

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



Dunning Donuts, Inc. D/B/A Dunkin Donuts
APPLICANT

281-16-S
CALENDAR NUMBER

4015 N. Narragansett
PREMISES AFFECTED

July 15, 2016
HEARING DATE

Nick Ftikas
APPEARANCE FOR APPLICANT

Heather Daniel & Others
OBJECTORS

NATURE OF REQUEST

Application for a special use permit to permit the establishment of a drive-through to serve a fast food restaurant.

ACTION OF BOARD

THE VOTE

The application for a special use is denied.

APPROVE DENY ABSENT

Blake Sercye, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia (recused)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUG 23 2016

CITY OF CHICAGO

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on July 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

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

WHEREAS, Mr. Vishal Shah testified on behalf of the Applicant; that he is a Dunkin' Donuts franchisee; that he has been in the quick service coffee and donut business for the last twenty-five (25) years; that he currently owns and operates twenty (20) Dunkin' Donuts; that he currently owns and operates the Dunkin' Donuts at 6408 W. Irving Park Road; that the Dunkin' Donuts at 6408 W. Irving Park Road is directly across

APPROVED AS TO SUBSTANCE

CHAIRMAN

the street from the subject property in the Dunning Square Shopping Center ("Dunning Square"); that after twenty years at 6408 W. Irving Park Road, the Applicant has outgrown the space and seeks to relocate to the subject property; that the subject property is currently improved with two (2) vacant retail buildings; that the Applicant intends to take down these buildings and redevelop the site with a new 4600 square foot retail building; that the Applicant would occupy 2000 square feet of the new retail building; that the building on its own is a permitted use in the B3-1 zoning district; that the Applicant no longer has space in its current location for its business; that the proposed site plan for the building on the subject property incorporates nineteen (19) on-site parking spaces and landscaping that is compliant with this Zoning Ordinance; that the Applicant is before the Board seeking a special use for a proposed single drive-through lane that would be exclusively used by the Applicant; that the proposed drive-through lane is a critical feature that makes the subject property work for the Applicant and will keep the Applicant competitive with other coffee service businesses in the area; that a drive-through lane is permitted as a special use in a B-3 zoning district; and

WHEREAS, Mr. Shah further testified that the drive-through lane will be accessed from the south side of the lot next to the proposed building; that the drive-through lane will then wrap around the rear of the proposed building; that after using the proposed drive-through facility, the customer will be directed to exit the subject property onto westbound Cuyler Avenue; that this will be via a left-turn only curb cut onto Cuyler; that only the proposed drive-through traffic will be directed to use Cuyler to redirect onto Narragansett; that customers who park and go into the Dunkin' Donuts restaurant will only be able to use the curb cut onto Narragansett to leave the subject property; that the site plan for the proposed development provides queuing for at least eight (8) cars; that four (4) of these cars are for customers who have already placed an order and are waiting for pick-up of their food or coffee; that Dunkin' Donuts' brand standards is 120 seconds or less from order to pick-up; that the drive-through lane is a contract requirement of the Applicant's franchisee relocation agreement with Dunkin' Donuts; that the coffee and donut industry relies upon drive-through lanes as a critical component of any store; that the Applicant anticipates upwards of sixty-five percent (65%) of its business being conducted at the drive-through window; that the Applicant plans to operate the dining room of its restaurant seven (7) days a week from 4:00 AM to 11:00 PM; that the Applicant plans to operate its drive-through window twenty-four (24) hours a day; that this is similar to the hours of operation at his other stores; and

WHEREAS, Mr. Neal Vanderwilt testified on behalf of the Applicant; that he is a licensed architect in the State of Illinois and is the project manager for the Applicant's proposed development on the subject property; that in preparing the site plan, he submitted the site plan to the City's Department of Transportation ("CDOT"); that CDOT approved the Applicant's site plan specifically for the design of the proposed drive-through; and

WHEREAS, in response to questions from the Board, Mr. Shah testified that if an order is stalled at the drive-through, the worst case scenario is that a customer would have to pull forward and wait; that this is a very rare occurrence; that he has a store at 5000

Irving Park Road that has a similar site plan; that the additional wait is perhaps five (5) to ten (10) seconds; and

WHEREAS, in response to further questions by the Board, Mr. Vanderwilt testified that as part of its initial concept design, the Applicant did consider having the drive-through wrap around the building; that however, as the proposed building will be a multi-tenant store, the Applicant needed to hold one of the sides; that to have a functional drive-through, the plan of development was to hold Culyer Avenue as a frontage for the Applicant's store in compliance with this Zoning Ordinance's requirement for a multi-tenant commercial building and work backwards from there; that the City's Department of Planning and Development ("Department") approved the Applicant's proposed site plan; that furthermore, the Applicant's current proposed site plan was the plan viewed most favorable by the Department; that this is the plan the Applicant pursued and put before CDOT; and

WHEREAS, Mr. Sylvester J. Kerwin, Jr., testified on behalf of the Applicant; that Mr. Kerwin's credentials as an expert in real estate appraisal were acknowledged by the Board; that he has visited the subject property and the surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning Ordinance which must be addressed in support of such an application; that he then orally testified that in his opinion the proposed special use: (1) is in the interest of the public convenience and will not have any adverse impact on the general welfare of the neighborhood as the Applicant is already in the area; (2) is compatible with the surrounding area in terms of site planning and project design as it will be similar to other restaurants with drive-through facilities in the area; (3) is compatible with the surrounding area in terms of operating characteristics, such as hours of operation and traffic generation as it will have similar hours of operation as other existing restaurants in the area and as all parking will be on-site; and (4) is designed to promote pedestrian safety and comfort; and

WHEREAS, Ms. Heather Daniel, of 6352 W. Culyer, testified in objection to the application; that she submitted to the Board and the Board accepted into the record a packet of exhibits to which she and her fellow objectors referred; that she received notice of the Board's hearing with a postmark of June 28, 2016; that she did not believe this was sufficient notice as it was not thirty (30) days before the hearing; that said notice was in the aforementioned packet; that the subject property had previously been zoned residential; that its current B-3 zoning was done several years ago without any input from neighborhood residents and with insufficient notice; that the proposed site plan hinges on a drive-through exiting into a residential neighborhood; that this is wholly incompatible with said residential neighborhood; that Exhibit 1, 2 and 3 of the packet were true and accurate depictions of the neighborhood as it currently existed; that the neighborhood is a low density residential area that does not have any parking problems; that the final picture in the packet was a picture of one of Mr. Shah's other Dunkin' Donuts; that Mr. Shah had tried to liken the Applicant's proposed plan of development to the Dunkin' Donuts depicted in the picture; that said Dunkin' Donuts depicted in the picture was at

commercial location and not a residential area; that based on the true and accurate depictions of the neighborhood, the Board could see the proposed special use would be an unprecedented intrusion into a residential neighborhood; that the proposed curb cut on Cuyler and entire site plan is not compatible in any way; that as an example, the donuts will be delivered around 2:30 AM which will become a burden to the quiet enjoyment of the neighborhood's properties; that as she did not have sufficient notice of the hearing, she was unable to obtain an appraiser; and

WHEREAS, Ms. Sharon Frey, of 6354 W. Cuyler, testified in objection to the application; that the proposed special use, if approved, would have a direct negative impact on the residents of the 6200 and 6300 blocks of Cuyler due to increased traffic, noise and light pollution; that the proposed curb cut on Cuyler would greatly decrease neighborhood safety and quality of life as the neighborhood would have to contend with traffic from a very busy twenty-four (24) hour business to exit onto a residential street; that Cuyler at this location is a one-way street going west and there are approximately seventy (70) residents and one church within the 6200 and 6300 blocks; that almost directly across Narragansett from Cuyler is the main entrance/exit to Dunning Square; that this creates a slightly off-set intersection that has no traffic controls and is already dangerous to navigate; that in total there are three (3) entrances/exits onto Narragansett from Dunning Square; that these three (3) entrances/exits are in addition to Cuyler and two (2) alleys that also exit onto Narragansett on the east; that one of these alleys is just twelve feet (12') south of the proposed Narragansett entrance and is already shared with delivery drivers from a very busy pizzeria; that none of the aforementioned exits/entrances onto Narragansett have traffic controls; that exiting Cuyler is therefore a challenge as the neighborhood must contend with traffic from these exits/entrances in addition to regular traffic on Narragansett; that the existing volume of vehicles from Dunning Square coupled with the new traffic from the proposed Dunkin' Donuts on the subject property will increase risky driving behavior; that the Applicant's proposed entrance/exit on Narragansett would permit vehicles to enter by making a left-hand turn from southbound Narragansett; that vehicles that attempt to do so will block access to the lane to make a left-hand turn onto Irving Park Road; and

WHEREAS, Ms. Frey further testified that the Applicant's proposed site plan also permits vehicles to exit the subject property by making a left-hand turn onto southbound Narragansett; that to do so, vehicles would have to clear four (4) lanes of traffic; that the major intersection of Narragansett and Irving Park Road is approximately 300 feet from Cuyler and Narragansett; that this is an extremely busy intersection; that the line of the proposed drive-through would affect traffic onto adjacent side streets in the immediate area, including the 4000 blocks of Mobil Avenue and Melvina; that the proposed drive-through would cause traffic backup during peak hours on Narragansett and on Irving Park, causing drivers to use side streets to avoid the intersection; that Merrimac Park is on the southeast corner of the intersection of Irving Park and Narragansett; that Wright College is only two (2) blocks away; that many students taking the Irving Park bus to Wright College walk up Narragansett passed the proposed site; that the presence of park goers and students mean there is a high number of pedestrians in the area; that additionally there is a small church immediately east of the subject property; that said

church has been a member of the community since 1922; that along the west side of the church there are ten (10) windows that look out onto the subject property; that said windows are very low-set; that the windows would face directly into the noise and exhaust fumes of cars in the drive-through lane and the loud chattering of order speakers; that on the north side of the 6800 block of Cuyler, homes are built right up to Narragansett; that there is no commercial strip to buffer these homes and means that several houses, including her own, will be directly across from the proposed Dunkin' Donuts and will have to contend with headlights shining into their windows at all hours of the night; that the current site plan is not what the Applicant originally presented to the community and does not address any concerns expressed by the community about the original plan; that there has been an ongoing lack of transparency on the part of the Applicant and the Alderman; and

WHEREAS, the Board noted that pursuant to Section 17-13-107-A(9)(a), written notice must be sent no less than fifteen (15) days and no more than thirty (30) days; that therefore, contrary to Ms. Frey's assertions, the hearing before the Board had been properly noticed; and

