

**ZBA
MINUTES
APRIL 21, 2017**

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

APPLICANT: J. Gary Fencik Trust dated July 1, 1984 **CAL NO.:** 163-17-Z

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1134 W. Schubert Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30.80' to zero for a proposed 7'-6" x 100'-11" wood fence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

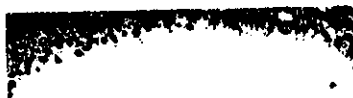
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero for a proposed 7'-6" x 100'-11" wood fence; 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

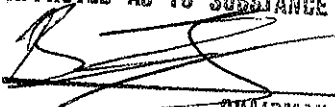
RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: BR Allport, LLC

CAL NO.: 164-17-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1801-03 S. Throop Street

NATURE OF REQUEST: Application for a variation to reduce the required parking from three parking spaces to two parking spaces for the proposed four-story building being converted from twelve dwelling units to eighteen dwelling units and a new two car garage.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required parking to two parking spaces for the proposed four-story building being converted from twelve dwelling units to eighteen dwelling units and a new 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.



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: David Spielfogel and Lee Crandell

CAL NO.: 165-17-Z

APPEARANCE FOR: Katrina McGuire

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4022 N. Ravenswood Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 35.06' to zero, west setback from 1.75' to zero (east to be zero), for a proposed two-story single family residence and rear privacy walls which shall be 8' in height.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

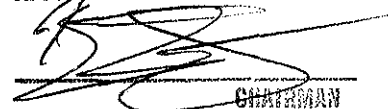
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to zero, west setback to zero (east to be zero), for a proposed two-story single family residence and rear privacy walls which shall be 8' in height; an additional variation was granted to the subject site in Cal. No. 166-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: David Spielfogel and Lee Crandell

CAL NO.: 166-17-Z

APPEARANCE FOR: Katrina McGuire

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4022 N. Ravenswood Avenue

NATURE OF REQUEST: Application for a variation to reduce the required off-street parking from the required one space to zero for a proposed two story single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required off-street parking to zero for a proposed two story single family residence; an additional variation was granted to the subject site in Cal. No. 165-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: The Church of Jesus Christ International **CAL NO.:** 167-17-S
APPEARANCE FOR: Tyler Manic **MINUTES OF MEETING:**
 April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 7711-23 S. Kedzie Avenue

NATURE OF REQUEST: Application for a special use to establish a religious assembly facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	X		
SAM TOIA	X		
AMANDA WILLIAMS	X		

THE RESOLUTION:

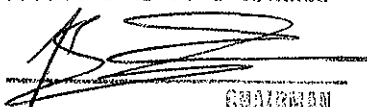
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): maximum sanctuary capacity not to exceed 100 persons and provided the development is consistent with the design and layout of the plans and drawings dated April 21, 2107, prepared by Kinman Auyeung Architect

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

MAY 22 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Sonia Dua D/B/A Sonia Beauty Salon CAL NO.: 168-17-S

APPEARANCE FOR: Same as applicant MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5053 N. Clark Street

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

ACTION OF BOARD- APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

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

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

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
[Signature]

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

APPLICANT: SDC 16002, LLC

CAL NO.: 169-17-S

APPEARANCE FOR: Katrina McGuire

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5533-57 W. Irving Park Road

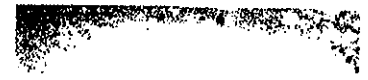
NATURE OF REQUEST: Application for a special use to establish a one-lane drive-through to serve a proposed fast food restaurant.

ACTION OF BOARD-
CASE CONTINUED TO MAY 19, 2017.

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

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



MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Chicago Jewish Day School

APPLICANT

170-17-Z, 171-17-S

& 172-17-Z

CALENDAR NUMBERS

3730 N. California Ave. & 3755 N. Mozart

PREMISES AFFECTED

April 21, 2017

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the special use is approved subject to the conditions set forth in this decision. The applications for the variations are approved subject to the condition set forth in this decision.

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE NEGATIVE ABSENT

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS
FOR 3730 N. CALIFORNIA AVE AND 3755 N. MOZART BY THE CHICAGO
JEWISH DAY SCHOOL**

I. BACKGROUND

The Chicago Jewish Day School (the "Applicant") submitted a variation application for 3730 N. California Avenue (the "school property"). The Applicant also submitted a variation application and a special use application for 3755 N. Mozart Avenue (the "parking lot property.") Both the school property and the parking lot property are currently zoned RS-3. The school property is currently improved with an existing school. The Applicant proposed to add a one-story rear addition to the existing school. To permit the proposed addition the Applicant sought a variation to the school property to reduce the rear setback from the required 37' 6" to 20' 9." The parking lot property is currently improved with a surface parking lot. The Applicant proposed to reconstruct and enlarge said surface parking lot. To permit the proposed reconstruction and enlargement, the Applicant sought: (1) a special use to establish an off-site accessory parking lot to serve the school property; and (2) a variation to reduce the west front setback from the required 20' to 15' 10" and to reduce the south setback from 12' to 4'4". In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended

APPROVED AS TO SUBSTANCE

CHAIRMAN

approval of the proposed special use provided the development was consistent with the design and layout of the landscape plan dated April 4, 2017, and prepared by Cannon Design.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on April 21, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's representative, Ms. Judy Finkelstein-Taff, head of school for the Applicant, and its attorney, Mr. Benjamin Schuster were present. Also present on behalf of the Applicant was the Applicant's expert witnesses: Mr. George Sargeant and Ms. Mary Cavanaugh. Testifying in opposition to the applications was Mr. Tom Smith. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

Mr. Schuster explained that the Applicant and Mr. Smith had reached a resolution with respect to Mr. Smith's objection. He stated that Mr. Smith's objection stemmed from concern that the Applicant would use Mozart as its intended street for student drop-off and pick-up. He stated that the Applicant would be using California as its intended street for student drop-off and pick-up, as evidenced by the traffic circle the Applicant would be installing off of California Avenue.

Mr. Tom Smith, of 3645 N. Mozart, testified that the nature of his objection was very limited. He testified that he is happy the Applicant is expanding, but he is concerned with student drop-off and pick-up on Mozart. He testified that the Applicant had agreed to make a good faith effort to keep its traffic off of Mozart. He further testified that if the ZONING BOARD OF APPEALS made such a good faith effort as a condition of its approval, he had no further objections.

The Applicant presented the expert testimony of Mr. George Sargeant, its real estate appraiser. Mr. Sargeant testified that if he were to continue to testify, his testimony would be consistent with his reports attached to the Applicant's proposed Findings of Fact.

The Applicant presented the testimony of Ms. Judy Finkelstein-Taff, its head of school. Ms. Finklestein-Taff testified that if she were to continue to testify, her testimony would be consistent with the Applicant's proposed Findings of Fact.

B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use

application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following: (1) complies with all applicable standards of the Chicago Zoning Ordinance; (2) is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) is designed to promote pedestrian safety and comfort.

C. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT

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

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

The parking lot property has historically been used as a parking lot serving the Applicant's campus for many years without violating the Chicago Zoning Ordinance, and the proposed use will not alter the use of the parking lot 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 neighborhood or community.*

The parking lot property is already used for a parking lot. Therefore, there will likely be no adverse impact of continuing to use the parking lot property for a parking lot. Further, the proposed use will alleviate the parking needs for the Applicant and will lower the demand for parking on neighborhood streets and traffic during the morning hours, as employees of the Applicant will be able to easily park at the parking lot property instead of circling the neighborhood searching for parking. In addition, the Applicant's planned landscape improvements to the parking lot property will positively impact the neighborhood.

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

The Applicant is not planning on changing the existing use of the parking lot property, and the current use of the parking lot property for a parking lot is consistent with the character of the neighborhood. The Applicant's modest enlargement and improvements to the parking lot on the parking lot property will remain compatible with the character of the surrounding area. The parking lot property is also located just off a major arterial street and significant buildings are located directly across the street and in the immediate vicinity. Any impact of the proposed use of the parking lot property is simply not appreciable due to these much more significant property uses in the area.

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

The Applicant is planning on using the parking lot during school hours and afterschool activities. This is consistent with the character of the surrounding area, which includes the DePaul College Prep High School and residential

uses. The hours of use of the parking lot complement the surrounding residential uses because the parking lot will not be used late at night. The proposed use will also not negatively contribute to lighting, noise and traffic problems.

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

The parking lot is located on the same block as the school building it will serve. This location will promote pedestrian safety because those using the parking lot will not need to cross streets or navigate traffic when accessing the school building. The proposed use will also allow employees of the school to quickly find parking without having to search for parking on neighboring streets.

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

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

The school building located on the school property pre-dates the current zoning ordinance and appears to be a legal, non-conforming use on the property, as it encroaches into the required rear setback. In order to expand this building in a prudent and practical manner so that the addition has similar and complementary dimensions to the existing building, the addition must encroach in the rear setback. Requiring strict compliance with the current rear setback requirement would create practical difficulties and hardships due to the location of the pre-existing school building on the property.

The parking lot currently located on the parking lot property also appears to be a legal, non-conforming use, and is built right up to the sidewalks on Mozart and Grace Streets. Requiring the Applicant to comply with the front and south side setbacks for this property would cause practical difficulties and hardships because the Applicant would be required to substantially reduce the size of the parking lot, making it more difficult to meet the school's off-street parking requirements without reducing the playfields and other landscaping needed to operate a school.

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

The Chicago Zoning Ordinance allows for certain large, institutional and educational uses in the RS-3 Zoning District. Variations are often needed to allow

for institutional and education uses in a zoning district that is comprised mostly of residential uses, and these variations do not undermine the purpose and intent of the Chicago Zoning Ordinance, which among other things is to promote rehabilitation and reuse of older buildings.

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

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

The school building located on the school property appears to be a legal, nonconforming use on the property, and currently encroaches into the rear setback on the school property. The school property could not yield a reasonable return if the owner could not make what is a small, non-obtrusive, and reasonable addition to the school building simply because the zoning regulations that now apply to the property impose a stricter rear setback than was required when the building was constructed.

The parking lot currently located on the parking lot property also appears to be a legal, nonconforming use, and is built right up to the sidewalks on Mozart Street and Grace Street. Requiring the Applicant to comply with the front and south side setbacks for the parking lot property would prevent the owner from yielding a reasonable return on the parking lot property because it would impede the Applicant from meeting its off-street parking requirements for its school campus.

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

The practical difficulties and particular hardships discussed above are due to the unique historical nature of the buildings located on the school campus and the use of the properties for an educational use instead of the more common residential uses in the zoning district. These circumstances are unique to the properties at issue and are not generally applicable to other similarly situated properties in the RS-3 zoning district.

