

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: Dan and Elizabeth Domont

CAL NO.: 124-17-Z

APPEARANCE FOR: Amy Degnan

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3322 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.28' to 1.41', north and south both from 2' to zero, combined side setback from 5' to zero for an open bridge to access a garage roof deck which shall have a pergola and contain the 201.95 square feet of relocated rear yard open space.

ACTION OF BOARD-
WITHDRAWN

THE VOTE

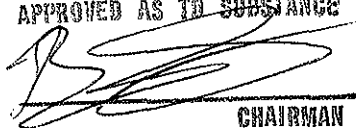
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BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Manga Builders Inc.

CAL NO.: 133-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:

May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3856 N. Hamilton Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.75' to 2', north setback from 2.94' to 2', south from 2.94' to 0.75', combined setback from 7.34' to 2.75' for a proposed open stair to access a proposed garage rooftop deck on the existing three car garage.

ACTION OF BOARD-

Continued to July 21, 2017 at 2 p.m.


THE VOTE

JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Celestial Church of Christ Bethel Parish
APPLICANT

154-17-S
CALENDAR NUMBER

2513 W. Peterson Avenue
PREMISES AFFECTED

May 19, 2017
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the condition specified below.

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 2513 W.
PETERSON AVENUE BY CELESTIAL CHURCH OF CHRIST BETHEL
PARISH**

I. BACKGROUND

Celestial Church of Christ Bethel Parish (the "Applicant") submitted a special use application for 2513 W. Peterson Avenue (the "subject property"). The subject property is currently zoned B3-2 and is improved with a one story, four-tenant commercial building. The Applicant proposes to establish a church in one of the four commercial units. In addition to leasing one of the four commercial units, the Applicant is also leasing on-site parking. The Applicant sought a special use to permit the establishment of its church. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval provided that the development is consistent with the design and layout of the site plan and floor plan dated May 15, 2017, and prepared by the Law Offices of Samuel V.P. Banks.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on May 19, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and

APPROVED AS TO SUBSTANCE

CHAIRMAN

by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's pastor Wesley Giwa and its attorney Ms. Sara Barnes were present. The Applicant's real estate appraiser Mr. Joseph M. Ryan was present. Testifying in support of the applications were Ms. Diana Limas, Mr. Michael Eliotti, and Mr. George Blakemore. Testifying in opposition to the application was Ms. Rita Howard of Alderman Patrick O'Conner's office. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the testimony of its pastor Mr. Wesley Giwa. Pastor Giwa testified that at present the Applicant had a congregation of about twenty to twenty-five (20 - 25) parishioners that lived within a mile of the subject property. He testified that the Applicant is leasing one of the four commercial units on the subject property. He testified that it was his understanding that the prior occupants of the Applicant's units did not have a good relationship with the neighborhood as they had congregated in the alley behind the subject property long into the night. He testified that the Applicant had no relationship to these prior occupants. He testified that the Applicant proposed to renovate the commercial unit. He testified that after renovation, the unit would accommodate forty-five (45) people. He testified that although the Applicant had twenty to twenty-five (20 - 25) parishioners, about eight to twelve (8 - 12) members attend services at one time. He testified as to the Applicant's proposed hours of operation and staffing. He testified that the Applicant's proposed plan of development for the proposed special use had nine (9) parking spaces, which exceeded the parking requirements for religious assembly uses of this size. He testified that these parking spaces were located at the rear of the building and were accessed from the rear public alley. He testified that there was also additional parking on Peterson and that many parishioners were from the same family and would drive to the subject property in the same vehicle.

The Applicant presented the expert testimony of its real estate appraiser Mr. Joseph M. Ryan. Mr. Ryan testified that the proposed special use met all criteria for a special use under the Chicago Zoning Ordinance.

Ms. Rita Howard of Alderman Patrick O'Conner's office testified in opposition to the application. She testified that Alderman O'Conner's office had received many complaints regarding the proposed special use from residents living directly behind the subject property. She testified that these complaints were mainly with respect to parking, especially as the Applicant would be taking all the parking spaces in the multi-tenant building.