WHEREAS, Ms. Patricia Conroy, of 5515 W. Pensacola, testified in objection to the application; that she submitted to and the Board accepted letters signed by residents of the 6200 and 6300 blocks of Cuyler; that there are approximately seventy (70) residences and she had with her sixty (60) letters of opposition; that she and others worked on gathering the letters and obtaining signatures; and

WHEREAS, Ms. Ann Melson, of 6358 W. Cuyler, testified in objection to the application; that she is totally blind and hearing impaired; that this makes travel a challenge; that she cannot imagine additional traffic coming out of Dunkin' Donuts onto Cuyler; that this additional traffic would make it very frightening to cross Cuyler alone to get to Irving Park Road; that there are other visually impaired people in the neighborhood and it is critical that the traffic issue be resolved; and

WHEREAS, Mr. Patrick Lekawa testified in objection to the application; that he is the associate pastor of the Light Source Foundation Church; that the church has exactly twelve (12) feet separating it from the proposed drive-through lane; that the noise and car exhaust will be very disruptive to the church's services to say nothing of what the drive-through will do to the rest of the neighborhood; that everyone needs a profitable business and no one in objection to the application is against business; that, however, the subject property is the wrong place for the proposed special use; and

WHEREAS, Ms. Maryrose Pavkovic, of 5449 W. Pensacola, testified in objection to the application; that she had with her sixty-three (63) letters of opposition; that she then submitted and the Board accepted such letters; and

WHEREAS, Ms. Patricia Conroy further testified that she was very troubled by the lack of transparency of the proposed development; that she then testified as to the actions

by the Applicant and the Alderman that she believed lacked transparency; that no traffic study had been conducted with respect to the proposed development; and

WHEREAS, in response to the objectors' testimony, Mr. Ftikas explained that no traffic study had been conducted because the Applicant had worked with CDOT and no traffic study was deemed necessary; that CDOT is not shy to ask for a traffic study if CDOT deems it necessary; that the Applicant is before the Board for the proposed special use not the curb cut onto Cuyler; that a curb cut for a retail building without a special use could be located on Cuyler; that said curb cut could also be located on Narragansett; that he then described why the Applicant's site plan had the drive-through traffic exiting onto Cuyler; that as shown the site plan, the Applicant will have a landscaped buffer for the proposed special use; that there will be two (2) proposed six (6) foot fences that will be on the east and south sides of the property and wholly buffer the car traffic from the alley and the adjoining property; and

WHEREAS, in response to questions from the Board, Mr. Shah further testified that due to running daylight, all cars have headlights all the time; that he does not know how the Applicant would mechanically address that; that the Applicant does have the ability to adjust the order box speakers; that the fence and landscaping will further mitigate any sound that does occur from the order box speakers; that in his experience with other drive-through locations in residential neighborhoods, noise is something he has addressed and mitigated because he wants to be a good neighbor; and

WHEREAS, in response to further questions from the Board, Mr. Ftikas explained more about the proposed fence; that the Applicant would be willing to incorporate signage to alert customers using the drive-through to be courteous; and

WHEREAS, in response to further questions from the Board, Mr. Shah testified that the Applicant's staff is trained to request that customers reduce noise; that the Applicant's employees get to know the Applicant's customers; that many of the customers that frequent the Applicant's current location are regulars; and

WHEREAS, Mr. William Wade, of 6223 W. School, testified in objection to the application; that he then testified as to how he believed the Applicant's site plan could mitigate some of the traffic concerns; and

WHEREAS, Mr. Bob Denneen, Chief of Staff for Alderman Sposato ("Alderman"), testified in support of the application; that the Alderman held community meetings; that the Alderman took community feedback and worked with the Applicant to improve its proposed site plan; that the Alderman worked with the Department to ensure the Applicant met the Department's requirement; that he then submitted and the Board accepted 205 letters from the community in support of the proposed special use; that he then submitted and the Board accepted a letter of support from both the Portage Park Chamber of Commerce and the Alderman; and

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

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

1. The proposed special use will have a significant adverse impact on the general welfare of the community. In particular, the Board finds that a twenty-four (24) hour business drive-through lane exiting onto Cuyler will have a significant adverse impact on the low-density residential nature of the 6200 and 6300 blocks of Cuyler. Ms. Frey's testimony regarding headlights shining all night into the windows of her home and the home of her neighbors was most persuasive. Ms. Daniel's testimony as to early morning delivery of donuts for the proposed special use was likewise most persuasive.
3. 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 due to the design of the drive-through lane. In particular, the decision to have the drive-through exit on Cuyler is incompatible with the residential character of the 6200 and 6300 blocks of Cuyler. The Board finds the testimony of Ms. Daniels, Ms. Frey, and Mr. Lekawa very credible with respect to the low-density residential nature of this portion of Cuyler.
4. 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 because the proposed special use will greatly increase the outdoor lighting, noise and traffic generation on the 6200 and 6300 blocks of Cuyler. In particular, a twenty-four (24) hour drive-through window is not compatible with the hours of operation of a residential neighborhood, and the 6200 and 6300 blocks of Cuyler are a residential neighborhood. Further, the proposed special use will cause traffic backup during peak hours on Narragansett and on Irving Park as customers attempt to either enter or exit the drive-through. As traffic goes one way on Cuyler, after a customer receives his or her order, he or she must return back onto Narragansett, exacerbating the traffic problem in the immediate area. Ms. Frey's testimony regarding the traffic conditions at this location was most persuasive.
5. The proposed special use is not designed to promote pedestrian safety and comfort. The additional traffic and curb cuts generated by the proposed special use will make it less safe for visually impaired pedestrians to cross Cuyler and less safe for pedestrians on Narragansett. As Ms. Frey testified there are many pedestrians on Narragansett, either college students catching the bus or people accessing Merrimac Park.

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

RESOLVED, the aforesaid special use application is hereby denied.

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

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



Hibernian Development
APPLICANT

282-16-Z
CALENDAR NUMBER

2106 N. Kenmore Avenue
PREMISES AFFECTED

July 15, 2016
HEARING DATE

Tom Moore
APPEARANCE FOR APPLICANT

Arlene Clarkson
OBJECTOR

NATURE OF REQUEST

Application for a variation to reduce the rear yard setback from 34.72' to 17.04'; to reduce the south side setback from 2' to 0.43' (north side setback to be 0.56'); to reduce the total combined side yard setback from 5.0' to 0.99'; and to relocate the 201.5 square feet of rear yard open space to a proposed garage roof deck which will serve a three-story, single-family residence with a rear raised patio and an open stair to provide access to the roof deck on the garage.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

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

AUG 23 2016

CITY OF CHICAGO

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on July 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Peter Deneen testified on behalf of the Applicant; that he is a developer in the Lincoln Park area and has appeared before the Board on other occasions; that the Applicant purchased the subject property out of building court; that the subject property was in building court because the subject property was improved with a garage that had an illegal connection to a house to south of the subject property; that he then

APPROVED AS TO SUBSTANCE

CHAIRMAN

showed the Board a true and accurate depiction of the subject property when the Applicant purchased the property; that said true and accurate depiction showed the illegal connection between the garage and the house south of the subject property; that the Applicant had the support of the subject property's north and south neighbors; that the Applicant also had the support of the neighborhood group; that the Alderman has decided to stay neutral; that the Applicant is before the Board asking for relief to establish access to a proposed roof-top deck above a proposed garage; that due to the canyon effect created by the existing neighboring buildings, a roof-top deck above the proposed garage is necessary as otherwise there would be no light in the subject property's backyard; that the Applicant has torn down the garage previously on the subject property; that the Applicant is currently constructing a new garage; that the Applicant could have built the new garage lot line to lot line as-of-right but at the request of the nonconforming condo building to the south of the subject property, the Applicant is using the footprint of the old garage to create a bit of space between the new garage and the back wall of the condo building; that the condo building had expressed concern over its foundation; that the condo building had also expressed concern over rat abatement; that the Applicant has complied with rat abatement on the subject property; that most of the complaints from the condo building were not zoning related as evidenced by the five (5) pages of communications the Applicant had with the building's condo's association; that the Applicant's proposed garage will be in the exact same position as the garage previously on the subject property; and

WHEREAS, Mr. Deneen further testified that over half of the properties on the block with new construction have garage roof-top decks; that he then showed the Board true and accurate depictions of some of this new construction with garage roof-top decks; that if the Applicant is not granted the requested variation, it would be a hardship as the Applicant's competitors routinely provide garage roof-top decks; that again the roof-deck itself is permitted as-of-right; that the request for variation is for access to the proposed roof-deck; and

WHEREAS, Mr. Gary Bereyl testified on behalf of the Applicant; that the Board recognized his credentials as an expert in architecture; that he then testified as to his program of development for the subject property; that except for the garage, the proposed development is already permitted and most of it built; that the garage is narrower than a normal garage because the Applicant maintained the existing foundations as requested by the condo building; that therefore, if the stairs were pushed all the way into the proposed garage, the Applicant's garage would probably not be code complaint; that the requested variation will: (1) have no negative effect on surrounding properties; (2) not abate anyone's light or air as it will provide the same amount of light and air as the old garage; (3) not create a fire hazard as the garage will be noncombustible as required by code; and

WHEREAS, in response to questions by the Board, Mr. Bereyl further testified that the request to relocate the rear yard open space is tied to request to reduce the rear yard setback to permit the stairs; that the reduction to the rear yard will make it so the subject property no longer has a rear yard other than the propose garage roof-deck; that in

consequence, the Applicant needs relief to relocate the required rear yard open space onto the top of the garage; and

WHEREAS, Mr. Moore explained that under this Zoning Ordinance, because of the relief requested for the stairs, the rear yard is considered eliminated; and

WHEREAS, Ms. Arlene Clarksen, of 1044 W. Dickens, testified in objection to the application; that she is a member of the 1044 W. Dickens Condo Association (“Association”); that she disagrees with much of what the Applicant said; that she does not understand how the Association’s building is nonconforming as it setback 3” from the lot line; that the building at 1044 W. Dickens is 110-120 years old; that she feels the Association did not receive enough notice as it first learned of the Applicant’s application in March; that the posted notice for the hearing had been removed from the subject property leading the Association to believe that the Applicant was no longer requested a variation; that the Association was not provided with copies of the Applicant’s discussions with the Sheffield Neighborhood Association; that she then reiterated previous concerns the Association had raised to the Applicant; and

WHEREAS, Mr. Deneen further testified that the Applicant would be happy to reasonably accommodate the Association with respect to rat abatement issue; that the Applicant had offered to meet with the Association’s architect to design a rat abatement system between their respective property lines; that with respect to the posted notice for the request for variation, the Applicant put up the notice as required; that said notice was posted on the subject property both before and after the Applicant met with the Sheffield Neighborhood Association; that the Applicant heard from the Alderman’s office two (2) days prior to the hearing and was told there was a claim it was no longer posted; that this was a surprise to him; that the Applicant has been open to communication with the Association at any time, as shown by the Applicant’s aforementioned five (5) pages of communications with the Association; and

WHEREAS, Section 17-13-1101-A of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit required rear open space to be located on a deck or patio located more than four (4) feet above ground; and

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

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

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property as the garage roof-top deck is permitted as of right under this Zoning Ordinance. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance as this Zoning Ordinance.