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

The properties have historically been used for many years as a school building and parking lot. The proposed uses for the properties continue these uses, thereby not altering the essential character of the neighborhood. The modest addition planned to the 3730 N. California Avenue property and improvements to the 3755 N. Mozart Street property will not have any

appreciable impact on the character of the neighborhood, and are in keeping with other uses on the adjacent properties, including the DePaul College Prep High School located directly to the east of the Applicant's campus. Granting the variations to the Applicant will not negatively impact the neighborhood or property values.

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

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

The relief sought by the Applicant is primarily the product of having a permitted school use in the RS-3 zoning district and the dissection of the Applicant's properties by the alleyway located between California Avenue and Mozart Street. This makes site planning difficult, especially with the location of the pre-existing buildings and the practical need of the school to have landscaping, playgrounds, and playfields for the children. A hardship is created by the shape and surroundings of the campus, which is more than a mere inconvenience.

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

The conditions upon which the petition is based would not be applicable, generally, to other property within the same zoning classification. The conditions are caused by the unique historical nature of the buildings located on the school campus and the use of the properties for an educational use instead of the more common residential uses in the zoning district. These circumstances are unique to the properties at issue and are not generally applicable to other similarly situated properties in the RS-3 zoning district.

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

The Applicant is a non-for-profit school, and the variations are not profit driven or intended to make more money out of the property. The variations are requested due to the hardships caused by the location of the existing buildings and improvements on the properties, and the location of the alleyway that dissects the campus.

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

The Applicant bought the properties "as-is" and the practical difficulty and hardship existed on the properties prior to the Applicant's acquisition of the properties.

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

Granting the variations will assist the Applicant in putting this large property back into use, enhancing the general welfare of the neighborhood. Importantly, any potential impacts of the variations will almost be entirely on the Applicant, and not on other property owners because the Applicant owns the other properties on the block and the property located across the alleyway from the school property. The variations will not negatively impact property values in the neighborhood.

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

The Applicant owns all of the properties on the block of the school property, and the property immediately across the alleyway and most affected by the addition to the school building is also owned by the Applicant and is part of the campus. The property immediately adjacent to the parking lot property is also owned by the Applicant and is also part of the campus. The improvements planned by the Applicant will help ease congestion on the public streets by providing adequate off-street parking for school employees. The granting of the variations will have no appreciable impact on property values.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record covering: (1) the specific criteria for a special use pursuant to Sections 17-13-0905-A of the Chicago Zoning Ordinance; and (2) the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

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

1. The special use shall be developed consistently with the design and layout of the landscape plan dated April 4, 2017, and prepared by Cannon Design; and
2. The Applicant shall: (i) use California Avenue and the driveway located on the school property as the established pick-up and drop-off point for students; (ii) notify students and their parents to use California Avenue and the driveway located on the school property as the pick-up and drop-off point of students; and (iii) make ongoing good faith efforts to prevent students and parents from using Mozart Street as a pick-up and drop-off point for students.

The ZONING BOARD OF APPEALS hereby approves the Applicant's applications for variations, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-1105 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said variations subject to the following condition:

1. The Applicant shall: (i) use California Avenue and the driveway located on the school property as the established pick-up and drop-off point for students; (ii) notify students and their parents to use California Avenue and the driveway located on the school property as the pick-up and drop-off point of students; and (iii) make ongoing good faith efforts to prevent students and parents from using Mozart Street as a pick-up and drop-off point for students.

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: Brodsen Acquisitions, LLC **CAL NO.:** 173-17-S
APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1356 W. 47th Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
RECUSED		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): the development is consistent with the design and layout of both the site and the landscape plan, each dated April 4, 2017, and prepared by Watermark Engineering Resources Ltd.

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

MAY 22 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Motorola Solutions, Inc.

CAL NO.: 174-17-S

APPEARANCE FOR: Paul Shadle

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 500 W. Monroe Street

NATURE OF REQUEST: Application for a special use to establish an on-premise wall sign.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the sign installation is consistent with the design and layout of the south elevation and display drawings dated March 23, 2016, as well as the section and construction elevation drawings dated March 31, 2016, all prepared by Doyle General Sign Contractors.

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

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Niall T. McGrath
APPEARANCE FOR: Same as Applicant
APPEARANCE AGAINST: None

CAL NO.: 175-17-Z

MINUTES OF MEETING:
April 21, 2017

PREMISES AFFECTED: 3648 W. 107th Street

NATURE OF REQUEST: Application for a variation to reduce the west setback from the required 4' to 3', east from 4' to 3', combined setback from 12' to 6' for a proposed two-story single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

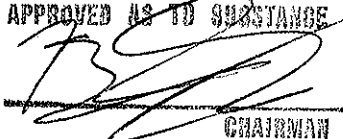
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west setback to 3', east to 3', combined setback to 6' for a proposed two-story single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Grove Heights Baptist Church CAL NO.: 176-17-Z

APPEARANCE FOR: Same as Applicant MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 9800 S. Greenwood Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 20.85' to 12.69' for an elevator enclosure addition with interior alterations for an accessible toilet within an existing church.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 12.69' for an elevator enclosure addition with interior alterations for an accessible toilet within an existing church; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: 3300 N. California Avenue, LLC

CAL NO.: 177-17-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3300 N. California Avenue

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, four dwelling unit building with two interior parking stalls and two exterior parking stalls at the rear.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

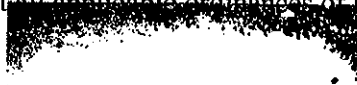
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed four-story, four dwelling unit building with two interior parking stalls and two exterior parking stalls at the rear at the subject site; a variation was also granted to the subject site in Cal. No. 178-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): the development is consistent with the design and layout of the plans and drawings dated October 14, 2016, prepared by Jonathan Splitt Architects Ltd.

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



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3300 N. California, LLC

CAL NO.: 178-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
March 17, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3300 N. California Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 20' on floors containing dwelling units for a proposed four-story, four dwelling unit building with two interior parking stalls and two exterior parking spaces at the rear of the building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 20' on floors containing dwelling units for a proposed four-story, four dwelling unit building with two interior parking stalls and two exterior parking spaces at the rear of the building; a special use was also granted to the subject site in Cal. No. 177-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: David and Cara Castenada **CAL NO.:** 179-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 920 W. Wrightwood Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.50' to 21.33' for a proposed bridge to connect a rear stair to a proposed roof deck on the existing three-car garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

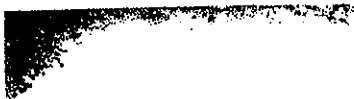
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.33' for a proposed bridge to connect a rear stair to a proposed roof deck on the existing 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.



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

[Signature]
 CHAIRMAN

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

APPLICANT: Fletch Development

CAL NO.: 180-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:

APPEARANCE AGAINST: None

April 21, 2017

PREMISES AFFECTED: 3258 N. Clifton Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37'-1" to 21' for a proposed open stair/ bridge to access a proposed garage rooftop deck which shall also contain the relocated rear yard open space.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

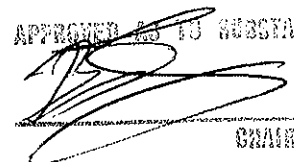
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21' for a proposed open stair/ bridge to access a proposed garage rooftop 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

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



MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

Agnieszka Salwach

APPLICANT

181-17-Z

CALENDAR NUMBER

3842 N. Paris Avenue

PREMISES AFFECTED

April 21, 2017

HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the variation is denied.

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

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

**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 3842 N. PARIS
AVENUE BY AGNIESZKA SALWACH**

I. BACKGROUND

Agnieszka Salwach (the "Applicant") submitted a variation application for 3842 N. Paris Avenue (the "subject property"). The subject property is currently zoned RS-2 and is currently vacant. The Applicant proposed to develop the subject property with a two-story, single-family residence with a rear two-story open porch and a two-car detached garage. To permit the development, the Applicant sought a variation to reduce the required average front yard setback from 41.66' to 21'.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on April 21, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted her proposed Findings of Fact. The Applicant's husband Peter Dombrowski and her attorney Mr. Tyler Manic were present. The Applicant's architect Mr. George Simoulis was also present. Testifying in opposition to the application were Mr. Mike Domkoski and Ms. Linda Day.

APPROVED AS TO SUBSTANCE

CHAIRMAN

The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

Mr. Manic explained that the Applicant was unable to present at the hearing due to illness.

The Applicant's attorney presented the lay testimony of Mr. Peter Dombrowski. Mr. Dombrowski testified that he currently lived in Roselle, Illinois. He testified that he and his wife have not decided if they will live in the proposed home or if they will sell the proposed home.

The Applicant's attorney presented the expert testimony of Mr. George Simoulis. Mr. Simoulis testified the reduction to the front yard setback is necessary because the home two doors down from the subject property has an eighty-four foot (84') front yard setback. Consequently, the required front yard setback for the subject property is over forty feet (40') as opposed to the standard twenty foot (20') front yard setback.

Mr. Mike Domkoski, of 3844 N. Paris, testified in opposition to the application. He testified he had lived at 3844 N. Paris for six (6) years. He testified that the Applicant's proposed development of the subject property did not fit into the character of the neighborhood. He testified that the proposed development would block out a lot of sunlight to the adjacent homes. He testified that while there were other large homes on the block, said homes were all on oversized lots. He further testified that the proposed home would have stairs that would protrude ten feet (10') in front of the adjacent homes. He testified that this would totally block the adjacent homes' view of the street and would change the aesthetics of the block.

Mr. Domkoski entered and the ZONING BOARD OF APPEALS received into evidence: (1) photographs of the block taken by Mr. Domkoski as well as a photograph of another home built by the Applicant on Octavia Street (Objectors' Group Exhibit A); and (2) affidavits by block residents stating that said residents did not want the Applicant's proposed development (Objectors' Group Exhibit B).

Ms. Linda Day, of 3840 N. Paris, testified in opposition to the application. She testified that she had lived at 3840 N. Paris for forty-four (44) years. She testified that the former house on the subject property was small and located at the rear of the subject property. She testified that not only would the Applicant's proposed development tower over the adjacent homes but would also maximize every square inch of the subject property. She testified that her back garden would no longer have sunlight to grow plants.

Mr. Simoulis testified that the stairs would protrude further on the proposed home than on the adjacent homes because the first floor of the proposed home is higher than the first floors of the adjacent homes. He testified that due to the higher first floor, more risers and treads were needed. Mr. Simoulis testified that although a house could be out of character on a block, it could still be within the character of the neighborhood. He

testified that though the proposed home would be higher than other homes on the block, other blocks have homes as high.

Mr. Dombrowski testified that there are two other two-story homes on the block. He further testified that he demolished the former home on the subject property.

Mr. Domkoski testified that while there were two other two-story homes on the block, said homes were on oversized lots. He testified that the subject property is not an oversized lot. He further testified that the proposed home did not architecturally belong between the two adjacent ranch homes. He testified that the proposed development would ruin space, light and air as the proposed development takes up every available space on the subject property.