In response to her testimony, Ms. Barnes explained that the multi-tenant building constituted the zoning lot and consequently, the parking determination is based on the zoning lot. She testified that the Applicant had a lease to allow the Applicant - as opposed to other tenants of the building - to use all of the building's nine (9) parking spaces.

The proposed special use will be located within an existing multi-tenant building and therefore will be compatible with the character of the surrounding area in terms of site planning and building scale and project design.

4. *The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation.*

The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation. The Applicant will have limited hours of operation. Moreover, it has a small congregation and will, in consequence, have small services. Since the congregation is small and since the Applicant will have more parking than what is required under the Chicago Zoning Ordinance, parking is not an issue. Further, Pastor Wiwa very credibly testified that the Applicant was not affiliated with the previous occupant of the commercial unit.

5. *The proposed special use is designed to promote pedestrian safety and comfort.*

The proposed special use will be located within an existing building and will have dedicated on-site parking in excess of what is required under the Chicago Zoning Ordinance.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a special use, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use subject to the following condition:

1. The special use shall be developed consistent with the design and layout of the site plan and floor plan dated May 15, 2017, and prepared by the Law Offices of Samuel V.P. Banks.

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: Robert Vana

CAL NO.: 200-17-S

APPEARANCE FOR: David Daudell

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6743 W. Archer Avenue, 1st Flr.

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

THE RESOLUTION:

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

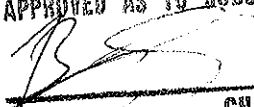
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 7, 2017; and

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

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

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: Development Group, LLC

CAL NO.: 203-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
May 19, 2017

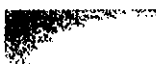
APPEARANCE AGAINST: None

PREMISES AFFECTED: 850 W. Lill Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37'-7" to 21'-2" for a proposed open stair / bridge to access a proposed garage roof deck which shall also contain the relocated rear yard open space.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE



JUN 19 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 7, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21'-2" for a proposed open stair / bridge to access a proposed garage roof deck which shall also contain the relocated rear yard open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards 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: Development Group, LLC

CAL NO.: 204-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
May 19, 2017


APPEARANCE AGAINST: None

PREMISES AFFECTED: 818 W. Wrightwood Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.7' to 21.2' for a proposed open stair/ bridge to access a proposed garage roof deck which shall also contain the relocated rear yard open space.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE


JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

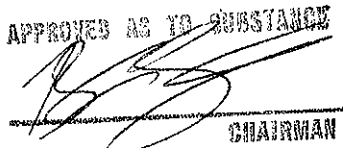
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 7, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21'-2" for a proposed open stair / bridge to access a proposed garage roof deck which shall also contain the relocated rear yard open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Michael J. Quinlan

CAL NO.: 216-17-S

APPEARANCE FOR: Warren Silver

MINUTES OF MEETING:
May 19, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1775 W. Rosehill Drive

NATURE OF REQUEST: Application for a special use to convert an existing one and two story commercial building to a single family residence.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 7, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 convert an existing one and two story commercial building to a single family residence at the subject site; a variation was granted to the subject site in Cal. No. 217-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated November 22, 2016, prepared by Foster Dale Architects.

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Michael J. Quinlan **CAL NO.:** 217-17-Z
APPEARANCE FOR: Warren Silver **MINUTES OF MEETING:**
May 19, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1775 W. Rosehill Drive

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero for the conversion of an existing one and two story commercial building to a single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 7, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 zero for the conversion of an existing one and two story commercial building to a single family residence; a special use was granted to the subject site in Cal. No. 216-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



JUN 19 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

Eco-Site, Inc.
APPLICANT

218-17-S
CALENDAR NUMBER

8601-05 S. Racine Avenue
PREMISES AFFECTED

May 19, 2017
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is denied.