2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance because the Applicant can build the garage roof-top deck as of right but cannot access said roof-deck as of right, making the Applicant at a distinct disadvantage with its competitors; (2) the practical difficulty or particular hardship of the subject property – namely, the ability to build the garage roof-deck as of right but not the ability to access said roof-deck – is due to the unique circumstances of the Applicant building the garage narrower than a standard garage to ensure that the Applicant does not disturb the foundation of the 110-120 year old nonconforming condo building to the south of the subject property and is not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as much of the new construction in the area has the same type of roof-deck as credibly testified to by Mr. Deneen.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the closeness of the 110-120 year old building at 1044 W. Dickens to the Applicant's lot line– would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the closeness of the 110-120 year old building at 1044 W. Dickens to the Applicant's lot line is not applicable, generally, to other property in the RT-4 zoning district; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property as the Applicant could have maximized the size of the garage and built it lot line to lot line as of right; (4) the closeness of the 110-120 year old building at 1044 W Dickens to the Applicant's lot line was not created by any person having an interest in the subject property; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property and will in fact ensure the foundation of the 110-120 year old building at 1044 W. Dickens is not affected by the new garage; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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

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

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

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

APPLICANT: Baldwin Commodities Corporation

CAL NO.: 283-16-S

APPEARANCE FOR: Lucian Baldwin

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 860 W. Aldine Avenue, Unit # 3

NATURE OF REQUEST: Application for a special use to establish a vacation rental.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

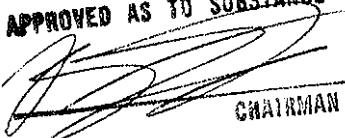
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3048 Sheffield, LLC

CAL NO.: 284-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 3048 N. Sheffield Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 29.79' to 21.5', the south setback from 2.88' to 0.25' (north to be 3.71'), combined side setback from 7.2' to 3.96' and to allow the relocation of a portion (127.82 square feet) of the rear yard open space to the garage roof deck (remaining 162.6 square feet will be located at grade) for a four-story, four-dwelling unit building, a rear raised deck, a three-story terrace, a rear patio, an attached two-car garage, a detached two-car garage with a roof deck and an open stair and bridge to access the roof deck.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 19, 2016

THE VOTE

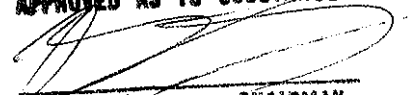
AUG 29 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Daniel Brown

CAL NO.: 285-16-Z

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3533 S. Hamilton Avenue

NATURE OF REQUEST: Application for a variation to reduce the required minimum lot area per unit from the required 1,000 square feet to 944.3 square feet per unit which is a 5.57% reduction to the MLA per unit. There will be a total of three units at the subject site.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required minimum lot area per unit from the required 1,000 square feet to 944.3 square feet per unit which is a 5.57% reduction to the MLA per unit. There will be a total of three units at the subject site; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



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

APPLICANT: Douglas Dickson **CAL NO.:** 286-16-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:** July 15, 2016
APPEARANCE AGAINST: George Blakemore
PREMISES AFFECTED: 1312 W. Byron Street

NATURE OF REQUEST: Application for a variation to reduce the required rear setback from 30.24' to 1.0', the total combined side setback from 5.0' to 4.0', the required rear property line setback from 2' to 1', for a detached, two-car garage with a roof deck and an open stair to access the roof deck and a roof top pergola.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 23 2016
CITY OF CHICAGO

BLAKESERCYE
SOL FLORES
SHEILA O'GRADY
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for variation; the applicant shall be permitted to reduce the required rear setback to 1.0', the total combined side setback to 4.0', the required rear property line setback to 1', for a detached, two-car garage with a roof deck and an open stair to access the roof deck and a roof top pergola; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: John Powen

CAL NO.: 287-16-Z

APPEARANCE FOR: Same

MINUTES OF MEETING:

July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 12234 S. Laflin Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 15' to 2.80' and to reduce the setback from the front property line to the overhead garage doors from the required 20' to 8.8', for a two-story, single family residence with an attached two-car garage with a front covered porch and a rear open porch on a lot with no alley access.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 2.80' and to reduce the setback from the front property line to the overhead garage doors to 8.8', for a two-story, single family residence with an attached two-car garage with a front covered porch and a rear open porch on a lot with no alley access; 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: Colin Young

CAL NO.: 288-16-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3008 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use to allow one new existing dwelling unit to be located in the basement in an existing two-story building with basement to be converted from two-dwelling units to three-dwelling units.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 29 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

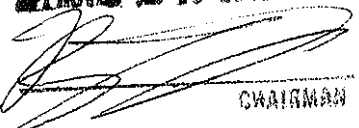
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



SEP 14 2016

CITY OF CHICAGO

Next Bronzville, LLC
APPLICANT

289-16-S
CALENDAR NUMBER

329 E. 35th* Street
PREMISES AFFECTED

July 15, 2016
HEARING DATE

* Scrivener's Error - 9-8-16

Bernard Citron
APPEARANCE FOR APPLICANT

Ninh Ma
APPEARANCE FOR OBJECTOR

NATURE OF REQUEST

Application for a special use permit to permit the establishment of a nail salon.

ACTION OF BOARD

THE VOTE

The application for a special use is approved.

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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on July 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Bernard Citron, counsel for the Applicant, summarized the facts of the application and explained the underlying basis for the relief sought; and

WHEREAS, Ms. Amy Levin testified on behalf of the Applicant; that the Applicant has owned the subject property for thirteen (13) years; that the subject property is currently improved with a 20,000 square foot shopping center; that it sits between two (2) major thoroughfares: 35th Street and King Drive; that said shopping center is anchored by a Chase Bank and a Domino's Pizza; that she then testified to the improvements and maintenance the Applicant had done to said shopping center; that the proposed special use will be located in said shopping center; that the space is currently vacant but was formerly occupied by a computer repair service provider; that there have been challenges

APPROVED AS TO SUBSTANCE

CHAIRMAN

in leasing space in the shopping center as there is a grocery-anchored shopping center across the street from the subject property; that a grocery-anchored shopping center is more appealing for tenants; that the Applicant owns and operates a lot of other properties in the area; that the Applicant has nail salons at its other locations; that nail salons bring positive traffic to the Applicant's shopping centers in other locations; that nail salons are destination-type uses as people have an appointment when they come to a nail salon; that from that standpoint, nail salons are not adverse to other tenants or future tenants of said shopping center; and

WHEREAS, Ms. Thao Nguyen testified on behalf of the Applicant; that she and her family own King's Nail Salon; that King's Nail Salon will be operating the nail salon at the subject property; that King's Nail Salon has other locations; that King's Nail Salon will not just be relying upon walk-by traffic but will also be bringing its clients from other locations to the subject property; that King's Nail Salon's proposed hours of operation at the subject property are: Mondays – Saturdays, 10:00 AM – 7:30 PM, Sundays, 11:00 AM – 6:30 PM; that to start, there will be 4-12* nail technicians working at the subject property; and * Scrivener's Error - 9-8-16 Z

WHEREAS, Mr. Terrance O'Brien testified on behalf of the Applicant; that Mr. O'Brien's credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that he has prepared a report containing the findings of his inspection; that his report was submitted to and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning Ordinance which must be addressed in support of such an application; that he then orally testified the proposed special use: (1) meets all general criteria for a special use under this Zoning Ordinance; and (2) will have no adverse impact to surrounding property values or development potential as there has already been testimony as to other uses on the subject property, as 35th Street is considered a business district, and as there are similar type land uses in the subject area, such as automobile service stations and a KFC; and

WHEREAS, Mr. O'Brien further testified that 35th Street has other business and commercial uses; that in some instances there are multi-story buildings with residential on the upper floors; that the grocery-anchored shopping center mentioned by Ms. Levin has many vacant store fronts; that there is a nail salon in said grocery-anchored shopping center called Maxim; and

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

WHEREAS, the Board stated that competition is not a factor that the Board can consider in making its decision; that the race of people is also not a factor that the Board can consider in making its decision; and

WHEREAS, Mr. Ningh Ma, counsel for Kelly Tran, stated that his client's main objection to the application was parking; and

WHEREAS, the Board reminded Mr. Ma that this Zoning Ordinance did not require the proposed special use to provide any parking; that if Mr. Ma wished to pursue his client's objections with respect to parking, he would have to argue how lack of parking related to the standards for a special use; and

WHEREAS, Mr. Ma stated that without adequate parking, the proposed special use was not in the public convenience; that there are also economic considerations as additional nail salons in Chicago creates tremendous pressure on pricing; and

WHEREAS, the Board reminded Mr. Ma that competition is not a factor the Board can consider in making its decision; and

WHEREAS, Ms. Kelly Tran testified; that she is the owner of Maxim Nail, located at 35th Street and King Drive; and

WHEREAS, in response to concerns raised by the objectors, Ms. Levin further testified that the Applicant had an entire lot which provided substantial parking; that there have been no parking issues to date at the subject property; that there is a bus top that pulls up to the subject property; and

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

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

1. The proposed special use complies with all applicable standards of this 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 community as there has already been testimony as to other uses on the subject property, as 35th Street is considered a business district, and as there are similar-type land uses in the subject area, such as automobile service stations and a KFC. Further, as the proposed special use will be utilizing a currently vacant storefront and will be a complimentary use to the existing uses on the subject property, it will create positive impact on the general welfare of the community. Any arguments made by Mr. Ma regarding the proposed special use not being in the public convenience must be discounted as Mr. Ma represents Ms. Tran, a competitor of the Applicant. The control or restriction of competition is not a proper or lawful zoning objective. *Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87, 91 (1st Dist. 1983); *see also Lazarus v. Village of Northbrook*, 31 Ill.2d 146, 152 (1964).