In closing, Mr. Manic restated that the Applicant was before the ZONING BOARD OF APPEALS solely with respect to the front setback.

B. Criteria for a Variation

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

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

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

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

III. FINDINGS OF FACT.

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

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would not create practical difficulties or particular hardships for the subject property.*

The subject property, as Ms. Day testified, was previously improved with a small home at the rear of the lot. The ZONING BOARD OF APPEALS finds Ms. Day to be a very credible witness. To the extent that the Applicant claimed her practical difficulty or particular hardship stemmed from the fact it would be hard to build a new home due to subject property's large front setback, such practical difficulty or particular hardship is self-created. The Applicant's husband testified he had demolished the existing home on the subject property. Had the Applicant's husband not demolished the existing home on the subject property, the Applicant would have no need to seek the variation. Under Illinois law, a "particular hardship" does not mean one that is self-imposed. *River Forest State Bank & Trust Co. v. Zoning Bd. of Appeals of Maywood*, 34 Ill.App.2d 412, 419 (3d Dist. 1961).

2. *The requested variation is not consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

The requested variation does not maintain orderly and compatible land use and development patterns as shown by Mr. Domkoski's testimony regarding the change the variation would cause to other front yards on the block. The ZONING BOARD OF APPEALS finds Mr. Domkoski a very credible witness. Further, although Mr. Manic stated that the Applicant was only before the ZONING BOARD OF APPEALS to reduce the front setback, allowing the front setback to be reduced would allow the Applicant to maximize more of the subject property, causing – as Ms. Day very credibly testified – blockage of light and air to adjacent properties.

After careful consideration of the evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, the ZONING BOARD OF APPEALS hereby makes the following findings with reference to the Applicant's

application for a variation pursuant to Section 17-13-1107-B of the Chicago Zoning Ordinance:

1. *The property in question can yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

The Applicant's architect testified it would be difficult to build a home with such a large front setback. However, Ms. Day very credibly testified that there had previously been a small home at the rear of the subject property. At some point, the Applicant's husband demolished the home in order to build a bigger home. If the Applicant cannot yield a reasonable rate of return for the subject property, it is because she paid more for the subject property than it was worth as zoned.

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

Tearing down a small home in order to build a bigger home is generally applicable to all residential property.

3. *The variation, if granted, will alter the essential character of the neighborhood.*

There are no other front stairs in the neighborhood that will protrude so far into the front yard. Further, the rear setback reduction will allow the Applicant to maximize the amount of home on the subject property. As noted above, the ZONING BOARD OF APPEALS finds Mr. Domkoski and Ms. Day to be very credible witnesses. To allow such an intrusion into the front yard setback will therefore alter the essential character of the neighborhood.

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

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would not result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*

The large front setback of the subject property results in mere inconvenience in that the Applicant will have to build a smaller home at the rear of the subject property, just like the home that existed on the subject property prior to the Applicant's husband demolishing said home.

2. *The conditions upon which the petition for the variation are based are applicable, generally, to other property within the same zoning classification.*

The subject property has a RS-2 zoning classification. Tearing down a small home to build a bigger home are conditions generally applicable to all property within a RS-2 classification.

- 3. The purpose of the variation is based exclusively upon a desire to make more money out of the property.*

The Applicant demolished the small home on the subject property in order to build the proposed home. The proposed home, as very credibly noted by Ms. Day and Mr. Domkoski, attempts to maximize every inch of a rather small property. The Applicant's request is therefore based exclusively upon a desire to make more money out of the subject property.

- 4. The alleged practical difficulty or particular hardship has been created by the Applicant.*

As noted above, the Applicant's request for a variation is due to the fact that the Applicant's husband demolished the existing home on the subject property.

- 5. The granting of the variation will be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

The proposed variation will be detrimental to the public welfare and injurious to other property or improvements in the neighborhood. As Mr. Domkoski and Ms. Day very credibly testified, the proposed variation will negatively alter the aesthetics of the block as well as block light and air to adjacent property.

- 6. The variation will 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.*

As noted above, the variation will impair an adequate supply of light and air to adjacent property as very credibly testified to by Mr. Domkoski and Ms. Day.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby denies the Applicant's application for 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: Joe Skiba

CAL NO.: 182-17-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1814 W. 33rd Place

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

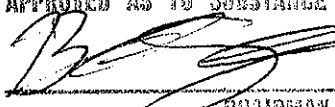
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 2, 2016, prepared by 360 Design Studio.

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

MAY 22 2017

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joe Skiba **CAL NO.:** 183-17-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1816 W. 33rd Place

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	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 April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 2, 2016, prepared by 360 Design Studio.

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



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Joe Skiba

CAL NO.: 184-17-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1822 W. 33rd Place

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access; a variation was also granted to the subject site in Cal. No. 185-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 2, 2016, prepared by 360 Design Studio.

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



MAY 22 2017

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Joe Skiba **CAL NO.:** 185-17-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1822 W. 33rd Place

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30' to 20.2' for a proposed three-story, single family residence with an attached two car garage with front driveway access.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 20.2' for a proposed three-story, single family residence with an attached two car garage with front driveway access; a special use was also granted to the subject site in Cal. No. 184-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 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.



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joe Skiba

CAL NO.: 186-17-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1820 W. 33rd Place

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

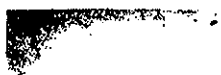
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 2, 2016, prepared by 360 Design Studio.

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



MAY 22 2017

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joe Skiba **CAL NO.:** 187-17-S
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1824 W. 33rd Place

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access; a variation was also granted to the subject site in Cal. No. 188-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 2, 2016, prepared by 360 Design Studio.

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

MAY 22 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Joe Skiba

CAL NO.: 188-17-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1824 W. 33rd Place

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30' to 0.33' for a proposed three-story, single family residence with an attached two car garage with front driveway access.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 0.33' for a proposed three-story, single family residence with an attached two car garage with front driveway access; a special use was also granted to the subject site in Cal. No. 187-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joe Skiba

CAL NO.: 189-17-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1830 W. 33rd Place

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

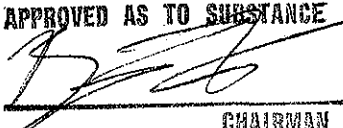
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed three-story single family residence with an attached two-car garage with front driveway access; a variation was also granted to the subject site in Cal. No. 190-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 2, 2016, prepared by 360 Design Studio.

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

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joe Skiba **CAL NO.:** 190-17-Z

APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1830 W. 33rd Place

NATURE OF REQUEST: Application for a variation to reduce the rear yard setback from the required 30' to 1'-6" for a proposed three-story, single family residence with an attached two car garage with front driveway access.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	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 April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard setback to 1'-6" for a proposed three-story, single family residence with an attached two car garage with front driveway access; a special use was also granted to the subject site in Cal. No. 189-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 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

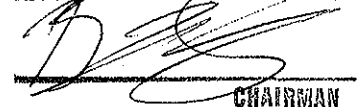
RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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



MAY 22 2017

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Katherine and Jeffery Johnson **CAL NO.:** 191-17-Z

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2027 W. Grace Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35.03' to 24' for an open stair to access a proposed garage roof deck on the existing garage.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

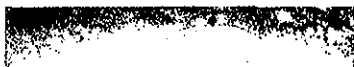
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 24' for an open stair to access a proposed garage roof deck on the existing garage; 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.



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Sustainabuild, LLC-1541 Wood Series CAL NO.: 192-17-Z

APPEARANCE FOR: Mark Kupiec MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1541 N. Wood Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 21' for an open stair / bridge to access a proposed garage rooftop deck which shall also contain the relocated rear yard open space on the existing two-car garage.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21' for an open stair/bridge to access a proposed garage rooftop deck which shall also contain the relocated rear yard open space on the existing two-car garage; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: David Schulman **CAL NO.:** 193-17-Z
APPEARANCE FOR: Conor Desmond **MINUTES OF MEETING:**
April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5802 N. Kirby Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 33.43' to zero, the south setback from 4' to zero (north to be at 8.7'), the combined total width of side setbacks from 13.33' to 8.7' for a three-car garage with roof deck and an exterior stair to access the roof deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

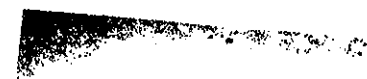
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero, the south setback to zero (north to be at 8.7'), the combined total width of side setbacks to 8.7' for a three-car garage with roof deck and an exterior stair to access the roof deck; 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.



MAY 22 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: HUTUP Inc.

CAL NO.: 194-17-S

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1932 W. Irving Park Road

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

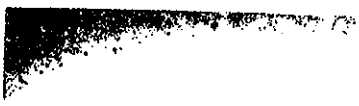
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

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

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



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Nidal Nasrawi **CAL NO.:** 195-17-S
APPEARANCE FOR: Lenny Asaro **MINUTES OF MEETING:**
April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 7745 S. Halsted Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

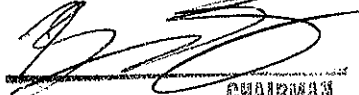
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

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

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

MAY 22 2017
 CITY OF CHICAGO
 ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Ken and Lisa Amann

CAL NO.: 196-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2523 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.2' to 0.92', north setback from 4' to zero (south to be at 0.27'), combined side setback from 10' to 0.27' for a proposed privacy screen wall with roof with a maximum height of 19.55' on the existing garage roof deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

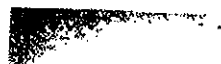
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to reduce the rear setback to 0.92', the north setback to zero (south to be at 0.27'), the combined side setback to 0.27' for a proposed privacy screen wall with roof with a maximum height of 19.55' on the existing garage roof deck; 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.



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 734 W. Buckingham, LLC **CAL NO.:** 197-17-Z

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 734 W. Buckingham Place

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 39.85' to 20' for a proposed open bridge /catwalk to access a proposed garage roof deck which shall also contain the relocated rear yard open space.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

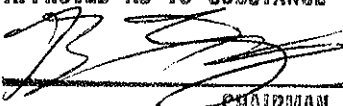
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 20' for a proposed open bridge /catwalk to access a proposed garage roof deck which shall also contain the relocated rear yard open space; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Wolcott School **CAL NO.:** 198-17-S
APPEARANCE FOR: Rolando Acosta **MINUTES OF MEETING:**
APPEARANCE AGAINST: None April 21, 2017
PREMISES AFFECTED: 1938-58 W. Hubbard St./439-51 N. Damen Ave./1939-59 W. Ferdinand St.

NATURE OF REQUEST: Application for a special use to establish a 17,000 square foot indoor sports and recreation facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 17,000 square foot indoor sports and recreation 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 site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated March 3, 2017, prepared by Lothan Van Hook Destefano Architecture LLC.