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE NEGATIVE ABSENT

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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 8601-05 S.
RACINE AVENUE BY ECO-SITE, INC.**

I. BACKGROUND

Eco-Site, Inc. (the "Applicant") submitted a special use application for 8601-05 S. Racine Avenue ("subject property"). The subject property is currently zoned B3-1 and is vacant. The Applicant sought a special use to permit the establishment of a 120' wireless communication facility. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed 120' monopole wireless communication facility provided that the site development was consistent with the design and layout of the site and landscape plan dated May 3, 2017, and prepared by Eco-Site, Inc. and WT Communication Assigned Group, LLC.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on May 19, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice as

APPROVED AS TO SUBSTANCE

CHAIRMAN

provided under Section 17-13-108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. Mr. Mike Bienek a representative of LCC Telecom, an affiliate of the Applicant, and the Applicant's attorney Ms. Meg George were present. The Applicant's real estate appraiser Mr. Terrance O'Brien was also present. Testifying in opposition to the application were Ms. Angela Austin, Ms. Linda Austin and Mr. George Blakemore. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure. Prior to the beginning of the hearing, the ZONING BOARD OF APPEALS acknowledged that the Telecommunications Act of 1996, 47 U.S.C.A. ch. 5, subch. III, § 332(c)(7)(B)(iv) (West 2016), did not allow local governments to regulate the placement and construction of wireless facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communications Commission's ("FCC's") regulations concerning such emissions.

The Applicant presented the testimony of Mr. Mike Bienek, an employee of LCC Telecom, an affiliate of the Applicant. Mr. Bienek testified as to the Applicant's specifications for the proposed wireless communications facility. He also testified as to the necessity of the Applicant's proposed wireless communications facility.

The Applicant presented the expert testimony of its real estate appraiser Mr. Terrance O'Brien. Mr. O'Brien testified as to the other uses in the surrounding area, including a nearby Montessori school. He further testified that it was his opinion that there would be no adverse impact to the property values of the surrounding properties due to the proposed special use.

Ms. Angela Austin, of 8620 S. Racine and 8561 S. Marshfield, and Ms. Linda Austin, of 8620 S. Racine, testified in opposition to the application. The two testified that they were the owners of the Southwest Montessori Preschool ("Preschool"). Ms. Linda Austin testified the Preschool had been in the community for thirty-five (35) years. Ms. Angela Austin testified as to her belief that the proposed special use would adversely impact the Preschool as parents of those children attending the Preschool had informed the Preschool that they would remove their children if the proposed special use were granted. Ms. Angela Austin further testified that due to the removal of children from the Preschool, the Preschool would have to close, and all six employees of the Preschool would lose their jobs.

In response to questions from the ZONING BOARD OF APPEALS about maintenance to the subject property, the Applicant presented the testimony of Mr. Bienek. Mr. Bienek further testified that, typically, T-Mobile – the end user of the proposed special use – sends engineers at least once a month to its wireless communication facilities. He further testified that in conversations with Alderman Brookins, Alderman Brookins wanted some sort of art initiative with the wood fence surrounding the portion of the subject property the Applicant would be leasing.

In response to further questions from the ZONING BOARD OF APPEALS about maintenance to the subject property, Ms. Meg George explained that the Applicant would only be leasing a small portion of the subject property. The property owner would continue to maintain the rest of the subject property. She stated that landscaping would be added to the subject property in accordance with the Department's landscape review.

B. Criteria for a Special Use for Freestanding Facilities

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

Pursuant to Section 17-9-0118-D(2) of the Chicago Zoning Ordinance, a special use application for a freestanding facility may not be granted unless the Applicant demonstrates to the reasonable satisfaction of the ZONING BOARD OF APPEALS that no existing facility or structure can accommodate the Applicant's proposed facility. Evidence submitted to demonstrate that no existing facility or structure can accommodate the Applicant's proposed facility may consist of the any of the following: (a) no existing wireless communications facilities are located within the geographic area required to meet the Applicant's engineering requirements; (b) existing wireless communication facilities are not of sufficient height to meet the Applicant's engineering requirements; (c) existing wireless communication facilities do not have sufficient structural strength to support the Applicant's proposed antenna and associated equipment; (d) the Applicant's proposed facility would cause electromagnetic interference with an antenna on the existing tower, or vice versa; or (e) the fees, costs, or contractual provisions required by the owner in order to share an existing wireless communication facility, or to adapt an existing wireless communication facility for sharing, are unreasonable (costs exceeding new facility development are presumed to be unreasonable).

III. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

- 1. The proposed special use is not compatible with the character of the surrounding area in terms of site planning and building scale and project design.*

The proposed special use is not compatible with the character of the surrounding area in terms of site planning and building scale and project design. This section of Racine Avenue south of 86th Street is characterized by business and commercial uses. The subject property is a corner lot that marks the beginning to this business and commercial use. Mr. Bienek testified there would be a wooden fence placed around the leased portion of the subject property. Site plans included in the Applicant's proposed Findings of Fact show that while a wooden fence would be placed around the leased portion of the subject property, a chain link fence would be placed around the entirety of the subject property. This chain link fence surrounding a wooden fence – no matter how well painted – is not compatible with the start of a business and commercial district, especially a corner lot.

2. *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.*

The proposed special use is not compatible with the character the surrounding area in terms of operating characteristics. As noted above, Racine Avenue south of 86th Street is characterized by business and commercial uses. As testified to by Mr. Bienek and as explained by Ms. George, the Applicant will not be operating and maintaining the subject property. Instead, T-Mobile and the subject property owner shall be operating and maintaining the subject property. The subject property owner and representatives from T-Mobile were not at the hearing. Therefore, the ZONING BOARD OF APPEALS has no testimony in the record from the two parties that will be operating and maintaining the subject property. In consequence, the ZONING BOARD OF APPEALS 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. Moreover, the ZONING BOARD OF APPEALS notes that based on the existing condition of the subject property, the property owner is not maintaining the subject property in a manner compatible with the character of the surrounding area as the subject property is enclosed by a dilapidated metal fence. This does not inspire confidence that the property owner will maintain any of the landscaping required by the Department.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-9-0118-D(2) of the Chicago Zoning Ordinance:

1. *The Applicant did demonstrate to the reasonable satisfaction of the CHICAGO ZONING BOARD OF APPEALS that no existing facility or structure can accommodate the Applicant's proposed facility.*

Mr. Bienick testified that there were no existing wireless communications facilities located in the area that met the engineering requirements of T-Mobile. As T-Mobile was the contemplated end-user of the Applicant's proposed facility, the ZONING BOARD OF APPEALS recognizes that, in this instance, the Applicant and T-Mobile had the same engineering requirements. However as noted above, no representative from the T-Mobile testified before the ZONING BOARD OF APPEALS. Further, no evidence was presented as to Mr. Bienick's qualifications to testify as to T-Mobile's engineering requirements. In his affidavit, he identified himself merely as an "employee of LCC Telecom Services" and provided no educational or professional background that would provide him with personal knowledge of the Applicant's or T-Mobile's engineering requirements. His testimony before the ZONING BOARD OF APPEALS was similarly devoid of such personal knowledge. Consequently, the Applicant did not demonstrate to the ZONING BOARD OF APPEALS' reasonable satisfaction that no existing facility or structure in the area can accommodate the Applicant's proposed facility.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use for freestanding facilities pursuant to Sections 17-13-0905-A and 17-9-0118-D(2) of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby denies the Applicant's application for a special use.

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

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

APPLICANT: Rachel Ahotow Revocable Trust **CAL NO.:** 244-17-Z
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None May 19, 2017
PREMISES AFFECTED: 1144 W. Newport Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear wall setback to a side property line from 12' to 0.14', front wall setback from a side property line from 12' to 2.17' for a proposed second and third floor addition, roof deck, privacy screen wall with a height of 16' and an open stair to access the roof deck on the existing four dwelling unit town house development.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

JUN 19 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

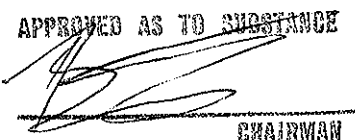
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 7, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and 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 wall setback to a side property line to 0.14', front wall setback from a side property line to 2.17' for a proposed second and third floor addition, roof deck, privacy screen wall with a height of 16' and an open stair to access the roof deck on the existing four dwelling unit town house development; 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 with the standards 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