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 because the proposed use will be located within a storefront of an existing shopping center.

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 because this portion of 35th Street is a business district and therefore there are other business and commercial uses in the area. In particular, the Board finds Ms. Levin to be a very credible witness when testifying as to how the proposed special use would complement other uses in the shopping center.

5. The proposed special use is designed to promote pedestrian safety and comfort because it will be located within an existing store front in an existing shopping center.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said 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: SP Monroe, LLC **CAL NO.:** 290-16-S
APPEARANCE FOR: Edward Kus **MINUTES OF MEETING:**
July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1000 W. Monroe Street

NATURE OF REQUEST: Application for a special use to establish an eight -story, twelve-dwelling unit building with ground floor parking spaces.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

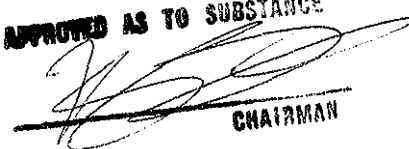
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an eight -story, twelve-dwelling unit building with ground floor parking spaces at the subject site; variations were also granted to the subject site in Cal.No. 291-16-Z and 292-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout of the plans dated April 13, 2016, prepared by Valerio Dewalt Train Associates.

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: SP Monroe, LLC

CAL NO.: 291-16-Z

APPEARANCE FOR: Edward Kus

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1000 W. Monroe Street

NATURE OF REQUEST: Application for a variation to eliminate the one required loading berth for a proposed eight-story, twelve dwelling unit building with ground floor parking spaces.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO
DEPARTMENT OF LANDMARKS AND PRESERVATION

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

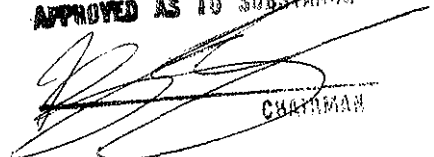
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to eliminate the one required loading berth for a proposed eight-story, twelve dwelling unit building with ground floor parking spaces; a special use was granted to the site in Cal. No. 290-16-S and an additional variation was granted in Cal. No. 292-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: SP Monroe, LLC **CAL NO.:** 292-16-Z
APPEARANCE FOR: Edward Kus **MINUTES OF MEETING:**
July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1000 W. Monroe Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 15' for an eight-story, twelve-dwelling unit building with ground floor parking spaces.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

BLAKE SERCYE
 SOL FLORES
 SHEILA O'GRADY
 SAMTOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

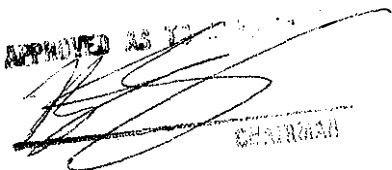
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 15' for an eight-story, twelve-dwelling unit building with ground floor parking spaces; a special use was granted in Cal. No. 290-16-S, and a variation in Cal. No. 291-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO FORM AND CONTENT

 CHAIRMAN

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

APPLICANT: Blackwater Development Co.

CAL NO.: 293-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 2675 N. Burling Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 31.68' to 22' for a proposed open catwalk/ bridge from the four-dwelling unit building to the proposed roof deck to be located on the existing detached garage.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 19, 2016

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO MINUTES
[Signature]
CHAIRMAN

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

APPLICANT: Bosworth 3250 XYZ, LLC

CAL NO.: 294-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3520 N. Bosworth Avenue

NATURE OF REQUEST: Application for a variation to increase the maximum allowed height from 35' to 36' for a three-story, three-dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 29 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

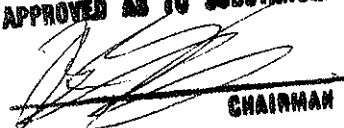
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the height to 36' for a three-story, three-dwelling unit building; an additional variation was also granted to the subject site in Cal. No. 295-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Bosworth 3520 XYZ, LLC

CAL NO.: 295-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3520 N. Bosworth Avenue

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 3,750 square feet to 3,713 square feet, for a three-story, three-dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

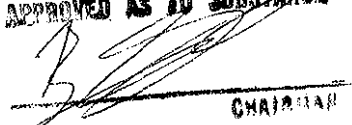
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the minimum lot area from the required 3,750 square feet to 3,713 square feet, for a three-story, three-dwelling unit building; an additional variation was also granted to the subject site in Cal. No. 294-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Eternal Studio Corporation

CAL NO.: 296-16-S

APPEARANCE FOR: Christopher Koczwar

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6658 W. Archer Avenue

NATURE OF REQUEST: Application for a special use to a body art services (tattoo) facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Monroe Street Church of Christ

CAL NO.: 297-16-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 3355 W. Fifth Avenue

NATURE OF REQUEST: Application for a special use to a one-story religious assembly with three hundred seats and thirty-eight on-site parking spaces.

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 19, 2016

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 832 W. Fulton LLC

CAL NO.: 298-16-S

APPEARANCE FOR: Edward Kus

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 302 N. Green Street

NATURE OF REQUEST: Application for a special use to establish an open patio to be located on the third floor of a proposed three-story retail and participant sport building.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		

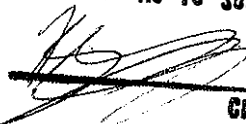
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the plans dated November 20, 2015 prepared by OKW 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:

Team Vs. Time Chicago, LLC

CAL NO.: 299-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

2000 W. Armitage Avenue

NATURE OF REQUEST: Application for a variation to a public place of amusement license to provide a cover charge for an interactive amusement offered to the public on a ticket basis which shall be located within 125' of an RS-3 Residential District.

ACTION OF BOARD-

CASE CONTINUED TO AUGUST 19, 2016

THE VOTE

AUG 23 2016

CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES

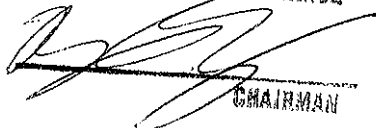
SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Team vs. Time, LLC

CAL NO.: 300-16-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 2020 W. Armitage Avenue

NATURE OF REQUEST: Application for a special use to establish an off-site accessory parking lot to provide the two required parking spaces for the public place of amusement use located at 2000 W. Armitage Avenue

ACTION OF BOARD-
CASE CONTINUED TO AUGUST 19, 2016

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: ABM Onsite Services- Midwest, Inc. **CAL NO.:** 301-16-S
APPEARANCE FOR: Stephanie Stinton **MINUTES OF MEETING:** July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 541-53 W. Lake Street / 176-82 N. Clinton Street

NATURE OF REQUEST: Application for a special use to establish a non-accessory parking lot for forty parking spaces, in order to operate a non-accessory parking lot outside of the Central Area Parking District containing less than two-hundred and forty-nine parking spaces.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

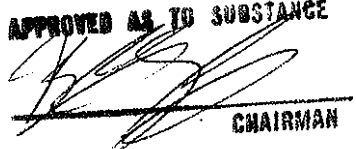
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-accessory parking lot for forty parking spaces, in order to operate a non-accessory parking lot outside of the Central Area Parking District containing less than two-hundred and forty-nine parking spaces; 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; a variation was also granted to the subject site in Cal. No. 302-16-Z; 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: ABM Onsite Services- Midwest, Inc. **CAL NO.:** 302-16-Z
APPEARANCE FOR: Stephanie Stinton **MINUTES OF MEETING:** July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 541-53 W. Lake Street / 176-82 N. Clinton Street

NATURE OF REQUEST: Application for a variation to allow an existing curb cut for a parking lot outside of the Central Parking District consisting of less than two hundred and forty-nine spaces accessing from N. Clinton Street and W. Lake Street on a Class 2 Street.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted establish a curb cut for a parking lot outside of the Central Parking District consisting of less than two hundred and forty-nine spaces accessing from N. Clinton Street and W. Lake Street on Class 2 Street; a special use was also granted to the subject site in Cal. No. 301-16-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not 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: Daniel Maldonado

CAL NO.: 303-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1418 W. 18th Street

NATURE OF REQUEST: Application for a special use to a barber shop

ACTION OF BOARD-
DISMISSED FOR WANT OF PROSECUTION

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Keeper Property Holdings

CAL NO.: 304-16-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2204 W. Ohio Street

NATURE OF REQUEST: Application for a variation to reduce the required rear setback from 34.75' to 22', the west setback from 2' to 1' (east will remain at 3'); the total combined side setback combination from 4.8' to 4' for a garage roof deck and an open stairwell to provide access to the deck to be located on the garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required rear setback to 22', the west setback to 1' (east will remain at 3'); the total combined side setback combination to 4' for a garage roof deck and an open stairwell to provide access to the deck to be located on the 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
[Signature]
CHAIRMAN

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

APPLICANT: Keeper Property Holdings, LLC **CAL NO.:** 305-16-Z
APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:** July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2206 W. Ohio Street

NATURE OF REQUEST: Application for a variation to reduce the required rear setback from 34.75' to 22.', the west setback from 2' to 1' (east to be 3'), the total combined side setback combination from 4.8' to 4' for garage roof deck and open stairwell to provide access to the deck to be located on the garage.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

AUG 23 2016
 CITY OF CHICAGO

BLAKE SERCYE
 SOL FLORES
 SHEILA O'GRADY
 SAMTOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

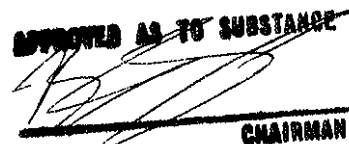
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required rear setback to 22.', the west setback to 1' (east to be 3'), the total combined side setback combination to 4' for a garage roof deck and open stairwell to provide access to the deck to be located on the 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: Yeon Chie

CAL NO.: 306-16-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1931-33 W. Belmont Avenue, Unit C2

NATURE OF REQUEST: Application for a special use to establish a nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO
DEPARTMENT OF PLANNING & DEVELOPMENT

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

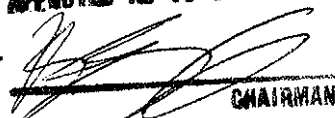
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Edward McBrearty

CAL NO.: 307-16-S

APPEARANCE FOR: Johh Pikarski

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2352 W. Winona Street

NATURE OF REQUEST: Application for a special use to establish a residential use below the second floor for a three-story, six-dwelling unit building.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

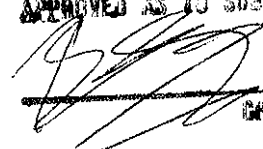
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a residential use below the second floor for a three-story, six dwelling unit building; additional variations were also granted to the subject site in Cal. Nos. 308-16-Z and 309-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the floor plans and both the west and east elevations dated February 26, 2016, as well as the site plan, roof plan, south elevation and north elevation dated March 16, 2016, all prepared by 360 Design Studio.