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



MAY 22 2017

**CITY OF CHICAGO
 ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Grand Mere, LLC

CAL NO.: 199-17-S

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3601-11 S. Iron Street

NATURE OF REQUEST: Application for a special use to establish a vehicle storage and towing facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

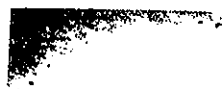
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

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

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



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Robert Vana **CAL NO.:** 200-17-S

APPEARANCE FOR: David Daudell **MINUTES OF MEETING:**

April 21, 2017

APPEARANCE AGAINST: None

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

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

ACTION OF BOARD-
CASE CONTINUED TO MAY 19, 2017.

THE VOTE


BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Waterfront Terrace Inc. **CAL NO.:** 201-17-S

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7760 S. South Shore Drive

NATURE OF REQUEST: Application for a special use to establish a non-required, accessory parking lot to serve the nursing home located at 7750 S. South Shore Drive.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a non-required, accessory parking lot to serve the nursing home located at 7750 S. South Shore Drive; a variation was also granted to the subject site in Cal. No. 202-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the landscape plan dated April 18, 2017, prepared by Williams Design Group.

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



MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Waterfront Terrace Inc. **CAL NO.:** 202-17-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7760 S. South Shore Drive

NATURE OF REQUEST: Application for a variation to reduce the front yard setback from the required 20' to 7' for a proposed non-required, accessory parking lot to serve the nursing home located at 7750 S. South Shore Drive.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

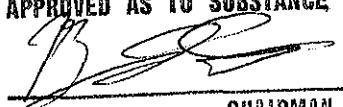
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front yard setback to 7' for a proposed non-required, accessory parking lot to serve the nursing home located at 7750 S. South Shore Drive; a special use was also granted to the subject site in Cal. No. 201-17-S; 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.

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Development Group, LLC

CAL NO.: 203-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 850 W. Lill Avenue

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

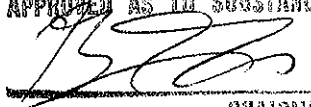
ACTION OF BOARD-
CASE CONTINUED TO MAY 19, 2017.

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Development Group, LLC

CAL NO.: 204-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 818 W. Wrightwood Avenue

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

ACTION OF BOARD-
CASE CONTINUED TO MAY 19, 2017.


THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Thomas Elden 2013 Trust **CAL NO.:** 205-17-Z
APPEARANCE FOR: Carol Stubblefield **MINUTES OF MEETING:**
APPEARANCE AGAINST: None April 21, 2017
PREMISES AFFECTED: 1550 N. State Parkway

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 39.6' to 8.5' and the south setback from 5' to zero for a proposed private roof deck with steel pergola and fixed planters to serve a dwelling unit in an existing three and twelve story multi-residential unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

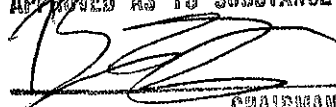
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 8.5' and the south setback to zero for a proposed private roof deck with steel pergola and fixed planters to serve a dwelling unit in an existing three and twelve story multi-residential unit building; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRWOMAN

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

APPLICANT: Diamaris Quiles D/B/A La Rogue

CAL NO.: 206-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2702 N. Laramie Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

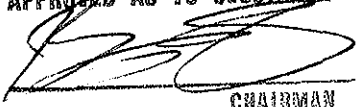
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a beauty/nail salon at the subject site;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

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

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

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joshua and Summer Thornton **CAL NO.:** 207-17-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 901 W. Webster Avenue

NATURE OF REQUEST: Application for a variation to increase the existing front building floor area by no more than 8.8% from the existing 3169.17 square feet by 278.89 square feet for a proposed three-story addition, third floor bay addition and a rear open stair to access a proposed second floor balcony and a privacy wall which shall be 7.83' in height on the existing three-story, single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

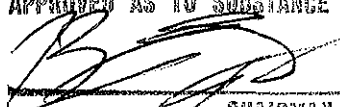
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the existing front building floor area by no more than 8.8% from the existing 3169.17 square feet by 278.89 square feet for a proposed three-story addition, third floor bay addition and a rear open stair to access a proposed second floor balcony and a privacy wall which shall be 7.83' in height on the existing three-story, single family residence; an additional variation was also granted to the subject site in Cal. No. 208-17-Z; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Joshua and Summer Thornton **CAL NO.:** 208-17-Z

APPEARANCE FOR: Nicholas Ftikas **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 901 W. Webster Avenue

NATURE OF REQUEST: Application for a variation to reduce the west setback from the required 2.4' to zero (east to be zero which is meeting the required side setback for abutting a public street) for a rear three story addition, a third floor bay addition, a rear open stair way to access a proposed second floor balcony and a privacy wall which shall be 7.83' in height on the existing three-story, single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Tribune on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the west setback to zero (east to be zero which is meeting the required side setback for abutting a public street) for a rear three story addition, a third floor bay addition, a rear open stair way to access a proposed second floor balcony and a privacy wall which shall be 7.83' in height on the existing three-story, single family residence; an additional variation was also granted to the subject site in Cal. No. 207-17-Z; 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.



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: GSXR, LLC 3302 Hamilton Series CAL NO.: 209-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3302 N. Hamilton

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.70' to 2', south setback to be zero and north setback to be 2', combined side setback from 5' to 2' for a proposed screened pergola which exceeds 15' from grade.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2', south setback to be zero and north setback to be 2', combined side setback to 2' for a proposed screened pergola which exceeds 15' from grade; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Anna Volkman, Valerie Isotalo

CAL NO.: 210-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1830 W. Wilson Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

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

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



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Aquilla Resha Johnson

CAL NO.: 211-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2503 W. 79th Street

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

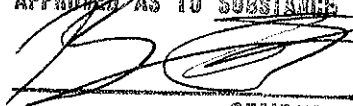
ACTION OF BOARD-
APPLICATION DISMISSED FOR WANT OF PROSECUTION

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Dennis Kern **CAL NO.:** 212-17-Z

APPEARANCE FOR: Same as Applicant **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3744 S. Michigan Avenue

NATURE OF REQUEST: Application for a variation to increase the floor area ratio by not more than 15% (1,065 square feet) of the floor area that has existed for more than 50 years (7,415 square feet) for a proposed three-story rear addition, a rear open deck, a patio enclosed with foundation walls and rails for the existing three-story, single family residence.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:


WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the floor area ratio by not more than 15% (1,065 sq. feet) of the floor area that has existed for more than 50 years (7,415 sq. feet) for a proposed three-story rear addition, a rear open deck, a patio enclosed with foundation walls and rails for the existing three-story, single family residence; 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.

MAY 22 2017

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Volo Holdings, LLC 2863 W. Lyndale Series **CAL NO.:** 213-17-Z

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2861 W. Lyndale Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 20'-10" for a proposed open stair/ bridge to access a proposed roof deck which shall also contain the relocated rear yard open space.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	X		
SAM TOIA	X		
AMANDA WILLIAMS	X		

THE RESOLUTION:

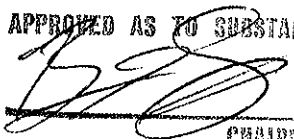
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 20'-10" for a proposed open stair/ bridge to access a proposed roof deck which shall also contain the relocated rear yard open space; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Marshfield Home, LLC

CAL NO.: 214-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1085 N. Marshfield Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 39' to 23' - 4" for an open stair/ bridge to access a proposed garage roof deck which shall also contain the relocated rear yard open space.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 23' - 4" for an open stair/ bridge to access a proposed garage roof deck which shall also contain the relocated rear yard open space; 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

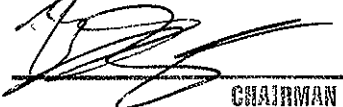
RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Gente Bella Beauty Salon

CAL NO.: 215-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4346 W. 26th Street

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

ACTION OF BOARD-
APPLICATION DISMISSED FOR WANT OF PROSECUTION

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Michael J. Quinlan

CAL NO.: 216-17-S

APPEARANCE FOR: Warren Silver

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1775 W. Rosehill Drive

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


ACTION OF BOARD-
CASE CONTINUED TO MAY 19, 2017

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Michael J. Quinlan

CAL NO.: 217-17-S

APPEARANCE FOR: Warren Silver

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1775 W. Rosehill Drive

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

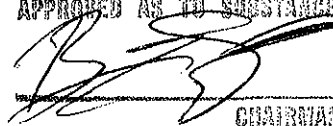
ACTION OF BOARD-
CASE CONTINUED TO MAY 19, 2017.

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Eco-Site Inc.

CAL NO.: 218-17-S

APPEARANCE FOR: Meg George

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8601-05 S. Racine Avenue

NATURE OF REQUEST: Application for a special use to establish a 120' wireless communication facility. The proposed tower will accommodate three carriers.


ACTION OF BOARD-
CASE CONTINUED TO MAY 19, 2017.

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Board of Education-City of Chicago **CAL NO.:** 219-17-S

APPEARANCE FOR: Scott Burstein **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1601 S. Dearborn Street

NATURE OF REQUEST: Application for a special use to establish a four-story elementary school.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a four-story elementary school at the subject site; additional variations were granted to the subject site in Cal. No. 220-17-Z and 221-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the landscape plan dated April 13, 2017, and the site plan dated April 18, 2017, both prepared by SMNG A Ltd.

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

[Signature]

MAY 22 2017

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Board of Education-City of Chicago

CAL NO.: 220-17-Z

APPEARANCE FOR: Scott Burnstein

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1601 S. Dearborn Street

NATURE OF REQUEST: Application for a variation to reduce the required eight on-site parking spaces by not more than one for a total of seven on-site parking spaces to serve a proposed four-story elementary school.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

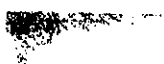
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required eight on-site parking spaces by not more than one for a total of seven on-site parking spaces to serve a proposed four-story elementary school; a special use was granted to the subject site in Cal. No. 219-17-S and an additional variation was granted to the subject site in 221-17-Z; 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.



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Board of Education-City of Chicago

CAL NO.: 221-17-Z

APPEARANCE FOR: Scott Burnstein

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1601 S. Dearborn Street

NATURE OF REQUEST: Application for a variation to eliminate the required 10' x 50' loading berth for a proposed four-story elementary school.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

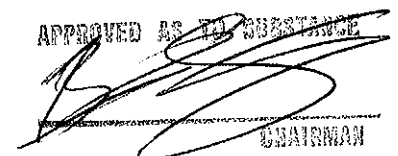
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to eliminate the required 10' x 50' loading berth for a proposed four-story elementary school; a special use was granted to the subject site in Cal. No. 219-17-S and another variation was granted to the subject site in Cal. No. 220-17-Z; 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.

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 800 W. Wisconsin, LLC **CAL NO.:** 222-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
 April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1900 N. Halsted Street

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 6.77' to zero, the rear setback from 16.93' to 4.5', south setback from 2.32' to 0.2' (north to be 1.13'), combined side setback from 5.8' to 1.33' for a proposed third floor addition, a first floor front wall and partial side wall replacement and a third floor rear deck on to the existing three-story three dwelling unit building.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
 SOL FLORES
 SAM TOIA
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

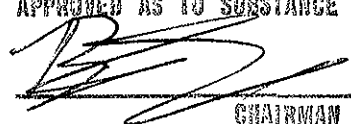
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to zero, the rear setback to 4.5', south setback to 0.2' (north to be 1.13'), combined side setback to 1.33' for a proposed third floor addition, a first floor front wall and partial side wall replacement and a third floor rear deck on to the existing three-story three dwelling unit building; an additional variation was granted to the subject site in Cal. No. 223-17-Z; 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: 800 W. Wisconsin, LLC **CAL NO.:** 223-17-Z
APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**
 April 21, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1900 N. Halsted Street

NATURE OF REQUEST: Application for a variation to increase the pre-existing floor area of 3,440.24 square feet with the addition of 492.09 square feet which is an increase of not more than 14.31% for a proposed third floor addition, a first floor front wall and partial side wall replacement and a third floor rear deck on to the existing three-story three dwelling unit building.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	X		
SAM TOIA	X		
AMANDA WILLIAMS	X		

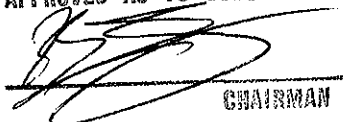
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the pre-existing floor area of 3,440.24 square feet with the addition of 492.09 square feet which is an increase of not more than 14.31% for a proposed third floor addition, a first floor front wall and partial side wall replacement and a third floor rear deck on to the existing three-story three dwelling unit building; an additional variation was granted to the subject site in Cal. No. 222-17-Z; 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: Anastasie Nchouandoungam

CAL NO.: 224-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1750 E. 79th Street

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

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

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

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

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Cleveland Menomonee, LLC CAL NO.: 225-17-Z

APPEARANCE FOR: Sara Barnes MINUTES OF MEETING: April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 509 W. Menomonee Street

NATURE OF REQUEST: Application for a variation to reduce the front wall setback facing a public street located on a corner from the required 5' to 3', rear wall setback to a side property line from 10' to 8.06', the rear end wall setback facing a public street from 10' to 8', and to relocate four of the five required private yard open spaces of 175 SF per unit on to the proposed roof terrace, for a three-story, five dwelling unit townhouse building with thirteen enclosed parking stalls and roof terraces.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front wall setback facing a public street located on a corner to 3', rear wall setback to a side property line to 8.06', the rear end wall setback facing a public street to 8', and to relocate four of the five required private yard open spaces of 175 SF per unit on to the proposed roof terrace, for a three-story, five dwelling unit townhouse building with thirteen enclosed parking stalls and roof terraces; 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.

MAY 22 2017

APPROVED AS TO SUBSTANCE [Signature] CHAIRMAN

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

APPLICANT: 1734 Humboldt Acquisitions, LLC **CAL NO.:** 226-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1728 N. Humboldt Boulevard

NATURE OF REQUEST: Application for a variation to increase the maximum building height from the maximum 30' to 33' for a proposed canopy roof above the second floor of the existing two-story, single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

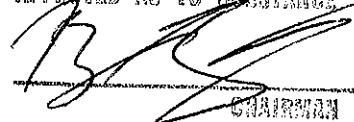
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the maximum building height from the maximum 30' to 33' for a proposed canopy roof above the second floor of the existing two-story, single family residence; an additional variation was granted to the subject site in Cal. No. 227-17-Z; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1734 Humboldt Acquisitions, LLC CAL NO.: 227-17-Z

APPEARANCE FOR: Nicholas Ftikas MINUTES OF MEETING: April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1728 N. Humboldt Boulevard

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 22' for a proposed spiral stair to access the garage roof deck.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 22' for a proposed spiral stair to access the garage roof deck; an additional variation was granted to the subject site in Cal. No. 226-17-Z; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: 1734 Humboldt Acquisitions, LLC **CAL NO.:** 228-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1726 N. Humboldt Boulevard

NATURE OF REQUEST: Application for a variation to increase the building height from the maximum 30' to 33' for a roof addition over the roof deck on the existing two-story single family residence.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the building height to 33' for a roof addition over the roof deck on the existing two-story single family residence; 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.



MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

[Signature]
CHAIRMAN

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

APPLICANT: Westford Development, LLC **CAL NO.:** 229-17-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4131 N. Oakley Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34'-10" to 2', north setback from 2' to zero (south to be 2'-6"), combined setback from 5' to 2'-6" for a proposed open stair which shall also contain the relocated rear yard open space and a pergola which will be 19.6' in height.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 16, 2017.

THE VOTE

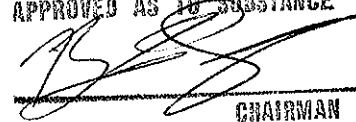
BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE


CHAIRMAN

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

APPLICANT: Westford Development, LLC **CAL NO.:** 230-17-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3933 N. Hamilton Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34'-10" to 2', north setback from 2.4' to zero (south to be 2'-10"), combined setback from 6' to 2'-10" for a proposed open stair which shall also contain the relocated rear yard open space and a pergola which will be 19'-6" in height.

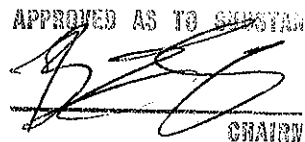
ACTION OF BOARD-
CASE CONTINUED TO JUNE 16, 2017.

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANTIVE

CHAIRMAN

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

APPLICANT: Westford Development, LLC **CAL NO.:** 231-17-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4120 N. Claremont Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.75' to 2' for an open stair and landing for a proposed garage roof deck which shall also contain the relocated rear yard open space and a pergola.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 16, 2017.

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Westford Development, LLC **CAL NO.:** 232-17-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4133 N. Oakley Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.1' to 2', north setback from 2' to zero (south to be 2.6'), combined setback from 5' to 2.6' for an open stair to access a garage roof deck which shall also contain the relocated rear yard open space and a pergola.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 16, 2017.

THE VOTE

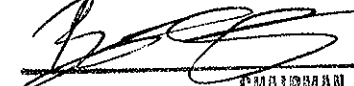
BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Westford Development, LLC **CAL NO.:** 233-17-Z

APPEARANCE FOR: Sara Barnes **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4129 N. Oakley Avenue


NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34'-10" to 2', north setback from 2' to zero (south to b 2'-6"), combined side setback from 5' to 2'-6" for an open stair to access a garage roof deck which shall contain the relocated rear yard open space and a pergola.

ACTION OF BOARD-
CASE CONTINUED TO JUNE 16, 2017.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	X		
SAM TOIA	X		
AMANDA WILLIAMS	X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago Equities LLC & Land Equities, LLC

CAL NO.: 234-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1667 N. Western Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to zero for a proposed four-story building with retail and twenty -five indoor parking spaces on the ground floor and thirty dwelling units above.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero for a proposed four-story building with retail and twenty-five indoor parking spaces on the ground floor and thirty dwelling units above; an additional variation was granted to the subject site in Cal. No. 235-17-Z; 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

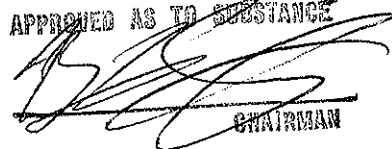
RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Chicago Equities LLC & Land Equities, LLC

CAL NO.: 235-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1667 N. Western Avenue

NATURE OF REQUEST: Application for a variation to reduce the required loading space from one to zero for a proposed four-story building with retail and twenty-five indoor parking spaces on the ground floor and thirty dwelling units above.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and


WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the required loading space to zero for a proposed four-story building with retail and twenty-five indoor parking spaces on the ground floor and thirty dwelling units above; an additional variation was granted to the subject site in Cal. No. 234-17-Z; 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.

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1222-26 Ohio, LLC **CAL NO.:** 236-17-Z

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1224 W. Ohio Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 47'-3" to 36' for an open stair/bridge to access the proposed garage roof deck which shall also contain the relocated rear yard open space.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 36' for an open stair/bridge to access the proposed garage roof deck which shall also contain the relocated rear yard open space; 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

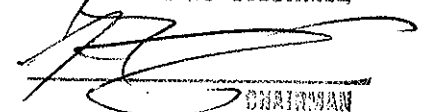
RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Phoenix Builders Group, LLC **CAL NO.:** 237-17-Z

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1020 W. Diversey Parkway

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.35' to 21.17' for a catwalk connection to a proposed garage roof deck and to relocate the 202.31 square feet of rear yard open space to a deck which more than 4' above grade.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

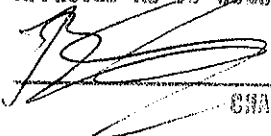
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21.17' for a catwalk connection to a proposed garage roof deck and to relocate the 202.31 square feet of rear yard open space to a deck which more than 4' above grade; 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.

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago Title Land Trust Co ATUT #120430

CAL NO.: 238-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2327 W. McLean Avenue

NATURE OF REQUEST: Application for a variation to increase the non-conforming floor area not to exceed 3% of the 4453.89 square feet to 4567.84 square feet for a proposed three story elevator addition to the existing three-story, five dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

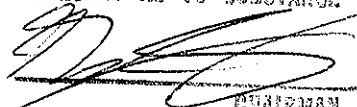
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the non-conforming floor area not to exceed 3% of the 4453.89 square feet to 4567.84 square feet for a proposed three story elevator addition to the existing three-story, five dwelling unit building; additional variations were granted to the subject site in Cal. Nos. 239-17-Z, 240-17-Z, and 241-17-Z; 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.