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: Edward McBrearty

CAL NO.: 308-16-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2352 W. Winona Street

NATURE OF REQUEST: Application for a variation to increase the area of an accessory building by not more than 10% from the allowed 1,095 square feet to 1,111 square feet. the building will serve a three-story, six-dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

THE RESOLUTION:

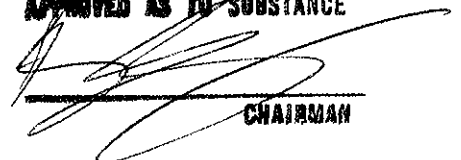
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the area of an accessory building by not more than 10% from the allowed 1,095 square feet to 1,111 square feet. The building will serve a three-story, six-dwelling unit building; a special use was granted to the subject site in Cal. No. 307-16-S, an additional variation was also granted to the site in Cal. No. 309-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Edward McBrearty

CAL NO.: 309-16-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2352 W. Winona Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 22'-4" for a three-story, six-dwelling unit building with a six car garage with roof deck and an open stair to access the garage roof deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22'- 4" for a three-story, six-dwelling unit building with a six car garage with roof deck and an open stair to access the garage roof deck; a special use was granted to the subject site in Cal. No. 307-16-Z and an additional variation was granted in Cal. No. 308-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



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

APPLICANT: Shakespeare 2214, LLC

CAL NO.: 310-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2214 W. Shakespeare Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 28' to 21' for an open stair to access the garage roof deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

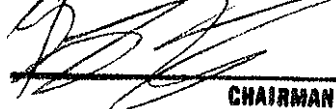
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21' for an open stair to access the 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 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



Drummond 1130, LLC
APPLICANT

311-16-Z
CALENDAR NUMBER

1130 W. Drummond Place
PREMISES AFFECTED

July 15, 2016
HEARING DATE

Tom Moore
APPEARANCE FOR APPLICANT

Conchita Lockhart
OBJECTOR

NATURE OF REQUEST

Application for a variation to reduce the rear yard setback from 35' to 2'; to reduce the east side setback from 2' to 0' (west side setback to be 0'); to reduce the total combined side setback from 5' to 0' for an open stair to access a garage roof deck on a two car garage.

ACTION OF BOARD

THE VOTE

The application for a variation is approved subject to the conditions set forth in this decision.

AUG 23 2016

CITY OF CHICAGO

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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on July 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Luke Bakalar testified on behalf of the Applicant; that the Applicant owns the subject property and has erected a home and garage on said property; that the home and the garage were fully permitted and built in accordance with all codes and ordinances; that the Applicant is before the Board to request relief to allow a staircase to reach the proposed roof-deck on top of the garage; that the Applicant has a contract on the subject property, and the family purchasing the subject property would like to have the extra outdoor space the proposed roof-deck would provide; that the Applicant has a

APPROVED AS TO

WHEREAS, Ms. Lockhart testified that she did not; and

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

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

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property as the garage roof-top deck is permitted as of right under this Zoning Ordinance. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance as this Zoning Ordinance.
2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance because the Applicant can build the garage roof-top deck as of right but cannot access the garage roof-top deck without the requested variation; (2) the practical difficulty or particular hardship of the property – namely, the ability to build the garage roof-deck as of right but not being able to build a stair to access said garage roof-deck – is due to unique circumstances and is not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as very credibly testified to by Mr. Bakala and Mr. Dasse.
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, that the Applicant can build a garage roof-deck that is compliant with this Zoning Ordinance but not stairs to access said garage roof-deck – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the ability of the Applicant to build a garage roof-deck but not stairs to access said roof-deck is not applicable, generally, to other property in the RT-4 zoning district; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the ability of the Applicant to build a garage roof-deck but not stairs to access said roof-deck has not been created by any person having an interest in the subject property; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public

safety, or substantially diminish or impair property values within the neighborhood due to the conditions agreed upon by the Applicant and the Wrightwood Neighbors.

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

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

1. The Applicant shall provide permanent planting beds that cover at least fifteen percent (15%) of the garage roof-deck with a water source;
2. The Applicant shall construct the stair to the garage roof-deck in such a manner as to minimize the stair's impact on the adjacent neighbors' properties; and
3. The Applicant shall indicate on its drawings the location of regular and blue garbage bins on the subject property.

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: Regina & Luke Bakalar

CAL NO.: 312-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1938 W. Crystal Street

NATURE OF REQUEST: Application for variations to reduce the rear setback from the required 33.20' to 8.25', the east and west setbacks both from the required 2.88' to zero; the combined side setback from 7.2' to zero for an open stair and landing to access the roof top deck which shall also contain the relocated rear yard open space.

ACTION OF BOARD-
VARIATIONS GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 8.25', the east and west setbacks both to zero; the combined side setback to zero for an open stair and landing to access the roof top 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 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: 649 N. Ashland Gas and Mini-Mart, LLC

CAL NO.: 313-16-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 649 N. Ashland Avenue

NATURE OF REQUEST: Application for a special use to the expansion of an existing gas station by the construction of a one story convenience store.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the plans dated April 2015 prepared by Jef and Associates, LLC.

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: M C Oil Group, Inc

CAL NO.: 314-16-S

APPEARANCE FOR: Gary Wigoda

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4300 S. State Street

NATURE OF REQUEST: Application for a special use to allow two new gas pumps and a new building located on an existing lot which contains an existing four pump gas station.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

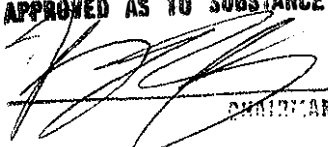
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the site and landscape plan dated March 30, 2016, and the elevations dated April 28, 2016, all prepared by American Developers Corporation.

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

APPROVED AS TO SUBSTANCE

ZONING ADMINISTRATOR

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

APPLICANT: Zaid Alsikafi CAL NO.: 315-16-Z

APPEARANCE FOR: Rolando Acosta MINUTES OF MEETING: July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1427 N. State Parkway

NATURE OF REQUEST: Application for variations to reduce the rear setback from the required 36.4' to 2', the north setback from 2' to zero, the south setback from 2' to 1' and the combined side setback from 5' to 1' for an open bridge to access the garage roof deck that shall also contain the relocated rear yard open space.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

AUG 23 2016 CITY OF CHICAGO

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for each name with 'X' in the AFFIRMATIVE column.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2', the north setback to zero, the south setback to 1' and the combined side setback to 1' for an open bridge to access the garage roof deck that 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 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: Glory Beauty Salon Unisex

CAL NO.: 316-16-S

APPEARANCE FOR: Natividad Castillo

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3207 N. Cicero Avenue

NATURE OF REQUEST: Application for a special use to establish a hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

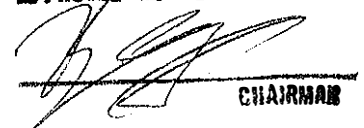
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Scalise Construction Inc.

CAL NO.: 317-16-Z

APPEARANCE FOR: Lawrence Lusk

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1416 W. 31st Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 28' to 23', the north setback from 2.8' to 2' (with a south setback of 6') for a proposed single family residence with an attached two-car garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES

SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

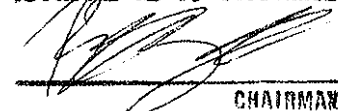
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 23', the north setback to 2'(with a south setback of 6') for a proposed single family residence with 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 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: Kontagious Personalities

CAL NO.: 318-16-S

APPEARANCE FOR: Kimberly Taylor

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5943 W. Madison Street

NATURE OF REQUEST: Application for a special use to establish a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Raina Torrence LLC

CAL NO.: 319-16-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 10351 S. Torrence Avenue

NATURE OF REQUEST: Application for a special use to establish a one-lane drive-through facility to serve a fast food restaurant.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RESCUED		
X		

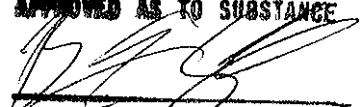
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a drive through facility to serve a fast food restaurant; a variation was also granted to the subject site in Call. No. 320-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in both the site and landscape plans dated June 29, 2016, prepared by Nick Scarlatis and Associates, 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: Raina Torrence, LLC

CAL NO.: 320-16-Z

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 10351 S. Torrence Avenue

NATURE OF REQUEST: Application for a variation to reduce the required front setback from 20.0' to 10.25' for a one-story restaurant building with a one lane drive-through.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

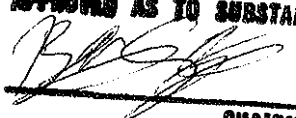
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 10.25' for a one-story restaurant with a drive-through lane; a special use was also granted to the subject site in Cal. No. 319-16-S to establish the one-lane drive-through to serve the proposed restaurant; 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: 2709 Ashland, LLC

CAL NO.: 321-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2711 N. Ashland Avenue

NATURE OF REQUEST: Application for a variations to reduce the rear setback from the required 30' to 22'-6" for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

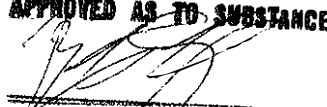
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22'-6" for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet; 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: 2709 Ashland, LLC

CAL NO.: 322-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2717 N. Ashland Avenue

NATURE OF REQUEST: Application variations to reduce the rear setback from the required 30' to 22'-6" for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

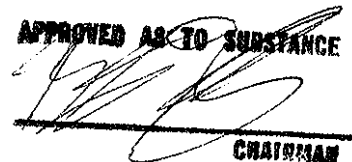
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22'-6" for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet; 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: 2709 Ashland, LLC

CAL NO.: 323-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2721 N. Ashland Avenue

NATURE OF REQUEST: Application for a variations to reduce the rear setback from the required 30' to 19'-6" for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

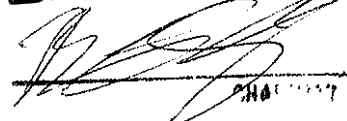
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback from the required 30' to 19'-6" for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet; 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



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

APPLICANT: 2709 Ashland, LLC

CAL NO.: 324-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2725 N. Ashland Avenue

NATURE OF REQUEST: Application for a variations to reduce the rear setback from the required 30' to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 933 allowable square feet to 975 square feet; 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: 2709 Ashland LLC

CAL NO.: 325-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2731 N. Ashland Avenue

NATURE OF REQUEST: Application for variations to reduce the rear setback from the required 30' to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 972 allowable square feet to 975 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

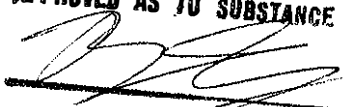
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the 972 allowable square feet to 975 square feet; 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: 2709 Ashland, LLC

CAL NO.: 326-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2737 N. Ashland Avenue

NATURE OF REQUEST: Application for variations to reduce the rear setback from the required 30' to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the allowable 972 square feet to 975 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the allowable 972 square feet to 975 square feet; 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: 2709 Ashland, LLC

CAL NO.: 327-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2743 N. Ashland Avenue

NATURE OF REQUEST: Application for variations to reduce the rear setback from the required 30' to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the allowable 972 square feet to 975 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

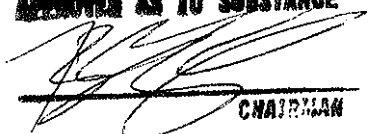
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22.5' for an open stair to access the rooftop deck on the proposed six car garage and to increase the area of an accessory building by no more than 10% of the allowable 972 square feet to 975 square feet; 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: 2709 Ashland, LLC

CAL NO.: 328-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2745 N. Ashland Avenue

NATURE OF REQUEST: Application for a variations to reduce the rear setback from the required 30' to 22.5' for an open stair to access the rooftop deck on the proposed three-car garage and to increase the area of an accessory building by no more tan 10% of the allowable 480 square feet to 493 square feet.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22.5' for an open stair to access the rooftop deck on the proposed three-car garage and to increase the area of an accessory building by no more tan 10% of the allowable 480 square feet to 493 square feet; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



933 Belle Plaine, LLC
APPLICANT

329-16-Z
CALENDAR NUMBER

931-33 W. Belle Plaine Avenue
PREMISES AFFECTED

July 15, 2016
HEARING DATE

Katriina McGuire
APPEARANCE FOR APPLICANT

Michael Huck
OBJECTOR

NATURE OF REQUEST

Application for a variation to reduce the rear setback from the required 39.81' to 25' for a proposed four-story seventeen dwelling unit building with required parking located on the ground floor and at the rear of the building with front drive access.

ACTION OF BOARD

THE VOTE

The application for a variation is approved.

AUG 23 2016

CITY OF CHICAGO

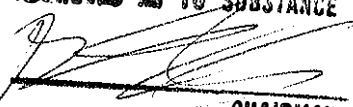
	APPROVE	DENY	ABSENT
Blake Sercye, Chairmain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on July 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Ms. Katriina McGuire, counsel for the Applicant, explained the nature of the application; and

WHEREAS, Mr. Jean Dufreone testified on behalf of the Applicant; that he is the Applicant's project architect; that the subject property is currently improved with a parking lot; that the Applicant proposes to develop the subject property with a four-story building with seventeen (17) residential units; that the proposed development shall also have twenty (20) parking spaces; that thirteen (13) of these parking spaces shall be indoor spaces and seven (7) shall be outdoor spaces; that the Applicant is seeking to reduce the

APPROVED AS TO SUBSTANCE

CHAIRMAN

rear yard setback; that otherwise, the proposed development conforms to and/or exceeds the requirements of this Zoning Ordinance; that there is no alley to the rear of the subject property and therefore all parking and loading must be accessed from the front of the subject property; that the subject property is also irregularly shaped as one lot line is longer than the other; that the street on which the subject property is located is unique for Chicago in that the curve of the street and its surrounding lots are all different shapes and sizes; that accordingly, the rear lot depths vary throughout the area and the block; that therefore strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; that if the Applicant had to abide by the rear setback, the Applicant would not only have to increase the height of the proposed building but also – due to the differing lot lines – have to cut off the building at an awkward angle; that in consequence, the Applicant cannot yield a reasonable return if the subject property is permitted to be used only in accordance with the standards of this Zoning Ordinance; that the Applicant's practical difficulties or particular hardships are due to the unique circumstances of the irregular lot shape, the differing lot depths and the lack of an alley and are not generally applicable to other similarly situated property; that the requested variation is consistent with stated purpose and intent of this Zoning Ordinance; that the variation, if granted, will not alter the essential character of the neighborhood as there are varying lot depths throughout this neighborhood; that the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety; that the proposed variation will not substantially diminish or impair property values within the neighborhood; and

WHEREAS, Mr. Michael Chioros testified on behalf of the Applicant; that he is the managing member of the Applicant; that the subject property was recently rezoned to RM-4.5; that as part of the rezoning process, the Applicant participated in several community meetings that involved not only the area community group but also the immediate neighbors; that as part of the community process, the Applicant made some modifications to the proposed development including reducing the building's unit count from twenty (20) to seventeen (17), maintaining a parking count of twenty (20), reducing the building height from forty-eight feet (48') to forty-four feet (44') and providing a loading area off of the street to ensure delivery trucks do not have to park in the street; that as a result of these modifications, the neighborhood group did support the project; that the Applicant also had a letter of support from Alderman Capplemann; and

WHEREAS, Mr. Michale Huck, of 929 W. Belle Plaine, testified in objection to the application; and

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

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and as the decision of the Zoning Board of Appeals to approve a variation application must be based solely on the approval criteria enumerated in Section

17-13-1107-A, B and C of the Chicago Zoning Ordinance, and the Board being fully advised, hereby makes the following findings with reference to the Applicant's application for variation:

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property under this Zoning Ordinance. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.
2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance due to property's lack of rear alley, irregular lot shape and differing lot depths; (2) the practical difficulty or particular hardship of the property – namely, the property's lack of rear alley, irregular lot shape and differing lot depths – is due to unique circumstances and is not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as very credibly testified to by Mr. Dufreone.
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the lack of rear alley, irregular lot shape and differing lot depths – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the lack of rear alley, irregular lot shape and differing lot depths is not applicable, generally, to other property in the RM-4.5 zoning district; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property as the Applicant made several concessions to the community, including reducing the proposed building's unit count from twenty (20) to seventeen (17); (4) the lack of rear alley, irregular lot shape and differing lot depths was not created by any person having an interest in the subject property; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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

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

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: Chi San Ng

CAL NO.: 330-16-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4321-25 S. Albany Avenue

NATURE OF REQUEST: Application for variations to reduce the north setback from the required 2.0' to 1.5' (south will remain at 0.8'), the combined side setback from the required 5' to 2.3' to allow for the sub-division of an existing zoning lot. 4321 S. Albany will be improved with a proposed single family residence. The existing two-story single family residence at 4325 S. Albany will remain.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

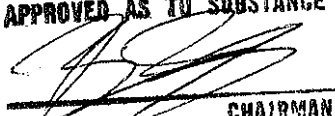
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north setback to 1.5' (south will remain at 0.8'), the combined side setback to 2.3' to allow for the sub-division of an existing zoning lot. 4321 S. Albany will be improved with a proposed single family residence and the existing building at 4325 S. Albany shall remain; 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: 2635 W. Homer, LLC

CAL NO.: 331-16-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2635 W. Homer Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 2.58', the west setback from 2' to zero (east setback shall be 2'), total combined side setback from 4.8' to 2' for an open stair to access a garage rooftop deck on a proposed two-car garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

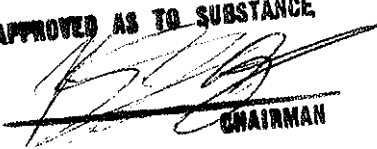
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2.58', the west setback to zero (east setback shall be 2'), total combined side setback to 2' for an open stair to access a garage rooftop deck on a proposed two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 2658 W. Homer, LLC

CAL NO.: 332-16-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2658 W. Homer Street

NATURE OF REQUEST: Application for a variation to allow direct access to off-street parking for a parcel which alley access is prevented by a utility pole and or other public appurtenance on a lot which contains an existing two-story front building and an existing three-story one-dwelling unit rear building which the ground floor is being converted to a three-car garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

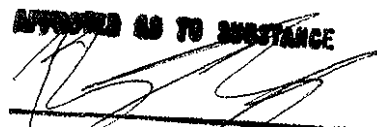
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to access off-street parking for a parcel which alley access is prevented by a utility pole and or other public appurtenance on a lot which contains an existing two-story front building and an existing three-story one-dwelling unit rear building which the ground floor is being converted to a three-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Keeper Property Holdings, LLC

CAL NO.: 333-16-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 600 N. Leavitt Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.75' to 22' for an open stair to access a garage roof top deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22' for an open stair to access a garage roof top deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



Norflo Holdings Corporation
APPLICANT

334-16-S
CALENDAR NUMBER

916-18 E. 43rd Street
PREMISES AFFECTED

July 15, 2016
HEARING DATE

Pro Se
APPEARANCE FOR APPLICANT

Denise Kennedy
OBJECTOR

NATURE OF REQUEST

Application for a special use to permit the establishment of a required off-site parking lot with twenty-eight parking spaces to serve a proposed medium venue live theater with two hundred and ninety-nine seats located at 930 E. 43rd Street. Two parking spaces will be located on-site of the theater.

ACTION OF BOARD

THE VOTE

The application for a special use is approved.