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago Title Land Trust Co ATUT #120430

CAL NO.: 239-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2327 W. McLean Avenue

NATURE OF REQUEST: Application for a variation to increase the existing height of up to 4% from 35.8' to 37.12' for a proposed three-story elevator addition for an existing three-story, five dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the existing height of up to 4% from 35.8' to 37.12' for a proposed three-story elevator addition for an existing three-story, five dwelling unit building; additional variations were granted to the subject site in Cal. Nos. 238-17-Z, 240-17-Z, and 241-17-Z; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Chicago Title Land Trust Co ATUT #120430 **CAL NO.:** 240-17-Z

APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2327 W. McLean Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 30' to 20.67', rear property line setback for garages accessing from a public alley from 2' to 1.5' for a detached two car garage with a roof deck and a bridge connection at the rear of the existing three-story, five dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

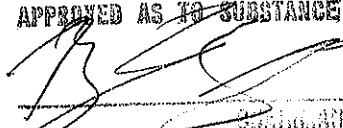
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 20.67', rear property line setback for garages accessing from a public alley to 1.5' for a detached two car garage with a roof deck and a bridge connection at the rear of the existing three-story, five dwelling unit building; additional variations were granted to the subject site in Cal. Nos. 238-17-Z, 239-17-Z, and 241-17-Z; 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

BOARD MEMBER

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

APPLICANT: Chicago Title Land Trust Co ATUT #120430

CAL NO.: 241-17-Z

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2327 W. McLean Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the minimum 1,125 square feet to 127.15 square feet for a proposed garage with roof deck and a bridge connection from the existing three-story building to access the garage roof deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to 127.15 square feet for a proposed garage with roof deck and a bridge connection from the existing three-story building to access the garage roof deck; additional variations were granted to the subject site in Cal. Nos. 238-17-Z, 239-17-Z, and 240-17-Z; 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



MAY 22 2017

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

APPLICANT: Mariusz Stanisz & Amanda Earley **CAL NO.:** 242-17-Z

APPEARANCE FOR: Same as applicant **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5059 N. Northwest Highway

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.5' to 2', north setback from 2' to 0.42 (south to be 0.42') combined side setback from 5' to 0.84' for a stair to access a garage roof deck which shall also contain 19.75 square feet of the required 450 square feet of rear yard open space.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	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 April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2', north setback to 0.42 (south to be 0.42') combined side setback to 0.84' for a stair to access a garage roof deck which shall also contain 19.75 square feet of the required 450 square feet of rear yard open space; 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.

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE
[Signature]

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

APPLICANT: Marc Zahr

CAL NO.: 243-17-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2026 N. Honore Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 35' to 28.67', north and south setback from 3.84' each to zero, combined side setback from 9.6' to zero for a proposed two story single family residence with three-car detached garage with a roof deck and a stair and a side open raised patio.

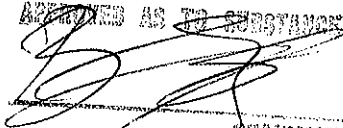
ACTION OF BOARD-
WITHDRAWN

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Rachel Ahotow Revocable Trust

CAL NO.: 244-17-Z

APPEARANCE FOR: Rolando Acosta

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1144 W. Newport Avenue

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

ACTION OF BOARD-
CONTINUED TO MAY 19, 2017.


THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS, CITY OF CHICAGO, ILL.

CAL NO.: 245-17-Z

APPLICANT: Kenmore 5029, LLC
APPEARANCE FOR: Warren Silver
APPEARANCE AGAINST: None
PREMISES AFFECTED: 5029 N. Kenmore Avenue

MINUTES OF MEETING:
April 21, 2017

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 20' to 13.06', north setback from 5' to zero to allow twenty-one open paved parking spaces to serve an existing three-story religious assembly building to be converted to forty residential units.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSE
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its meeting held on April 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 6, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby find as follows: the applicant shall be permitted to reduce the front setback to 13.06', north setback to zero to allow twenty-one open paved parking spaces to serve an existing three-story religious assembly building converted to forty residential units; 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 required 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 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.

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

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

APPLICANT: Wayland Ng and Jimmy Ng

CAL NO.: 12-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:

April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 330 W. 25th Place

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

ACTION OF BOARD-
CONTINUED TO MAY 19, 2017

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

	AFFIRMATIVE	NEGATIVE	ABSENT
BLAKE SERCYE	X		
SOL FLORES	X		
SAM TOIA	X		
AMANDA WILLIAMS	X		



MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
[Signature]

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

APPLICANT: Susana Marotta

CAL NO.: 38-17-Z

APPEARANCE FOR: Alex Kosyla

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4011 S. Talman Avenue

NATURE OF REQUEST: Application for a variation to increase the non-conforming floor area ratio not to exceed 8.3% of the 2574.1 square feet to 2786.6 square feet for a third floor dormer addition to the existing three-story, three dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

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

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the non-conforming floor area ratio not to exceed 8.3% of the 2574.1 square feet to 2786.6 square feet for a third floor dormer addition to the existing three-story, three dwelling unit building; additional variations were granted to the subject site in Cal. Nos. 39-17-Z and 40-17-Z; 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.



MAY 22 2017

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Susana Marotta

CAL NO.: 39-17-Z

APPEARANCE FOR: Alex Kosyla

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4011 S. Talman Avenue

NATURE OF REQUEST: Application for a variation to reduce the front setback from the required 13.75' to 13.0', north setback from 2.0' to 1.0' (south to be 3.0') combined side setback from 5.0' to 4.0' for a third floor dormer addition for the existing three-story, three dwelling unit building.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

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

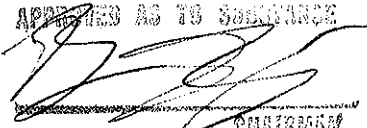
WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 13.0', north setback to 1.0' (south to be 3.0') combined side setback to 4.0' for a third floor dormer addition for the existing three-story, three dwelling unit building; additional variations were granted to the subject site in Cal. Nos. 38-17-Z and 40-17-Z; 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.

MAY 22 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

CITY CLERK

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

APPLICANT: Susana Marotta **CAL NO.:** 40-17-Z

APPEARANCE FOR: Alex Kosyla **MINUTES OF MEETING:**
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4011 S. Talman Avenue

NATURE OF REQUEST: Application for a variation to increase the permitted height from 30.0' to 30.67' for a proposed third floor dormer addition for the existing three-story, three dwelling unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

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

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the permitted height to 30.67' for a proposed third floor dormer addition for the existing three-story, three dwelling unit building; additional variations were granted to the subject site in Cal. Nos. 38-17-Z and 39-17-Z; 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.

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED BY: [Signature]
[Signature]

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

APPLICANT: 1108 Webster, LLC

CAL NO.: 84-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1108 W. Webster

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 36.9' to 22' for an open bridge to access a proposed garage rooftop deck on the existing six-car garage.


ACTION OF BOARD-
CASE CONTINUED TO JUNE 16, 2017.

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

BLAKE SERBYE

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 19 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

St. Jerome Croatian Church
APPLICANT

93-17-Z & 94-17-Z
CALENDAR NUMBERS

2813 S. Princeton Avenue
PREMISES AFFECTED

April 21, 2017
HEARING DATE

ACTION OF BOARD

THE VOTE

The applications for the variations are approved.

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 2813 S.
PRINCETON AVENUE BY ST. JEROME CROATIAN CHURCH**

I. BACKGROUND

St. Jerome Croatian Church (the "Applicant") submitted two variation applications for 2813 S. Princeton Avenue (the "subject property"). The subject property is currently zoned RS-3 and is currently improved with the Applicant's elementary school. The Applicant proposed to construct a two-story addition to the existing elementary school. To permit this proposed construction, the Applicant sought a variation to reduce: (1) the front setback from the required 11.66' to 0'; (2) the rear setback from the required 37.53' to 0'; and (3) the north setback from 6.25' to 0'. The Applicant also sought a variation to increase the existing floor area ratio ("FAR") of 39,419.94 square feet by thirty-three percent (33%) (i.e., 13,055.78 square feet) to 52,475.72 square feet.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation applications at its regular meeting held on April 21, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had

APPROVED AS TO SUBSTANCE

CHAIRMAN

submitted its proposed Findings of Fact. The Applicant's pastor Father Ivica Majstorovic and its attorney Mr. Richard Toth were present. The Applicant's architect Mr. David Madia was also present. Mr. Ivan Kutlesa was in opposition to the application. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the testimony of its pastor Father Ivica Majstorovic. Father Majstorovic testified as to the Applicant's need to expand the existing school. In particular, he testified that the existing school did not have adequate preschool space and lacked a gymnasium. He further testified that back in 2006 part of 28th Place had been vacated to allow for a school expansion.

The Applicant presented the expert testimony of Mr. David Madia, its architect. Mr. Madia testified as to his proposed plan of development for the subject property. Mr. Madia testified that prior to 28th Place being vacated, the existing school building had a zero setback on 28th Place. The requested reduction to the north setback would merely recreate the previous zero setback condition. Mr. Media further testified that the existing school building dates from 1961 and does not conform to current side setback requirements. He testified that schools are normally located in residential areas but very typically have increased FARs and smaller setbacks than pure residential uses. He testified that this rule holds true to the existing school and would also hold true should the proposed variations be granted. He testified that the proposed addition would be built in conformance with all City of Chicago ("City") codes, including building code requirements.

Mr. Ivan Kutlesa, of 647 S. Berkeley Drive, Romeoville, Illinois, testified in opposition to the applications. His opposition stemmed from his belief that the proposed gymnasium was not big enough to provide a buffer zone around the basketball court and therefore would be dangerous to children. He testified that the Applicant owned other property that could accommodate a gymnasium so he saw no hardship. He testified that he did not believe the gymnasium had Americans with Disabilities Act ("ADA") accessibility. He further testified that the gymnasium would overload the sanitary and sewer system of the City.

Mr. Toth stated that Mr. Kutlesa's testimony regarding the size of the gymnasium and the sewer system were not zoning issues and therefore were not the subject of the hearing before the ZONING BOARD OF APPEALS. He further stated that with respect to hardship, the issue was not what other property the Applicant owned but rather the fact that the existing school did not have a gymnasium.

In response to Mr. Kutlesa's testimony, Father Majstorovic testified that the Applicant had prior dealings with Mr. Kutlesa. He testified that Mr. Kutlesa was an architect that had also submitted a proposal for the proposed addition. He testified that though Mr. Kutlesa had done work for the Applicant before, the congregation did not choose his proposal for the proposed addition. Nevertheless, he testified that Mr. Kutlesa's proposal also proposed a gymnasium similar to the gymnasium Mr. Kutlesa

was now opposing. Father Majstorovic testified that the plans submitted to the ZONING BOARD OF APPEALS were not engineering plans and if the Applicant's variations were approved, the Applicant would have to submit engineering plans to the City for storm water management approval. He testified that the Applicant was not before the ZONING BOARD OF APPEALS for sewer or sanitary approval. He then testified that the Applicant was not planning on having permanent seating in the gymnasium, so although the gymnasium would be ADA accessible there would be nothing to trigger ADA seating requirements. He further testified that the proposed gymnasium would not have a sanctioned basketball court; instead, the gymnasium would just be a place for students to play.

In response to Father Majstorovic's testimony, Mr. Kutlesa testified that he had done quite a bit of architectural work for the Applicant.

B. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not

impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT.

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

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

The existing school on the subject property has existed since 1961. However, it is insufficient for the Applicant's need for expansion. Consequently, strict compliance with the regulation and standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships for the subject property.

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

The requested variations promote rehabilitation and reuse of older buildings as set forth in Section 17-1-0511 of the Chicago Zoning Ordinance.

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

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

Father Majstorovic very credibly testified that because of the smallness of the existing school, the preschool building only accommodates thirty (30) children. If children are not granted a place in the preschool, parents look elsewhere for kindergarten. This results in diminished enrollment in the Applicant's school. Further, as Father Majstorovic also very credibly testified, the existing school does not have a gymnasium. Both the lack of a gymnasium and the diminished enrollment keep the subject property from yielding a reasonable rate of return in its use as a school.

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

The unique circumstances of the nonconforming existing school on the subject property are not generally applicable to other similarly situated property.

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

The variations will not alter the essential character of the neighborhood. The Applicant's school has been on the subject property since 1961. In fact, prior to 2006, the school had a zero foot north setback. Moreover, as Mr. Madia very credibly testified schools in residential neighborhood generally have increased FARs and smaller setbacks than purely residential uses

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

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

As noted above, the existing nonconforming school on the subject property results in particular hardship upon the Applicant. At present, the Applicant has diminished enrollment due to the lack of adequate preschool space and does not have a gymnasium for its students.

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

The existing nonconforming school would not be applicable, generally, to other property in the RS-3 zoning classification.

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

The variations are not based exclusively upon a desire to make more money out of the property but rather a desire to have a larger preschool and a gymnasium so that it can better serve its students.

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

The Applicant did not create the nonconforming existing school. At the time the school was erected in 1961 – prior to current setback requirements – the school was not nonconforming. The school has only become nonconforming due to the changes to the Chicago Zoning Ordinance.

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

As noted above, schools in residential neighborhood generally have increased FARs and smaller setbacks than purely residential uses. Further, the main changes to the subject property will be at the center of the site.

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

As Father Majstorovic very credibly testified, if the Applicant's variations were approved, the Applicant would have to submit engineering plans to the City for storm water management approval. Further, nothing in the proposed plans triggers ADA seating requirements. Since there is no sanctioned basketball court in the gymnasium, there is not a safety issue due to inadequate space. Moreover, any speculative arguments to the contrary made by Mr. Kutlesa must be discounted as Mr. Kutlesa competed with Mr. Madia for the Applicant's program of development for the subject property. 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).

IV. CONCLUSION

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

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

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

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

APPLICANT: Rule Transfer IL, Inc.

CAL NO.: 110-17-S

APPEARANCE FOR: Anthony Casaccio

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 4102 W. Peterson Avenue

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

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 3, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of both the site plan and the landscape plan, both of which are dated April 11, 2017, and prepared by Design Studio 24, LLC.

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

MAY 20 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Kimberly Buford – DBA Color Me Nail Bar

CAL NO.: 123-17-S

APPEARANCE FOR: Same as applicant

MINUTES OF MEETING:
April 21, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1810 ½ W. 99th Street

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

ACTION OF BOARD-
Continued to May 19, 2017

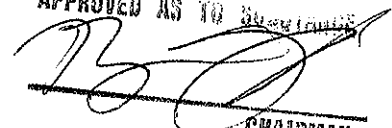
THE VOTE

BLAKE SERCYE
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MAY 22 2017

**CITY OF CHICAGO
ZONING BOARD OF APPEALS**

APPROVED AS TO SUBSTANCE

CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

HSC Realty, LLC – LaSalle 1308
APPLICANT

141-17-Z
CALENDAR NUMBER

1308 N. LaSalle Street
PREMISES AFFECTED

April 21, 2017
HEARING DATE

ACTION OF BOARD

THE VOTE

The application for the variation is denied.

Blake Sercy
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 1308 N.
LASALLE STREET BY HSC REALTY, LLC – LASALLE 1308**

I. BACKGROUND

HSC Realty, LLC – LaSalle 1308 (the “Applicant”) submitted a variation application for 1308 N. LaSalle Street (the “subject property”). The subject property is currently zoned RM-5.5 and is improved with a four-story, four-dwelling unit building. The Applicant proposed to not only rehabilitate the building but also build a four-story rear addition to the building. In order to permit the addition, the Applicant sought a variation to reduce: (1) the rear setback from the required 44.55’ to 35’; (2) the south setback from 2’ to 1’ (north to be 3’); and (3) the combined side setback to 4’.

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant’s variation application at its regular meeting held on April 21, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, , and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS’ Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant’s managing member Mr. William Sardegna and its attorney Mr. Nick Ftikas were present. The Applicant’s

APPROVED AS TO SUBSTANCE

CHAIRMAN

architect Mr. Bill Kokalias and its real estate appraiser Mr. Terrance O'Brien were also present. The 1300 N. LaSalle Condominium Association ("Association") opposed the application. The Association's board president Mr. David Gola and its attorney Ms. Bridget O'Keefe were present. Mr. Charles Diawara, of 1310 N. LaSalle, also opposed the application. His attorney Mr. Thomas Raines was present. The Association and Mr. Diawara's architect Mr. Jeremiah Johnson and real estate appraiser Mr. Neil Renzi were also present. Alderman Brian Hopkins ("Alderman") was present. The Alderman opposed the application. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the testimony of its managing member Mr. William Sardegna. Mr. Sardegna testified to his belief that the Applicant's proposed addition to the subject property would be compatible with the other buildings in the immediate area.

The Applicant presented the expert testimony of its architect Mr. Bill Kokalias. Mr. Kokalias testified as to his proposed addition to the existing building on the subject property. He testified that the proposed addition would allow each dwelling unit be around 1500 to 1600 square feet. He testified that if the side setbacks were not granted, the proposed addition would be fifteen feet (15') wide as opposed to sixteen feet (16'). He testified that this reduction in one foot (1') would create a nine foot (9') wide second bedroom in the dwelling units. He testified that the Applicant would prefer to have a minimum standard of a ten foot (10') wide second bedroom. With respect to the rear setback, Mr. Kokalias testified that without the rear setback, the Applicant could not correct the odd-shaped bedrooms currently existing in the dwelling units.

The Applicant presented the expert testimony of its real estate appraiser Mr. Terrance O'Brien. Mr. O'Brien testified as to the improvements in the immediate area of the subject property. He testified to his belief that the requested variation would have no adverse impact whatsoever on surrounding properties.

The Alderman testified in opposition to the application. He testified that the Applicant's request for a variation would only increase the square footage of each dwelling unit by nine percent. However, in order to achieve this relatively small increase, the Applicant would close off the entire light and air supply to buildings to the north and south of the subject property. The proposed variation would allow the Applicant to bulk out an entire area of the subject property that is now open space. This would have a detrimental effect on old-growth trees on both the north and south of the subject property. The Alderman further testified that to his knowledge there were thirty-one (31) building violations against the Applicant of which none had been cured. He believed this showed bad faith on the part of the Applicant.

The Association presented the testimony of its board president Mr. David Gola. Mr. Gola testified he has lived at 1300 N. LaSalle since 2014. He testified he purchased his condominium unit because it is a unique urban oasis with incredible outdoor space. He testified that if the Applicant were granted the variation, the Association's trees would

need to be removed, its fence would be damaged, and there would be a four-story addition that would block the light and air into the Association's property. Consequently, the vegetation on the Association's property would probably die. He further testified that the property values of the condominiums at 1300 N. LaSalle would decline due to this loss of light and air.

The Association presented the expert testimony of its architect Mr. Jeremiah Johnson. Mr. Johnson first testified to the improvements at 1310 N. LaSalle. He next testified to the improvements at 1300 N. LaSalle. He testified with respect to 1310 N. LaSalle, the Applicant's proposed variation would almost completely seal in and create a wall between the two-story coach house and the single-family home to the south. He testified that the original orientation of the improvements at 1310 N. LaSalle were built without the anticipation that the buildings on the subject property would reach so far into the rear of the lot. Consequently, the proposed variation would impinge on the open air feeling in the back of the 1310 N. LaSalle property. He further testified that 1310 N. LaSalle and the properties to the north of it are older homes with continuous green space and rear yards. The proposed addition to the subject property would not be consistent with the character of these properties. He testified that with respect to 1300 N. LaSalle, the Applicant's proposed four-story addition would affect the amount of light to existing landscaping, leading to the likely death of two of the older-growth trees.

The Association presented the expert testimony of its appraiser Mr. Neil Renzi. Mr. Renzi testified that if the Applicant's variation were to be granted the value of the condominium units at 1300 N. LaSalle would decrease. He testified that in this particular area, landscaping was a priority due to the area's density. In consequence, open land is at a premium. He further testified that a structure that decreases light and air will negatively impact property values.

Mr. Charles Diawara testified in opposition to the Application. He testified that he currently resided at 1430 N. LaSalle but had recently purchased the property at 1310 N. LaSalle. He testified that he and his wife purchased 1310 N. LaSalle for their primary residence. They purchased the property due to its quality of light and its courtyard. He testified that the Applicant's proposed variation would meaningfully impair the quality of light to the property. In addition, the Applicant's proposed addition would negatively impact how he and his family would use the courtyard. He testified that the courtyard at the 1310 N. LaSalle was a material motivator for his purchase of the property.

Mr. Diawara presented the expert testimony of his appraiser Mr. Renzi. Mr. Renzi testified the Applicant's proposed variation would completely encase the rear courtyard at 1310 N. LaSalle. He testified that as open space is a premium in this area, this would make a very serious impact on the property values of 1310 N. LaSalle.

Mr. Diawara presented the expert testimony of his architect Mr. Johnson. Mr. Johnson testified that if the Applicant were to build an addition as-of-right, said addition would create dwelling units that were approximately 153 square feet smaller than the dwelling units that would be created if the variation were to be granted. He testified that

– due to the size of the dwelling units – such an amount was nominal. He testified that he could design a three-bedroom dwelling unit at this nominally reduced size. He further testified that while the actual amount of area the variation would grant to each dwelling unit would be nominal, the negative impact on the courtyard at 1310 N. LaSalle would not be nominal.

In rebuttal to Mr. Renzi's and Mr. Johnson's testimony, the Applicant again presented the expert testimony of its appraiser Mr. O'Brien. Mr. O'Brien further testified that there were at least eight infringements to rear yard setbacks from Goethe going north, starting with 1300 N. LaSalle. He testified that many of the properties also did not meet side setback requirements.

The ZONING BOARD OF APPEALS stated that while it might be true that there are infringements to the rear and side setbacks with respect to the properties on this block of North LaSalle, there is a typology that each property has a courtyard in the back or at least there is always open space between a similarly sized front massing and a rear garage. This is evident at 1310, 1312, 1314, 1316 and 1320 N. LaSalle.

In rebuttal to Mr. O'Brien's testimony, the Association again presented the expert testimony of its architect Mr. Johnson. Mr. Johnson further testified that this block of N. LaSalle was historic by nature. He testified that all the improvements north of 1300 N. LaSalle were over 100 years old. Consequently, all the improvements were built prior to the Chicago Zoning Ordinance. He testified that five of the homes have the configuration of a historic house with a shared party wall, a courtyard and then a rear garage.

In closing, Ms. O'Keefe stated that the members of the Association specifically live in the Association's building because of the courtyard. She stated that the proposed variation would create an adverse impact to the property at 1300 N. LaSalle.

In closing, Mr. Raines stated that the proposed variation would enclose and encapsulate the courtyard at 1310 N. LaSalle. He stated that the proposed variation would nominally increase the size of the Applicant's dwelling-units but the negative impact of the proposed variation to 1310 N. LaSalle would not be nominal. Moreover, the neighborhood is characterized by large open spaces behind the main building on the property.

In closing, Mr. Ftikas stated that the Applicant had a narrow twenty foot (20') wide lot. He stated that the requested variation would allow for the rear addition. He stated that the Applicant did not believe the requested variation would impair an adequate supply of light and air to adjacent properties.

B. Criteria for a Variation

Pursuant to Section 17-13-1107-A of the Chicago Zoning Ordinance, no variation application may be approved unless the ZONING BOARD OF APPEALS finds, based upon the evidence presented to it in each specific case, that: (1) strict compliance with the

standards of the Chicago Zoning Ordinance would create practical difficulties or particular hardships; and (2) the requested variation is consistent with the stated purpose and intent of the Chicago Zoning Ordinance.

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT.

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

1. *Strict compliance with the regulations and standards of the Chicago Zoning Ordinance would not create practical difficulties or particular hardships for the subject property.*

As Mr. Johnson very credibly testified, the requested variation will only add 153 square feet to each of the dwelling-units at the subject property. Due to the size of the dwelling units, 153 square feet is nominal and does not create practical difficulties or particular hardships.

2. *The requested variation is not consistent with the stated purpose and intent of the Chicago Zoning Ordinance.*

The requested variation does not protect the character of established residential neighborhoods as required by Section 17-1-0503. The requested variation does not maintain orderly and compatible land use and development patterns as required by Section 17-1-0508. This block of 1300 N. LaSalle is characterized by a front main building, a large courtyard and then a rear garage or coachhouse. The requested variation would not be consistent or compatible with this pattern of development and would not protect the character of the established residential neighborhood. The requested variation does not ensure adequate light, air, privacy and access to property as required by Section 17-1-0509.

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

1. *The property in question can yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.*

The Applicant purchased the subject property in 2014. Mr. Sardegna testified that the Applicant has been renting out the dwelling units for month-to-month tenancy. Though the subject property was currently vacant at the time of the hearing, he believed that there had been tenants up until February 2017. Clearly, the subject property can yield a reasonable return without the requested variation.

2. *The variation, if granted, will alter the essential character of the neighborhood.*

This block of 1300 N. LaSalle, due to its historic character, constitutes its own neighborhood. The neighborhood is characterized by a front main building, a large courtyard and then a rear garage or coachhouse. Since the properties were all improved pre-Chicago Zoning Ordinance, they do not adhere to current side setback requirements and instead share party walls. In consequence, the courtyards are necessary to preserve light and air to the properties in the neighborhood. The Applicant's variation, if granted, would – due to the large rear addition – alter the essential character of the neighborhood.

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

1. *The particular physical surroundings, shape or topographical condition of the specific property involved would not result in a particular hardship upon the*

property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

Although the Applicant has a narrow lot width of twenty feet (20'), such narrow lot width is a mere inconvenience. Mr. Johnson very credibly testified that though there would be an increase in the square footage to each dwelling unit should the proposed variation be granted, this increase was only nominally larger than what the increase to the square footage to each dwelling would be should the Applicant build the rear addition as-of-right. A nominal difference in the increase to square footage is mere inconvenience.

2. *The purpose of the variation is based exclusively upon a desire to make more money out of the property.*

The Applicant requested the variation to increase the size of the Applicant's dwelling units. The Applicant uses the subject property as a rental property. Increases in the size of the dwelling units will allow the Applicant to charge higher rents. Therefore, the purpose of the variation is based exclusively upon a desire to make more money out of the property.

3. *The granting of the variation will be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

The proposed variation will be detrimental to the public welfare and injurious to other property or improvements in the neighborhood. As Mr. Gola, Mr. Johnson, Mr. Renzi and Mr. Diawara very credibly testified, the proposed variation will negatively impact the properties at 1300 and 1310 N. LaSalle. This negative impact is due to the blockage of light and air to the courtyards of both properties, leading to death of vegetation and negative property impact.

4. *The variation will 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.*

As noted above, the variation will impair an adequate supply of light and air to adjacent property as very credibly testified to by Mr. Gola, Mr. Johnson, Mr. Renzi and Mr. Diawara.

IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has not proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a variation pursuant to Sections 17-13-1107-A, B and C of the Chicago Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby denies the Applicant's application for 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
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888



JUN 19 2017

CITY OF CHICAGO
ZONING BOARD OF APPEALS

Claremont 2165 LLC

APPLICANT

149-17-Z

CALENDAR NUMBER

2165 N. Claremont Avenue

PREMISES AFFECTED

April 21, 2017

HEARING DATE

ACTION OF BOARD

THE VOTE

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

Blake Sercye
Sol Flores
Sam Toia
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS
IN THE MATTER OF THE VARIATION APPLICATION FOR 2165 N.
CLAREMONT AVENUE BY CLAREMONT 2165 LLC**

I. BACKGROUND

Claremont 2165 LLC (the "Applicant") submitted a variation application for 2165 N. Claremont Avenue (the "subject property"). The subject property is currently zoned RT-4 and is currently improved with a two-dwelling unit residential building. The Applicant proposed to redevelop the subject property with a new three-story, four-dwelling unit residential building. The new building would have an open porch with a connection to a roofdeck over a new garage. To permit the redevelopment, the Applicant sought a variation to reduce: (1) the rear setback from the required 30' to 2'; (2) the north setback from 3.68' to 0'; (3) the south setback from 3.68' to 0; and (4) the combined setback from 9.2' to 0.'

II. PUBLIC HEARING

A. The Hearing

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on April 21, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had

APPROVED AS TO SUBSTANCE

CHAIRMAN

submitted its proposed Findings of Fact. The Applicant's representatives Mr. Alan Keribar and Mr. Bakalar as well as its attorney Mr. Thomas S. Moore were present. The Applicant's lead project architect Mr. Chris Dasse of Craft Architecture was not present but Mr. George Mata a project manager at Craft Architecture was present. Mr. Steve Madden, attorney for Ms. Melissa Tierney, of 2161 N. Claremont, Mr. Joe Darnell, of 2332 W. Palmer, and Ms. Mary Darnell, of 2332 W. Palmer, was also present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

Mr. Thomas S. Moore explained to the ZONING BOARD OF APPEALS that he and Mr. Steve Madden had worked out an agreement with respect to the proposed redevelopment on the subject property. He stated that due to the agreement, Mr. Madden's clients would withdraw their objection to the application. He then read into the record the proposed agreement. Mr. Madden agreed with Mr. Moore.

The ZONING BOARD OF APPEALS stated that should the Applicant's variation be approved it would be subject to the proposed agreement.

The Applicant presented the testimony of its representative Mr. Alan Keribar. Mr. Keribar testified as to the necessity of the proposed variation. He testified that although the subject property is a double lot, each lot is only 23' wide and only 100' deep. He testified that the subject property is a corner lot and therefore it is required to have a total of ten percent (10%) of side yard setback. However, with the agreement to place the main building three feet (3') off of the south lot line, the Applicant's proposed building will exceed all other south side setbacks on the block.

The Applicant presented the testimony of Mr. George Mata, the project manager for its architect. Mr. Mata testified as to how the Applicant's application met all standards for a variation.

The Applicant presented the testimony of Mr. Luke Bakalar. Mr. Bakalar testified that he has made the proposed building look like two separate single-family homes. He testified that this made it a better fit into the neighborhood. He further testified that the proposed building would have less density than the improvements next-door or across the street from the subject property.

B. Criteria for a Variation

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

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

Pursuant to Section 17-13-1107-C of the Chicago Zoning Ordinance, in making its determination of whether practical difficulties or particular hardships exist, the ZONING BOARD OF APPEALS must take into consideration the extent to which evidence has been submitted substantiating the following facts: (1) the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the property owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; (2) the conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; (5) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

III. FINDINGS OF FACT.

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

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

Although the subject property is zoned RT-4, the substandard lot depth of the subject property as well as the fact that the subject property is a corner lot creates particular difficulties or particular hardships in building four dwelling units on the subject property.

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

The requested variation protects the character of established residential neighborhoods as set forth in Section 17-1-509 of the Chicago Zoning Ordinance and helps maintain a range of housing choices and options as set forth in Section 17-1-0512 of the Chicago Zoning Ordinance.

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

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

The subject property is zoned RT-4 and thus is entitled to four dwelling units. However, because of the fact it has substandard lot depth and is a corner lot, the subject property cannot support four dwelling units if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance.

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

The unique circumstances of the substandard lot depth combined with the fact that the subject property is a corner lot are not generally applicable to other similarly situated property.

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

As Mr. Bakalar very credibly testified, the proposed building will look like two separate single-family homes so that it will fit into the neighborhood. Further, the proposed building will have less density than the improvements next-door or across the street from the subject property.

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

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

The substandard lot depth combined with the fact that the subject property is a corner lot results in particular hardship upon the Applicant as distinguished from mere inconvenience.

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

The substandard lot depth combined with the fact that the subject property is a corner lot are not conditions applicable, generally, to other property within the RT-4 zoning classification.

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

The variation is not based exclusively upon a desire to make more money out of the property but rather a desire to build to the subject property's zoning classification.

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

The Applicant neither created the substandard lot depth nor the fact that the subject property is a corner lot.

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

As Mr. Bakalar very credibly testified, the proposed redevelopment of the subject property will fit into the neighborhood.

6. *The 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.*

The Applicant's proposed plans of redevelopment show that the variation will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger public safety, or substantially diminish or impair property values within the neighborhood.

IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a variation, and pursuant to the authority granted to the ZONING BOARD OF APPEALS by Section 17-13-1105 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said variation subject to the following conditions:

1. The Applicant's main building shall be three feet (3') off of the south lot line;
2. The Applicant shall build only a four-car garage. The north wall of said garage shall be at least one foot (1') off of the lot line. The south wall of said garage shall be five to seven feet (5' - 7') off of the lot line, allowing an area where garbage can be brought through to the alley; and
3. The Applicant shall build the development on the subject property subject to the plans submitted to the ZONING BOARD OF APPEALS, with the exception of conditions 1 and 2 above.

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