AUG 23 2016

CITY OF CHICAGO

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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on July 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Norman Bolden testified on behalf of the Applicant; that he is the owner of the Applicant; and

WHEREAS, Mr. Timothy Barton testified on behalf of the Applicant; that the Board recognized his credentials as an expert in land planning; that he then testified that the Applicant's initial application was for twenty-nine (29) spaces; that the total parking requirement for the Applicant's operation is thirty (30) spaces; that originally, the

APPROVED AS TO SUBSTANCE

CHAIRMAN

Applicant was proposing to provide twenty-nine (29) off-site spaces and one (1) on-site space; that subsequently, the Applicant revised its plans and will now provide two (2) on-site spaces; that with the exception of the thirty (30) on-site spaces, the Applicant's proposed project complies with all applicable standards of this Zoning Ordinance; that 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; that the proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design; that as the lot is currently vacant, the proposed special use will be an enhancement to the surrounding area; that there will be no real impact with respect to operation of the proposed special use as the Applicant owns both the sites and the proposed parking lot will be only 100 feet away from the proposed venue; that 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 as the proposed special use will only be used in conjunction with the proposed theater; that with respect to traffic congestion, there are only twenty-eight (28) parking spaces so the volume of cars will not have an impact on 43rd Street; that the noise will be minimal as, again, the proposed special use will only be utilized in conjunction with the proposed theater; that the proposed special use is designed to promote pedestrian safety and comfort as it is slightly setback from the street, has a fence separating the front of the property from the street, and the parking spaces themselves will be highly visible; and

WHEREAS, Ms. Denise Kennedy, of 4202 S. Drexel, testified in objection to the application; that once the Applicant's theatre venue is in operation, there will be no street parking on 43rd Street; that the neighborhood depends on street parking; and

WHEREAS, in response Ms. Kennedy's testimony, Mr. Barton further testified that under this Zoning Ordinance, the minimum required parking for the Applicant's theater is thirty (30) spaces; that the proposed special use will provide all but two (2) of those required thirty (30) spaces; that the Applicant's theater venue is fully permitted; that the proposed special use is meant to fulfill the minimum parking requirements under this Zoning Ordinance; and

WHEREAS in response to questions by the Board, Mr. Bolden further testified that the Applicant is in communication with other property owners in the area to utilize other parking lots to supplement the required thirty (30) parking spaces; and

WHEREAS, Ms. Kennedy further testified that street parking is easier than utilizing any of the lots in the area that Mr. Bolden may be able to lease; and

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

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings

with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance. The Applicant is required under this Zoning Ordinance to provide thirty (30) parking spaces for its theatre venue. The theatre venue itself is not before the Board. The only matter before the Board is the relocation of twenty-eight (28) of these thirty (30) required parking spaces onto the subject property.
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 community as the site is currently vacant and the proposed special use will therefore serve as an enhancement to the surrounding area. Further, the proposed special use will have no real impact on the area with respect to operation of the proposed special use as the Applicant owns both the subject property and the site on which its theatre venue is located and as the proposed parking lot will be only 100 feet away from the theater venue.
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 as, again, the lot is currently vacant, so the proposed special use will be an enhancement.
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 as the proposed special use will only be used in conjunction with the proposed theater, will not generate enough traffic to have an impact on 43rd Street, and will generate minimal noise. Ms. Kennedy's arguments that thirty (30) parking spaces are not enough for the Applicant's theatre venue cannot be considered by the Board as this Zoning Ordinance only requires thirty (30) parking spaces for the Applicant's theatre venue and the Applicant is providing these thirty (30) spaces. Moreover, the Applicant's theatre venue is permitted as of right and therefore requires no Board approval to be established.
5. The proposed special use is designed to promote pedestrian safety and comfort as it will be slightly setback from the street, will have a fence separating the front of the property from the street, and the parking spaces themselves will be highly visible.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said 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: Denny Development

CAL NO.: 335-16-Z

APPEARANCE FOR: THOMAS MOORE *TM*

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2030 W. Fletcher Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 3.25', the west setback from 2.48' to 0.5' (east to be 3.33') and the total combined side setback from 6.2' to 3.83', for an open stair to access a garage roof deck on a proposed two-car garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 3.25', the west setback to 0.5' (east to be 3.33') and the total combined side setback from 6.2' to 3.83', for an open stair to access a garage roof deck on a proposed two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Romastro, LLC

CAL NO.: 336-16-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6154 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a special use to establish an outdoor patio with canopy on the second floor of an existing one and two-story building.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The patio is located per the site plan dated November 10, 2015, and the canopy is installed per the roof plan dated October 24, 2015, all prepared by Chicago Design and Construction.

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: Rosemoor Suites, LLC

CAL NO.: 337-16-S

APPEARANCE FOR: Arnold Landis

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1622 W. Jackson Boulevard

NATURE OF REQUEST: Application for a special use to establish a one-hundred and eighteen room hotel.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

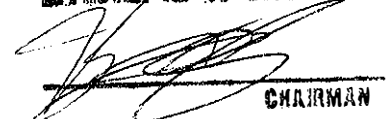
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Meraki Room Chicago

CAL NO.: 338-16-S

APPEARANCE FOR: John Fritchey

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2028 W. Division Street

NATURE OF REQUEST: Application for a special use to establish a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: POGN, LLC

CAL NO.: 339-16-S

APPEARANCE FOR: John Fritchey

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 216 S. Green Street

NATURE OF REQUEST: Application for a special use to permit the establishment of residential use below second floor for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground level with alley access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

BLAKESERCYE
SOL FLORES
SHEILA O'GRADY
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a residential use below second floor for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground level with alley access ; a variation was also granted to the subject site in Cal. No. 340-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the site plan and floor plans dated May 10, 2016, and the elevations dated May 6, 2016, all prepared by Jef and Associates LLC.

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: POGN, LLC

CAL NO.: 340-16-Z

APPEARANCE FOR: John Fritchey

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 216 S. Green Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero and the rear encroachment feature setback from 2' to zero for a proposed six-story, eight dwelling unit building with eight parking spaces located on the ground level with alley access.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 339-16-S; the applicant shall also be permitted to reduce the rear setback to zero and the rear encroachment feature setback to zero for a proposed six-story, eight dwelling unit building with eight parking spaces located on the ground level with alley access; 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: POGN, LLC

CAL NO.: 341-16-S

APPEARANCE FOR: John Fritchey

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 220 S. Green Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed six-story, eight- dwelling unit building with eight parking spaces located on the ground floor with alley access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

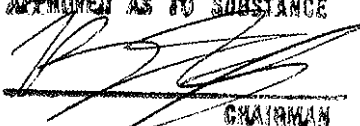
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed six-story, eight- dwelling unit building with eight parking spaces located on the ground floor with alley access; a variation was also granted to the subject site in Cal. No. 342-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the site plan and floor plans dated May 10, 2016, and the elevations dated May 6, 2016, all prepared by Jef and Associates LLC.

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: POGN. LLC

CAL NO.: 342-16-Z

APPEARANCE FOR: John Fritchey

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 220 S. Green Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero and the rear encroachment feature setback from 2' to zero for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground level with alley access.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

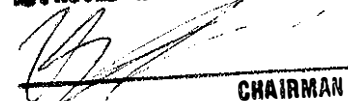
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 341-16-S; the applicant shall also be permitted to reduce the rear setback to zero and the rear encroachment feature setback to zero for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground level with alley access; 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: POGN, LLC

CAL NO.: 343-16-S

APPEARANCE FOR: John Fritchey

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 226 S. Green Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground floor with alley access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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


AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground floor with alley access; a variation was also granted to the subject site in Cal. No. 344-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the site plan and floor plans dated May 10, 2016, and the elevations dated May 6, 2016, all prepared by Jef and Associates LLC. 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: POGN, LLC **CAL NO.:** 344-16-Z

APPEARANCE FOR: John Fritchey **MINUTES OF MEETING:**
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 226 S. Green Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero and the rear encroachment feature setback from 2' to zero for a six-story, eight dwelling unit building with eight parking spaces located on the ground floor with alley access.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

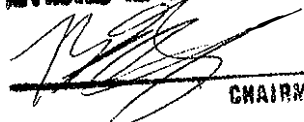
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 343-16-S; the applicant shall also be permitted to reduce the rear setback to zero and the rear encroachment feature setback to zero for a six-story, eight dwelling unit building with eight parking spaces located on the ground floor with alley access; 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: POGN, LLC **CAL NO.:** 345-16-S

APPEARANCE FOR: John Fritchey **MINUTES OF MEETING:**
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 232 S. Green Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground level with alley access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed six-story, eight-dwelling unit building with eight parking spaces located on the ground level with alley access ; a variation was also granted to the subject site in Cal. No 346-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the site plan and floor plans dated May 10, 2016, and the elevations dated May 6, 2016, all prepared by Jef and Associates LLC.

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: POGN, LLC **CAL NO.:** 346-16-Z
APPEARANCE FOR: John Fritchey **MINUTES OF MEETING:**
July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 232 S. Green Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero and the rear encroachment feature setback from 2' to zero for a proposed six-story, eight-dwelling unit building with eight ground parking spaces located on the ground floor with alley access.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 345-16-S; the applicant shall also be permitted to reduce the rear setback to zero and the rear encroachment feature setback to zero for a proposed six-story, eight-dwelling unit building with eight ground parking spaces located on the ground floor with alley access; 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: POGN, LLC **CAL NO.:** 347-16-S

APPEARANCE FOR: John Fritchey **MINUTES OF MEETING:**
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 236 S. Green Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed six-story, eight dwelling unit building with eight parking spaces located on the ground floor with alley access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

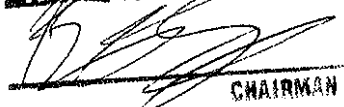
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed six-story, eight dwelling unit building with eight parking spaces located on the ground floor with alley access; a variation was also granted to the subject site in Cal. No. 348-16-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; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design and layout in the site plan and floor plans dated May 10, 2016, and the elevations dated May 6, 2016, all prepared by Jef and Associates LLC.

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: POGN, LLC

CAL NO.: 348-16-Z

APPEARANCE FOR: John Fritchey

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 236 S. Green Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero and the rear encroachment feature setback from 2' to zero for a proposed six-story, eight dwelling unit building with eight parking spaces located on the ground floor with alley access.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

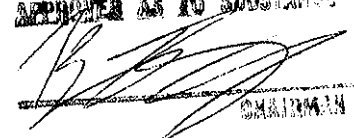
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject in Cal. No. 347-16-S; the applicant shall also be permitted to reduce the rear setback to zero and the rear encroachment feature setback to zero for a proposed six-story, eight dwelling unit building with eight parking spaces located on the ground floor with alley access; 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: Mike Dobrowski **CAL NO.:** 349-16-Z
APPEARANCE FOR: Lisa Miller **MINUTES OF MEETING:**
July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3104 N. Kimball Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.9' to 21.4' for an open stair with a connecting bridge to access a proposed rooftop deck on the existing detached six-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

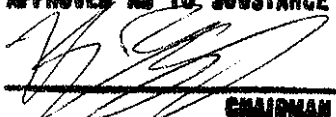
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.4' for an open stair with a connecting bridge to access a proposed rooftop deck on the existing detached six-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Lisa Weinstein & Edward Andrews

CAL NO.: ~~350~~-16-Z ²

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1042 W. Diversey Parkway

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.35' to 6.46', the west setback from 2.0' to 1.64', (east will be 2.17'), the total combined side setback from 5.0' to 3.81' for an open stair to access a proposed roof top deck on the existing detached two-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

AUG 23 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

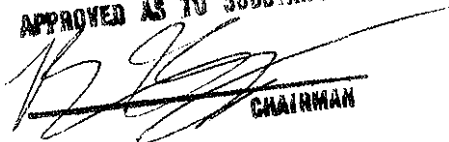
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 6.46', the west setback to 1.64', (east will be 2.17'), the total combined side setback to 3.81' for an open stair to access a proposed roof top deck on the existing detached two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAINMAN

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

APPLICANT: David and Therese Stoeck

CAL NO .: 351-16-Z

APPEARANCE FOR: Same as applicant

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 10340 S. Millard Avenue

NATURE OF REQUEST: Application for a variation to reduce the required average front setback from 27.74' to 21.0' for a proposed two-story single family residence with an attached two-car garage accessed from a proposed driveway off of S. Millard Avenue.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	X		
SHEILA O'GRADY	X		
SAM TOIA	X		
AMANDA WILLIAMS	X		

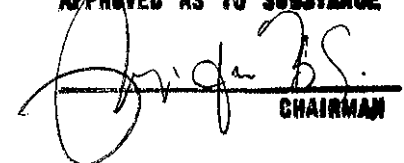
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 30, 2016 June 30, 2016 ; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required average front setback to 21.0' for a proposed two-story single family residence with an attached two-car garage accessed from a proposed driveway off of S. Millard Avenue; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Tri City Foods of Illinois, Inc./DBA Burger King **CAL NO .:** 463-15-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 3953 W. Chicago Avenue

NATURE OF REQUEST: Application for a special use to re-establish a one-story restaurant with a drive-through lane.


ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

AUG 23 2016
CITY OF CHICAGO
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Oxford 1, LLC

CAL NO.: 133-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1421-25 West Fullerton Avenue

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


ACTION OF BOARD-
CASE CONTINUED TO OCTOBER 21, 2016

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



2525 Partners, LLC
APPLICANT

**203-16-S, 205-16-S, &
205-16-S**

CALENDAR NUMBER

**2525 N. Orchard Street, 1st, 2nd & 3rd
Floors**

PREMISES AFFECTED

July 15, 2016

HEARING DATE

Nick Ftikas
APPEARANCE FOR APPLICANT

Alderman Michele Smith
OBJECTOR

NATURE OF REQUESTS

Application for a special use to permit the establishment of a vacation rental.

Application for a special use to permit the establishment of a vacation rental.

Application for a special use to permit the establishment of a vacation rental.

ACTION OF BOARD

THE VOTE

The applications for the special uses are approved subject to the conditions set forth in this decision.

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

APPROVE

DENY

ABSENT

AUG 23 2016

CITY OF CHICAGO

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on July 15, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

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

APPROVED AS TO SUBSTANCE


CHAIRMAN

WHEREAS, Mr. Arthur Evans testified on behalf of the Applicant; that he is the managing member of the Applicant; that the Applicant owns the subject property; that the subject property is currently improved with a 130 year old three (3) story, four (4) unit building; that there is an existing curb cut that provides two (2) on-site parking spaces; that since taking ownership of the subject property, the Applicant has invested nearly \$45,000 in renovating and updating the building; that up until this point, the Applicant has only rented the units to corporate housing clients in excess of thirty (30) days; that the Applicant has not leased the units on a short-term stay basis; that the Applicant now proposes to establish three (3) of the four (4) units as vacation rental units; that a special use is required for each of the three (3) units because the subject property is located in a RM-5 zoning district; that the Applicant has retained @Home in Chicago to manage the actual vacation rental business at the subject property; that @Home in Chicago is a reputable, experienced operator familiar with the vacation rental industry in Chicago; and

WHEREAS, Ms. Elizabeth Biddle testified on behalf of the Applicant; that she is the owner and manager of @Home in Chicago (“@Home”); that @Home is a booking and management company that has developed a niche in the vacation rental industry in Chicago; that she has about sixteen (16) years’ experience in the industry; that in addition to helping property owners organize their reservations and obtain payments, she has also helped a number of owners obtain the licenses required to operate in compliance with City codes; that @Home currently directly manages eighteen (18) licensed vacation rental units in the City; that @Home is networked in with an additional twenty (20) licensed properties for booking and reservation coordination; that these properties are located throughout the City in Lincoln Park, Lakeview, Bucktown and even the Gold Coast; that she has appeared before the Board five (5) previous times; that the subject property is located in Lincoln Park; that she is familiar with Lincoln Park because for most of her life, she has lived in Lincoln Park; that when it comes to booking clients, @Home relies mostly on the internet; that most of @Home’s booking is done via its website; and

WHEREAS, in response to questions from the Board, Ms. Biddle further testified as to how @Home screened its clients; and

WHEREAS, in response to further questions from the Board, Mr. Ftikas stated that the building’s garden unit would be occupied by an annual tenant; that said annual tenant would be appointed by Ms. Biddle and would help manage the proposed vacation rental units; that Mr. Evans is a real estate attorney; that he is concerned with liability; that part of the Applicant’s agreement with @Home is that there would be a live-in, on-site person; that the on-site person would have the authority to refuse a guest check-in if said guest’s identification does not match the identification used to book the reservation; that the Applicant would be willing to make such authority a condition of the Board’s approval of the applications; and

WHEREAS, Ms. Biddle continued to testify that there are rules and policies in place for each guest’s stay; that as part of @Home’s agreement with guests, no parties are allowed; that smoking is prohibited in the vacation rental units; that standard check-in is

4:00 PM; that at check-in the tenant in the garden unit will confirm that the people that booked the unit are in fact the people that showed up at the unit; that if they are the same people, they will be provided access to the booked unit; that @Home has operated a few but not many units with live-in hosts; that the Applicant is installing video cameras for security; that if six twenty-something individuals show up for a reservation that was a booked by Mr. and Mrs. Smith, they will not be allowed access to the unit; that instead they will be refused access; and

WHEREAS, the Board inquired if the Applicant agreed to have this refusal power a condition of the Board's approval of the special uses; and

WHEREAS, Mr. Ftikas confirmed that the Applicant did so agree to such a condition; that in follow-up, any person that was refused initial access by the live-in host could then go to @Home's office on Monroe Street; that there will then be two (2) stages to confirm that the right people have access to the unit; and

WHEREAS, Ms. Biddle then testified that in addition to the management office on Monroe Street, there is also a general maintenance person; that in the event of an emergency, there are two (2) people in addition to the live-in host that are accessible twenty-four (24) hours a day seven (7) days a week; that @Home requires a three (3) night minimum stay though it strives for a five (5) night stay; that checkouts are roughly 11:00 AM; that there is a cleaning crew that comes in once a guest checks out; that she then testified as to the size, layout and cost per night of the units; and

WHEREAS, in response to questions by the Board, Mr. Evans further testified that the Applicant wished to transition from corporate housing to vacation rentals as there seemed to be a demand for vacation rentals; and

WHEREAS, Mr. Sylvester J. Kerwin, Jr., testified on behalf of the Applicant; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that he has prepared a report containing the findings of his inspection; that his report was submitted to and accepted by the Board; that his report fully addresses all of the criteria identified in this Zoning Ordinance which must be addressed in support of such an application; that he then orally testified as to the area surrounding the subject property, including other vacation rental units in the area and their lack of negative impact on property values; that in his opinion the proposed special uses: (1) comply with all applicable standards of this Zoning Ordinance; (2) are in the interest of the public convenience as there is a demand for these types of units and will have no significant adverse impact on the neighborhood provided the units are professionally managed; (3) are compatible with the character of the surrounding area in terms of site planning and building scale and project design as the units are typical apartments in the area and the building has on-site parking for two of the units; (4) are compatible with the character of the surrounding area in terms of operating characteristics such as hours of operation, lighting, noise, and traffic generation as a vacation rental use is reasonably compatible with the other multi-unit residential properties in the neighborhood; (5) are designed to promote pedestrian safety and comfort

as the proposed special uses have been designed to comply with the new codes and standards of this Zoning Ordinance; and

WHEREAS, Mr. Kerwin further testified that the proposed special uses within the existing building will not substantially adversely alter the area and will have no impact on the surrounding properties; and

WHEREAS, Alderman Michele Smith testified in objection to the applications; that the proposed special uses are not in the interest of the public convenience and will have significant adverse impact on the general welfare of the neighborhood; that further, the proposed special uses are not compatible with the character of the surrounding area in terms of operating characteristics; that Lincoln Park is experiencing a housing shortage because short-term rentals are crowding out long-term tenants; that the proposed special uses do not fit within the character of Lincoln Park, especially as St Clement Church is directly across the alley from the subject property and St Clement School is across the street from the subject property; and

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

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

1. The proposed special uses comply with all applicable standards of this Zoning Ordinance.
2. The proposed special uses are in the interest of the public convenience as there is a demand for these types of units and will not have a significant adverse impact on the general welfare of the community as very credibly testified to by Mr. Kerwin. In particular, the Board finds Mr. Kerwin's testimony regarding other vacation rental units in the area and their lack of negative impact on property values very persuasive.
3. The proposed special uses are compatible with the character of the surrounding area in terms of site planning and building scale and project design as the units are typical apartments in the area and the building has on-site parking for two of the units.
4. The proposed special uses are compatible with the character of the surrounding area in terms of operating characteristics such as hours of operation, lighting, noise, and traffic generation as a vacation rental use is reasonably compatible with the other multi-unit residential properties in the neighborhood.
5. The proposed special uses are designed to promote pedestrian safety and comfort as the proposed special uses have been designed to comply with the new codes and standards of this Zoning Ordinance.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use applications are hereby approved, and the Zoning Administrator, pursuant to the authority granted to the Board under Section 17-13-0906, is authorized to permit said special uses subject to the following condition:

1. The Applicant's live-in host shall ensure that anyone attempting to check-in to a vacation rental unit at the subject property has proper identification. If a person's identification does not match the identification used to reserve the vacation rental unit, the live-in host shall refuse to admit said person into the vacation rental unit.

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: Old Town Ventures, LLC

CAL NO.: 214-16-S

APPEARANCE FOR:

MINUTES OF MEETING:
July 15, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 517 N. Racine Avenue, Unit 1

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a business live/work unit, on the first floor of an existing four-story building.


ACTION OF BOARD-
CASE CONTINUED TO OCTOBER 21, 2016

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: West Town Jewelry & Loan, LLC **CAL NO.:** 271-16-S
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:** July 15, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2059 W. Chicago Avenue
NATURE OF REQUEST: Application for a special use to establish a pawn shop.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

AUG 23 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 2016 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times; and

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

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN