

**ZBA  
MINUTES  
JUNE 16, 2017**

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

**APPLICANT:** Erma and Wayne Kinzie

**CAL NO.:** 313-17-Z

**APPEARANCE FOR:** William J.P. Banks

**MINUTES OF MEETING:**  
June 16, 2017

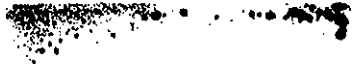
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6040 N. Oconto Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the north setback from the required 5' to 1.56' for a proposed two-car garage for the existing single family residence.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north setback to 1.56' for a proposed two-car garage for the existing single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

APPLICANT: Joseph M. Brown & Kimberly S. Deeb CAL NO.: 314-17-Z

APPEARANCE FOR: C. Harrison Cooper & Andrew Scott MINUTES OF MEETING:

June 16, 2017

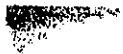
APPEARANCE AGAINST: None

PREMISES AFFECTED: 3750 N. Wayne Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 33.79' to 2.15', side setbacks from 2.4' to 0.41' on the north and 0.5' on the south, combined side setback from 6' to 0.91' for a proposed pergola and screen walls on the existing three car garage with an existing masonry chimney with proposed extension that serves the existing three-story building.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE



JUL 24 2017

CITY OF CHICAGO ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 2.15', side setbacks to 0.41' on the north and 0.5' on the south, combined side setback to 0.91' for a proposed pergola and screen walls on the existing three car garage with an existing masonry chimney with proposed extension that serves the existing three-story building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Mark Garcia**

APPLICANT

**315-17-Z**  
CALENDAR NUMBER

**2238 N. Halsted Street**

PREMISES AFFECTED

**June 16, 2017**

HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the variation is approved.

Blake Sercye  
Shaina Doar  
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"/>
<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 APPLICATION FOR 2238 N.  
HALSTED STREET BY MARK GARCIA**

**I. BACKGROUND**

Mark Garcia (the "Applicant") submitted a variation application for 2238 N. Halsted Street (the "subject property"). The subject property is currently zoned RM-4.5 and is currently improved with a two-story, two-dwelling unit residential building. The Applicant proposed to rehabilitate and de-convert the two-dwelling unit residential building into a single-family home. The Applicant's proposal included second and third floor additions, a three-story enclosed porch addition, front balconies, roof top enclosures with roof decks, a rear one-story garage connector and a detached garage with a roof deck and stairs to provide access. To permit the rehabilitation and de-conversion, the Applicant sought a variation to reduce: (1) the front setback from the required 11.5' to 8.8'; (2) the rear setback from 35' to 2'; (3) the south setback from 2' to 0' (north to be 0'); and (4) the combined side setback from 5' 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 June 16, 2017, after due notice thereof

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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 his proposed Findings of Fact. The Applicant and his attorney Mr. Mark Kupiec were present. The Applicant's architect Mr. Victor Drapzo was also present. Testifying in opposition to the application was Mr. Robert Athey. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant Mr. Mark Garcia testified that the existing two-flat building ("existing building") on the subject property was 124 years old and did not comply with current setbacks. He testified that he would like to preserve the existing building since he liked the look of the existing building. He testified that he intended to de-convert the existing building from a two-flat to a single-family home. He testified that he and his family would reside in said single-family home. He testified that as he has a large family, the proposed upper floor additions were necessary. He testified that due to his asthma, the rear one-story garage connector was also necessary. He testified that he was familiar with the surrounding neighborhood and that the proposed additions would not alter the essential nature of said surrounding neighborhood. He then submitted and the ZONING BOARD OF APPEALS accepted into the record true and accurate photographs of the surrounding neighborhood.

The Applicant presented the expert testimony of Mr. Victor Drapzo. Mr. Drapzo testified as to the necessity of the requested variation. He testified that the proposed variation would not: (1) impair an adequate supply of light and air to adjacent property; (2) alter the essential character of the neighborhood; or (3) be detrimental to the public welfare.

Mr. Robert Athey, of 5943 W. Circle and owner of the property at 2240 N. Halsted, testified in opposition to the application. His opposition stemmed from his belief that the proposed third-floor addition would decrease the value of his property at 2240 N. Halsted by reducing the amount of light to the top dwelling unit. Additionally, he testified that there was a chronic drainage problem in his gangway at 2240 N. Halsted and that it was his belief that enlarging the building on the subject property would aggravate said chronic drainage problem.

In response to Mr. Athey's opposition, Mr. Drapzo further testified that Mr. Athey's building at 2240 N. Halsted was set three feet (3') back from the property line 2240 N. Halsted shared with 2238 N. Halsted. He testified that three feet (3') is the minimum distance the City of Chicago ("City") requires for natural light and natural ventilation. He testified that this was codified in the City's building code. He testified that therefore the City's building code itself determined that a three foot (3') setback is sufficient to provide an adequate supply of light and air. He testified that buildings all over the City are separated by a three foot (3') setback. He testified that some of the buildings in the surrounding neighborhood are actually set back less than three feet (3') from each other. He testified that due to the three foot (3') setback between Mr. Athey's building at 2240

N. Halsted and the subject property, the proposed variation would not impair an adequate supply of light and air to Mr. Athey's property. He testified that the proposed variation would also not contribute to Mr. Athey's drainage problem due to the fact that the roof of the third-floor addition would not be sloped. He testified that the roof would be flat and that drainage from the roof would be collected into a system that goes out to the City storm-sewers. He testified that there would be no drainage from the Applicant's single-family home to the neighboring properties.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Drapzo further testified the Applicant could build a third-story addition on the property as of right. He testified that the current zoning of the subject property would allow a building with a maximum height of forty-five feet (45'). He testified that should the variation be granted, the zoning height of the Applicant's building would be thirty-six feet eight inches (36'8").

#### 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.*

Due to the Applicant's desire to preserve the non-conforming 124 year old building on the subject property, strict compliance with the regulations and standards of the Chicago Zoning Ordinance creates practical difficulties when rehabilitating the building on the subject property.

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

The requested variation promotes the rehabilitation and reuse of older buildings as set forth in Section 17-1-0511, 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.*

In purchasing the subject property to be his and his family's future home, the Applicant has made a significant investment into the subject property, and in consequence, the subject property 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.*

The unique circumstances of preserving the non-conforming 124 year old building on the subject property while updating said 124 year old building with modern amenities are not generally applicable to other residential property.

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

As both Mr. Garcia and Mr. Drapzo very credibly testified, the proposed variation will not alter the essential character of the neighborhood as there are many other properties in the neighborhood with one-story garage connectors and third-floors. Further, many of the improvements in the neighborhood do not provide the required rear or side setbacks.

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 non-conforming 124 year old building on the subject property results in particular hardship to Mr. Garcia as the older the building, the harder it becomes – due to its nonconformity with current setbacks – to build additions that comply with the Chicago Zoning Ordinance.

- 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 preservation of the non-conforming 124 year old building on the subject property is not a condition applicable, generally, to other property in the RM-4.5 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 subject property as Mr. Garcia intends – once the building is de-converted – to make the subject property his and his family's home.

- 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 non-conforming 124 year old building on the subject 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.*

As Mr. Drapzo very credibly testified, the proposed addition to the existing building will follow the walls of the existing building. Moreover, the proposed addition will not be visible from the street. Further, as the proposed third-floor addition will not be sloped, the variation will not contribute to Mr. Athey's drainage problem. Therefore, 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.

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.*

As there will still be three feet between the Applicant's building and Mr. Athey's building, the proposed variation will not impair an adequate supply of light and air to adjacent properties. The variation will not substantially increase congestion in the public streets as the Applicant is decreasing rather than increasing the number of dwelling units within the building. The variation will not increase the danger of fire or endanger the public safety as the renovated building will comply with all applicable codes. Further, the variation will not substantially diminish or impair property values within in the neighborhood; instead, due to the renovation of the building, the variation will most likely increase 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 the Zoning Administrator is authorized to permit said variation.

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

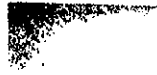
**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905**

**APPLICANT:** Hollis of Palos, LLC-Midway Series **CAL NO.:** 316-17-S  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:** June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6421 S. Cicero Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**'JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
RECUSED		
X		

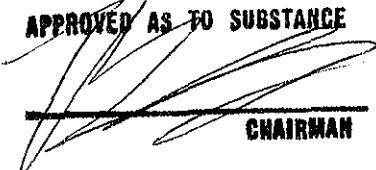
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 drive through facility to serve a proposed one-story fast food restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the landscape plan dated May 9, 2017, prepared by Christopher B. Burke Engineering, Ltd., as well as the floor plan and elevations dated February 7, 2017, prepared by Ollmann Ernest Martin Architects.

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

APPLICANT: B for Blonde, LLC

CAL NO.: 317-17-S

APPEARANCE FOR: Meg George

MINUTES OF MEETING:

June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3821 N. Southport Avenue

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

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE



JUL 24 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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.

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

APPLICANT: Deon C. Marshall  
APPEARANCE FOR: Same as Applicant  
APPEARANCE AGAINST: None  
PREMISES AFFECTED: 945 W. 87<sup>th</sup> Street

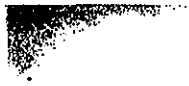
CAL NO.: 318-17-S

MINUTES OF MEETING:  
June 16, 2017

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

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE



JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 and nail salon at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Shaunte Porter

CAL NO.: 319-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1533 E. Marquette Road

NATURE OF REQUEST: Application for a variation to reduce the west setback from the required 2' to zero, east setback from 2' to 0.08', combined side setback from 4' to 0.08' for a proposed rear three-story and third floor addition with a roof deck for the existing single family residence.

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

THE VOTE

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

APPLICANT: Saavedra Lewis

CAL NO.: 320-17-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3437 S. Halsted Street

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

JUL 24 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERC'YE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Rascher Land Trust 8131  
**APPEARANCE FOR:** Nicholas Ftikas  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 8131 W. Rascher Avenue

**CAL NO.:** 321-17-Z

**MINUTES OF MEETING:**  
 June 16, 2017

**NATURE OF REQUEST:** Application for a variation to reduce the east setback from the required 10.25' to 5.24', west setback from 10.25' to 4.41', combined side setback from 30.76' to 9.65' for a proposed second and third floor addition, front porch, balcony and a new roof with a 3.33' projection to the existing single family home.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**



**JUL 24 2017**

**CITY OF CHICAGO  
 ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

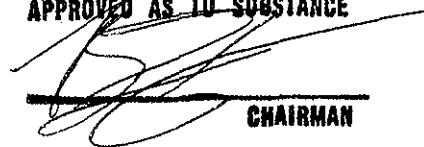
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east setback to 5.24', west setback to 4.41', combined side setback to 9.65' for a proposed second and third floor addition, front porch, balcony and a new roof with a 3.33' projection to the existing single family home; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

APPLICANT: Richard Martin Chappe Trust and Ellen Jo Chappe Trust

CAL NO.: 322-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 627 W. Surf St.

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 34.95' to zero, east and west setback from 2.32' each to zero, combined side setback from 8.7' to zero for an open stair and landing to access a garage roof deck with pergola which shall also contain the 219 square feet of rear yard open space.

ACTION OF BOARD-  
VARIATION GRANTED

THE VOTE

JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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, east and west setback to zero, combined side setback to zero for an open stair and landing to access a garage roof deck with pergola which shall also contain the 219 square feet of rear yard open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

  
CHAIRMAN



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

**APPLICANT:** Salon Republic Inc.

**CAL NO.:** 323-17-S

**APPEARANCE FOR:** Paul A. Kolpak

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6768-72 N. Northwest Hwy.

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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.

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** JSJ Properties LLC **CAL NO.:** 324-17-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6811 W. Raven Street

**NATURE OF REQUEST:** Application for a variation to reduce the required off-street parking from seven spaces to six for the proposed conversion on an existing three story six dwelling unit building to a seven dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

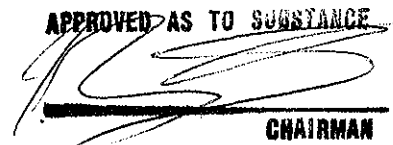
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 six for the proposed conversion on an existing three story six dwelling unit building to a seven dwelling unit building; an additional variation was granted to the subject site in Cal. No. 325-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

APPLICANT: JSJ Properties LLC

CAL NO.: 325-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6811 W. Raven Street

NATURE OF REQUEST: Application for a variation to reduce the minimum lot area from the required 1,000 square feet per unit to 908.71 square feet per unit for the proposed conversion of an existing six dwelling unit building to a seven dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 minimum lot area to 908.71 square feet per unit for the proposed conversion of an existing six dwelling unit building to a seven dwelling unit building; an additional variation was granted to the subject site in Cal. No. 324-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

APPLICANT: 1639-41 N. Artesian Avenue, LLC CAL NO.: 326-17-Z
APPEARANCE FOR: Mark J. Kupiec MINUTES OF MEETING: June 16, 2017
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1639-41 N. Artesian Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 37'-6" to 21'-8" 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

JUL 24 2017
CITY OF CHICAGO
ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 21'-8" for an open stair/bridge to access a proposed garage roof deck which shall also contain the relocated rear yard open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

**APPLICANT:** Garp Development, Inc. **CAL NO.:** 327-17-Z  
**APPEARANCE FOR:** Mark J. Kupiec **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2108 North Bingham Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 20' to 2' on N. Stave Street and the east setback from 2' to zero for a proposed two-car garage with an open stair and roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**'JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 2' on N. Stave Street and the east setback to zero for a proposed two-car garage with an open stair and roof deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Emily and Bryan Forero

**CAL NO.:** 328-17-Z

**APPEARANCE FOR:** Mark J. Kupiec

**MINUTES OF MEETING:**  
June 16, 2017

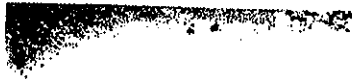
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3213 N. Clifton Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 37.08' to 1.5', the north setback from 2' to zero, (south to be zero), combined side setback from 5' to zero for a proposed stair to access a garage roof deck with pergola which shall contain 115.27 square feet of rear yard open space.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**'JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 1.5', the north setback to zero, (south to be zero), combined side setback to zero for a proposed stair to access a garage roof deck with pergola which shall contain 115.27 square feet of rear yard open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Warrior Capital, LLC

**CAL NO.:** 329-17-S

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
June 16, 2017

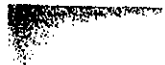
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1440 N. Kingsbury St.

**NATURE OF REQUEST:** Application for a special use to establish a title loan facility.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for a special use; the applicant shall be permitted to establish a title loan 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):

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:** Capesius I, LLC d.b.a. CS Development Partners

**CAL NO.:** 330-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
June 16, 2017

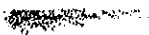
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1335 W. Taylor St.

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 18' on floor containing dwelling units for a proposed four story building with ground floor retail and three dwelling units above.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the variation application; the applicant shall be permitted to reduce the rear setback to 18' on floor containing dwelling units for a proposed four story building with ground floor retail and three dwelling units above; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



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

**APPLICANT:** FAHH LLC – d/b/a First Ascent **CAL NO.:** 331-17-S  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2950 W. Grand Ave.

**NATURE OF REQUEST:** Application for a special use to convert an existing warehouse and office space to an indoor sports and recreational facility with a climbing gym.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated December 16, 2016, prepared by Space Architects and Planners.

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:** Charles J. Fiedler **CAL NO.:** 332-17-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:** June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3516 N. Oakley Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.72' to 2.03', north setback from 2.4' to 0.45', combined side setback from 6' to 3.51' for a proposed roof deck, pergola and exterior stairs on the existing detached garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 2.03', north setback to 0.45', combined side setback to 3.51' for a proposed roof deck, pergola and exterior stairs on the existing detached garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Eros Salon & Spa, Inc.

**CAL NO.:** 333-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6011 W. Grand Ave.

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 and nail salon at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Laura Yopez **CAL NO.:** 334-17-Z  
**APPEARANCE FOR:** Mark J. Kupiec **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1329-1331 N. Wicker Park Ave.

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 22.4' to 2', west setback from 3.84' to zero (east to be 3'), combined side setback from 9.6' to 3' for a proposed rear two-story addition with an attached two car garage on the first floor.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

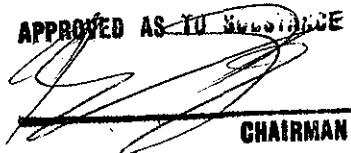
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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', west setback to zero (east to be 3'), combined side setback to 3' for a proposed rear two-story addition with an attached two car garage on the first floor; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** 2250 W. Madison, Inc. **CAL NO.:** 335-17-S  
**APPEARANCE FOR:** Mark J. Kupiec **MINUTES OF MEETING:** June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 5 N. Oakley Boulevard/2250-58 W. Madison Street

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for the proposed conversion of a four-story office and twenty-four dwelling unit building to a twenty-six dwelling unit building.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

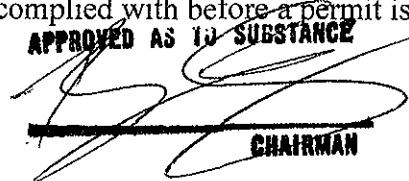
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the special use application; the applicant shall be permitted to establish residential use below the second floor for the proposed conversion of a four-story office and twenty-four dwelling unit building to a twenty-six dwelling unit building at the subject site; a variation was also granted to the subject site in Cal. No. 336-17-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):

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: 2250 W. Madison, Inc.

CAL NO.: 336-17-Z

APPEARANCE FOR: Mark J. Kupiec

MINUTES OF MEETING:

June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5 N. Oakley Boulevard/2250-58 W. Madison Street

NATURE OF REQUEST: Application for a variation to permit the establishment of reduce the required parking by not more than 20% from twenty-six spaces to twenty-four spaces for the conversion of a four-story office and twenty-four dwelling unit building to a twenty-six dwelling unit building.

ACTION OF BOARD- VARIATION GRANTED

THE VOTE



JUL 24 2017

CITY OF CHICAGO ZONING BOARD OF APPEALS

BLAKE SERCYE
SHAINA DOAR
SOL FLORES
SAM TOIA
AMANDA WILLIAMS

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the variation application; the applicant shall be permitted to reduce the required parking by not more than 20% to twenty-four spaces for the conversion of a four-story office and twenty-four dwelling unit building to a twenty-six dwelling unit building; a special use was also granted to the subject site in Cal. No, 335-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

Handwritten signature of the Chairman

CHAIRMAN

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

**APPLICANT:** New Trendsetters, LLC

**CAL NO.:** 337-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3954 W. 63<sup>rd</sup> Street

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** Labor Solutions, LLC

**CAL NO.:** 338-17-S

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6969 W. Grand Avenue

**NATURE OF REQUEST:** Application for a special use to establish a day labor service.

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

**THE VOTE**

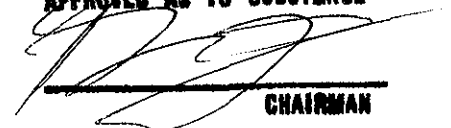


**'JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



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

APPLICANT: Chad Wells

CAL NO.: 339-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1728 N. Wolcott Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 33.88' to 0.50', north from 2' to 0.10', combined side setback from 4.80' to 2.67' for a proposed second floor rear addition with rooftop stair enclosure and a detached two car private garage with roof deck and exterior stairs.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

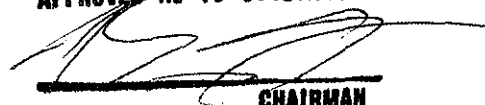
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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 0.50', north to 0.10', combined side setback to 2.67' for a proposed second floor rear addition with rooftop stair enclosure and a detached two car private garage with roof deck and exterior stairs; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Christy Webber and Company

**CAL NO.:** 340-17-Z

**APPEARANCE FOR:** Adam Penkhus

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2900 West Ferdinand Street

**NATURE OF REQUEST:** Application for a special use to establish a Class V recycling facility.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the variation application; the applicant shall be permitted to establish a Class V recycling facility; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** 1500 Venture, LLC

**CAL NO.:** 341-17-Z

**APPEARANCE FOR:** C. Harrison Cooper

**MINUTES OF MEETING:**  
June 16, 2017

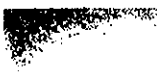
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1500 West Carroll Avenue

**NATURE OF REQUEST:** Application for a variation to reduce parking from the required fifty-two spaces to forty-two spaces for the conversion of an existing five-story vacant building to be converted to an office building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

  
**'JUL 24 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the variation application; the applicant shall be permitted to reduce parking to forty-two spaces for the conversion of an existing five-story vacant building to be converted to an office building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED, AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Shalisa Stuckie **CAL NO.:** 342-17-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 953 W. 87<sup>th</sup> Street  
**NATURE OF REQUEST:** Application for a special use to establish a nail salon.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Melissa Gomez

**CAL NO.:** 343-17-S

**APPEARANCE FOR:** Edwin Reyes

**MINUTES OF MEETING:**  
June 16, 2017

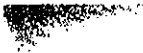
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1754 W. Division St.

**NATURE OF REQUEST:** Application for a special use to establish a body art service (tattoo semi-permanent makeup).

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

**THE VOTE**



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Timothy Swanson **CAL NO.:** 344-17-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2248 W. Adams Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 15' to 8.33', west setback from 2' to 0.08' (east to be 0.67'), combined side setback from 3.75' to 0.75' for a proposed three-story single family residence, a front open porch, a rear open deck and a detached one car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

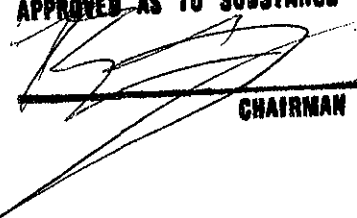
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the variation application; the applicant shall be permitted to reduce the front setback to 8.33', west setback to 0.08' (east to be 0.67'), combined side setback to 0.75' for a proposed three-story single family residence, a front open porch, a rear open deck and a detached one car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

APPLICANT: Sam Sanchez

CAL NO.: 345-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3518-22 N. Clark Street

NATURE OF REQUEST: Application for a special use an outdoor roof top patio on an existing one story restaurant.

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE



JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 16, 2017, prepared by IPSA Corporation.

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:** Sam Sanchez **CAL NO.:** 346-17-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3524 N. Clark Street

**NATURE OF REQUEST:** Application for a special use to establish an outdoor roof top patio on an existing one story restaurant.

**ACTION OF BOARD-**  
**Continued to August 18, 2017 at 2 p.m.**

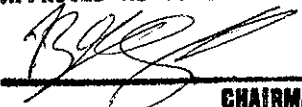
**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
		X

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Sarah's Circle**

APPLICANT

**347-17-S & 349-17-Z**  
CALENDAR NUMBERS

**4654 N. Sheridan Road**

PREMISES AFFECTED

**June 16, 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 application for the variation is approved.

Blake Sercye  
Shaina Doar  
Sol Flores  
Sam Toia  
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE AND VARIATION APPLICATIONS  
FOR 4654 N. SHERIDAN ROAD BY SARAH'S CIRCLE**


**I. BACKGROUND**

Sarah's Circle (the "Applicant") submitted a special use application and a variation application for 4654 N. Sheridan Road (the "subject property"). The subject property is currently zoned B2-5 and is improved with a two-story building. The Applicant proposed to raze the existing building on the subject property and redevelop the subject property with a six-story building with thirty-eight (38) single-room occupancy units, fifty (50) shelter beds and approximately 1900 square feet of commercial/office space. To permit the proposed development, the Applicant sought a special use to establish a fifty (50) bed temporary overnight shelter on the second floor of the proposed building. The Applicant also sought a variation to increase the permitted height of the proposed building by no more than ten percent (10%) from fifty-five feet (55') to sixty and one-half feet (60.5'). In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed special use, provided the development was consistent with the design and layout of the plans and drawings dated May 9, 2017, prepared by Perkins + Will.

**II. PUBLIC HEARING**

**A. The Hearing**

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use and variation applications at its regular meeting held on June 16, 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 executive director Ms. Kathy Ragnar and its attorney Mr. Steve Friedland were present. Also present on behalf of the Applicant were the Applicant's expert witnesses: Mr. Christopher Hale and Mr. Timothy Barton. Testifying in support of the applications were the following individuals: Alderman James Cappelman, Ms. Lyda Jackson, Ms. Stephanie Sideman, Mr. Martin Sorge, Ms. Sharon Paa, Mr. Ed Kuske and Mr. Aaron Kurtz. Testifying in opposition to the applications were the following individuals: Mr. Ronald Fotopoulos, Mr. Jeff Souva, and Ms. Cindi Anderson.

The Applicant presented the testimony of Ms. Kathy Ragnar, the executive director of the Applicant. Ms. Ragnar testified as to the Applicant's mission of serving homeless women. She testified as to operations of the Applicant's existing fifty (50) bed interim housing program at 4750 N. Sheridan Road – approved by the ZONING BOARD OF APPEALS in 2013 under Board Calendar Number 44-13-S – and testified that should the proposed special use be approved, said existing fifty (50) bed interim housing program would relocate to the subject property. She testified that the subject property was a little over a block away from the Applicant's existing location at 4750 N. Sheridan. Based on her knowledge and experience as a provider of interim housing, she testified that the Applicant's proposed special use met all criteria necessary for a special use.

Ms. Ragnar testified that the proposed development would include not only fifty (50) beds for interim housing but also thirty-eight (38) units of permanent housing. She testified that it was necessary for the Applicant to co-locate the permanent housing and the interim housing within the same building. Consequently, she testified that the height increase was necessary and without said height increase, practical difficulties or particular hardships would be created for the Applicant. She testified that without said height increase, the Applicant's proposed development would not create efficiency for the low income tax credits the Applicant would be receiving for the proposed development. She testified as to her familiarity with the neighborhood and testified that the proposed variation would not alter the essential character of said neighborhood. She further testified that the Applicant's proposed variation met all criteria necessary for a variation.

The Applicant presented the expert testimony of its project architect Mr. Christopher Hale. Mr. Hale testified that the height of the proposed building contributed to the viability of the Applicant's development because it permitted a sufficient number of dwelling units and allowed the Applicant's interim housing to be housed in the same building. He testified as to the other improvements in the surrounding neighborhood. He then testified that the Applicant's proposed variation met all criteria necessary for a variation.

The Applicant presented the expert testimony of its land planner Mr. Timothy Barton. Mr. Barton testified as to how the Applicant's proposed special use met all criteria necessary for a special use.

In response to questions from the ZONING BOARD OF APPEALS, Ms. Ragnar further testified that with respect to the request for the variation, the Applicant's particular hardship was not self-created. She testified that the Applicant chose the subject property due to its proximity not only to the Applicant's existing daytime program but also the Applicant's need to stay in the Uptown area as it works collaboratively with other supportive services in Uptown. She testified that within this certain location there were not many properties that could work for the Applicant, especially in regards to cost.

Ms. Lyda Jackson, a resident of the Uptown community and a staff member of Cornerstone Community Outreach, Ms. Stephanie Sideman, of 2436 W. Farragut and with the Corporation for Supportive Housing, Mr. Martin Sorge, Executive Director of Uptown United, Ms. Sharon Paa of 4707 N. Malden and former resident of Sarah's Circle interim housing, Mr. Ed Kuske, President of the Castlewood Terrace Association, and Mr. Aaron Kurtz, of 5409 N. Malden, all testified in support of the Applicant's applications.

Mr. Ronald Fotopoulos, of 1000 W. Leland, testified in opposition to the Applicant's applications. His opposition stemmed from his belief that the Uptown area was "saturated" with low-income housing.

Mr. Jeff Souva, of 1000 W. Leland, testified in opposition to the Applicant's application for a variation. His opposition stemmed from his belief that the Applicant's request for a variation did not conform the Chicago Zoning Ordinance. In particular, Mr. Souva was under the belief that Section 17-13-1003-L of the Chicago Zoning Ordinance controlled the ZONING BOARD OF APPEALS' decision with respect to the variation.

The ZONING BOARD OF APPEALS noted that this section of the Chicago Zoning Ordinance stated the standards relating to building height relief via an administrative adjustment rather building height relief via a variation.

Ms. Cindi Anderson, of 937 Lakeside Place, also testified in opposition to the Applicant's applications. Her opposition stemmed from her belief that the Applicant's fifty (50) bed interim housing program was better suited for its current location at 4750 N. Sheridan Road than the proposed new location at the subject property. Further, she believed that there would be no need for the variation if only the permanent supportive housing were located on the subject property.

Alderman James Cappleman testified in support of the Applicant's applications.

A. 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.

#### 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 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 proposed special use will be located in the Applicant's proposed six-story building. Said six-story building will be located in a B2-5 zoning district and will meet the Floor Area Ratio ("FAR") limits for said zoning district. Moreover, the interim housing use is allowable as a special use within the B2-5 zoning district.

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

The proposed special use is in the interest of the public convenience as there is a high demand for housing for the homeless. As very credibly testified to by Ms. Ragnar, there are only thirty-nine (39) other interim housing programs of this type in the City of Chicago ("City"). The proposed special use will not have a significant adverse impact on the general welfare of the neighborhood due to the Applicant's 24/7 staffing model and audits by other agencies, including the City. Moreover, the Applicant has been operating an identical special use on the same block since 2013 without any significant adverse impact to the general welfare of the neighborhood – as very credibly testified to by Mr. Ed Kuske in his discussion of the relations between the Applicant and other members of the Uptown community.

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

The proposed special use will be located within a new six-story building. Said new six-story building – as very credibly testified to by Mr. Hale and Mr. Barton – is compatible with the mid to high-rise residential character of the surrounding area in terms of site planning and building scale and project design.

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

The proposed special use will be operated identically to the Applicant's existing special use at 4750 N. Sheridan Road. There will be a strict curfew for those

women in the interim housing program. In addition, there will be an exterior lighting plan to ensure that the front and rear of the property are secure. Traffic generation will not be an issue as none of the women living in the proposed six-story building will have automobiles. The Applicant's program of development has set aside an enclosed smoking area at the rear of the property so that those living in the interim housing will not congregate on the sidewalks and alleys.

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

As noted above, the proposed special use will be located within a new six-story building. None of the residents in the six-story building will have cars. There will be no curbcuts or driveways associated with the Applicant's development on the subject property. Consequently, there will be no conflict between pedestrians and automobiles due to the special use. As noted above, there will be exterior adequate lighting which will also promote pedestrian safety and comfort.

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.*

The Applicant needs a certain number of supportive housing units to make the Applicant's development viable. Further, the Applicant needs to stay near its existing daytime program as well as other supportive services in the Uptown area. Consequently, strict compliance with the regulations and the standards of the Chicago Zoning Ordinance create practical difficulties for the subject property.

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

The requested variation maintains orderly and compatible land use and development patterns in accordance with Section 17-1-0508 of the Chicago Zoning Ordinance. The requested variation maintains a range of housing choices and options in accordance with 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.*

As Ms. Ragnar very credibly testified, the Applicant needs the fifty (50) bed interim housing, the thirty-eight (38) unit supportive housing and the programming to be located within one building in order to create efficiency for the Applicant's low-income housing tax credits. Without the requested variation, the Applicant's building could not viably generate the amount of low-income housing tax credits necessary to allow the Applicant to build the proposed development at the subject property.

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

The Applicant's practical difficulty is not only that the Applicant needs a certain number of supportive housing units to make the development viable but also that Applicant needs to remain near its existing daytime program as well as other supportive services in the Uptown Area. This is not generally applicable to other similarly situated property.

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

The variation, if granted, will not alter the essential character of the neighborhood. As Mr. Hale and Mr. Barton very credibly testified, the neighborhood has a mid to high-rise residential character. Improvements on the nearby properties range from twenty-four (24) to three (3) stories. Consequently, the Applicant's proposed six (6) story building will not be out of place.

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.*

As noted above, the Applicant needs to stay within a certain geographical area so that it can remain physically close to not only its existing daytime program location but also the surrounding supportive agencies. The Applicant found it very challenging to find a property that remained within these particular

surroundings for its proposed development. To deny the variation would therefore result in particular hardship on the Applicant.

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

The condition that the Applicant needs a certain number of supportive housing units to make the development viable and that the Applicant needs to remain near its existing daytime program as well as other supportive services in the Uptown area are not conditions applicable, generally, to other property in the B2-5 zoning classification.

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

As noted above, the Applicant's request for the variation is to ensure the developments economic viability. Further, the Applicant is a not-for-profit that provides services to homeless women.

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

As very credibly testified to by Ms. Ragnar, the Applicant was founded in Uptown by neighborhood women to help homeless women living in Uptown. The Applicant did not create the situation of the homeless women in Uptown nor did the current owner of the subject property. Therefore, the practical difficulty of the Applicant's need to remain near its existing daytime program as well as other supportive services in the Uptown area has also not been created by the Applicant or the owner of the subject 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.*

As noted above, the neighborhood is mid to high rise residential. A height increase of no more than ten percent (10%) will not be detrimental to the public welfare or injurious to other property in the area.

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.*

From the plans submitted it is clear that the proposed variation will not impair an adequate supply of light and air to the 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.

#### 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 condition:

1. The development shall be consistent with the design and layout of the plans and drawings dated May 9, 2017, prepared by Perkins + Will; and
2. The special use shall be nontransferable and limited solely to Sarah's Circle. In the event that another entity seeks to operate a temporary overnight shelter on the subject property, a new special use shall be needed.

The ZONING BOARD OF APPEALS hereby approves the Applicant's application for a 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:** Sarah's Circle

**CAL NO.:** 348-17-S

**APPEARANCE FOR:** Steve Friedland

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4654 N. Sheridan Road

**NATURE OF REQUEST:** Application for a variation to eliminate the one required loading berth for a proposed six-story building.

**ACTION OF BOARD-  
APPLICATION WITHDRAWN**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Vienna Beef Ltd.

**CAL NO.:** 350-17-S

**APPEARANCE FOR:** Mariah Digrino

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2401-21 N. Damen Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
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 June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 one-story 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 landscape plan and the elevations, both dated June 16, 2017 and prepared by OKW Architects. In regards to the elevations, the development should be consistent with the materials called out on the drawings, which include face brick, aluminum storefronts with clear glazing, painted steel lintels and columns, metal cornices, and fabric awnings.

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: Vienna Beef Ltd.

CAL NO.: 351-17-S

APPEARANCE FOR: Mariah Digrino

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1900-16 W. Fullerton Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**'JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
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 June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 dual lane drive-through to serve a proposed fast food restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the landscape plan dated June 16, 2017, prepared by OKW Architects.

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Michael Grisko & Corey Grisko**  
APPLICANTS

**352-17-Z**  
CALENDAR NUMBER

**1030 N. Honore Street**  
PREMISES AFFECTED

**June 16, 2017**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for  
the variation is denied.

Blake Sercye  
Shaina Doar  
Sol Flores  
Sam Toia  
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<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 1030 N.  
HONORE STREET BY MICHAEL GRISKO & COREY GRISKO**

**I. BACKGROUND**

Michael Grisko and Corey Grisko (collectively, the "Applicant") submitted a variation application for 1030 N. Honore Street (the "subject property"). The subject property is currently zoned RT-4 and is improved with a three-story, three-unit condominium building. The Applicant's unit had exclusive access to the garage rooftop deck. The Applicant proposed to build a bridge to access said garage rooftop deck. In order to permit said bridge, the Applicant sought a variation to reduce the rear setback from the required 37.55' to 21.33'.

**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 June 16, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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. Mr. Michael Grisko and the Applicant's attorney Mr. Mark Kupiec were present. The Applicant's architect Mr. John Hanna 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.

The Applicant presented the testimony of Mr. Michael Grisko. Mr. Grisko testified that the Applicant's unit had exclusive access to the garage rooftop deck. He testified that a bridge to said rooftop deck would be "very convenient" given the location of the Applicant's unit to said rooftop deck. Mr. Grisko further testified that there were several other bridges accessing garage rooftop decks in the neighborhood.

The Applicant presented the expert testimony of its architect Mr. John Hanna. Mr. Hanna testified that his testimony would be consistent with his affidavit attached to the Applicant's proposed Findings of Fact.

In response to questions by the ZONING BOARD OF APPEALS, Mr. Grisko further testified that the existing three-story, three-unit building on the property was built with a rear stairway system. He testified that this rear stairway makes a bridge to the rooftop deck especially inconvenient to the Applicant. He testified that a bridge was more accommodating than walking all the way down from the Applicant's unit to grade and then back up from grade to a rooftop deck.

Mr. Kupiec then explained that the three-story, three-unit building was a new building and that said building and its rear stairway system had been built as of right.

Mr. Hanna further testified that the rear stairway system did restrict the amount of land available for another staircase. He testified that because of this, the bridge was more convenient to 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 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.*

Both Mr. Grisko and Mr. Hanna testified that the proposed variation would be "more convenient" to the Applicant. Under Illinois law, "[a] 'particular hardship' does not mean a hardship that is self-imposed, or that a piece of property is better adapted for a forbidden use than for one which is permitted, or that a variation would be to the owner's profit or advantage or convenience." *River Forest State Bank & Trust Co. v. Zoning Bd. of Appeals of Maywood*, 34 Ill.App.2d 412, 419 (1st Dist. 1961). Further, and as discussed in more detail below, to the extent there is any hardship or practical difficulty, such hardship or practical difficulty is self-imposed.

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.*

Mr. Hanna testified that the three-unit building on the subject property had been built as of right. Mr. Grisko testified that all three units in the three-unit building on the subject property had been sold. He further testified that the Applicant had purchased one of these three units. Clearly, the subject property can yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance. Although the Applicant stated in its proposed Findings of Fact that it needed the variation to obtain a reasonable return on its investment, the fact that the Applicant's unit would be worth more if the variation were granted is irrelevant to the determination of the issue as to whether the subject property is yielding a reasonable return under the standards of the Chicago Zoning Ordinance. *Bayer v. Zoning Board of Appeals of the City of Chicago*, 126 Ill.App.2d 374, 378-9 (1st Dist. 1970).

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

To the extent that the Applicant claimed its practical difficulty or particular hardship was that it would lose rear yard open space if it provided access to the proposed garage rooftop deck via rear yard stair, such an argument is generally applicable to all property with a garage roof deck. To the extent that the Applicant claimed its practical difficulty or particular hardship was that it needed to make a reasonable return upon its investment, the fact that the Applicant paid more for exclusive rights to a garage roof deck it could not access and thus paid more for the unit than the property was worth does not establish a hardship in relation to zoning. *Reichard v. Zoning Board of Appeals of the City of Park Ridge*, 8 Ill.App.3d 374, 381 (1st Dist. 1972).

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 Applicant presented no evidence that the particular physical surroundings, shape or topographical condition of the subject property results in a particular hardship upon the Applicant. In fact, Mr. Grisko – the sole representative of the



Applicant – testified that the requested variation would be “more convenient” than complying with the Chicago Zoning Ordinance. The Applicant’s project architect Mr. Hanna echoed this. As set forth in the Chicago Zoning Ordinance, a particular hardship must be more than a “mere inconvenience.” Further, and as discussed in more detail below, the Applicant knowingly purchased a unit in a new building that had exclusive rights to use a garage rooftop deck when said garage rooftop deck was inaccessible. To the extent that this lack of access is considered a topographical condition of the subject property and is alleged to be a hardship, said hardship is self-created.

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

The Applicant argues that it needs the requested variation to make a reasonable return upon its investment. However, the Applicant knowingly purchased a unit in a new building that had exclusive rights to use a garage roof deck when said garage roof deck was inaccessible. The fact that it now needs a variation to make a reasonable return upon its investment implies that the Applicant paid more for the unit than the property was worth as zoned. Consequently, the purpose of the variation is to recoup the Applicant’s loss and thus a desire to make more money out of the property.

3. *The alleged practical difficulty or particular hardship has been created by the person presently having an interest in the property.*

The Applicant knowingly purchased a unit in a new building that had exclusive rights to use a garage rooftop deck when said garage rooftop deck was inaccessible. Indeed, at the time of the hearing before the ZONING BOARD OF APPEALS said garage rooftop deck was still inaccessible. Though the Applicant argued in its proposed Findings of Fact that it needed the requested variation to obtain a reasonable rate of return on its investment, the Applicant’s expectation that it could obtain a variation apparently resulted in the payment of a price for the unit greater than the value of the property as zoned. The alleged hardship was therefore created by the Applicant and not by the Chicago Zoning Ordinance. *Asbach v. Zoning Board of Appeals of the City of Chicago*, 133 Ill.App.2d 22, 24 (1st Dist. 1971).

#### 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.*).

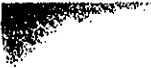
**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905**

**APPLICANT:** Stephen M. Waldon and Amy Waldon **CAL NO.:** 353-17-Z  
**APPEARANCE FOR:** Mark J. Kupiec **MINUTES OF MEETING:** June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2143 N. Claremont Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 28' to 21' 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**



**'JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 roof deck which shall also contain the relocated rear yard open space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** Arlana Andrews

**CAL NO.:** 354-17-S

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2044 W. Chicago Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
		X

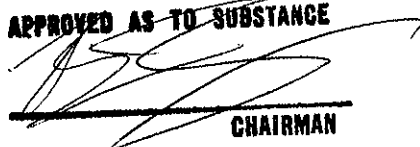
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a nail salon at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; an additional special use was granted to the subject site in Cal. No. 355-17-S; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Arlana Andrews **CAL NO.:** 355-17-S  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2044 W. Chicago Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a body art service (micro blading/tattoo).

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
		X

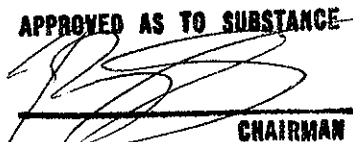
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a body art service (micro blading/tattoo) at the subject site; an additional special use was granted to the subject site in Cal. No. 354-17-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** 1912 Erie, LLC

**CAL NO.:** 356-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1912 W. Erie Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.02' to 20.5' for a catwalk connected to the rear stairs to access a garage roofdeck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 20.5' for a catwalk connected to the rear stairs to access a garage roofdeck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

APPLICANT: Chicago Title and Land Trust Number 8002369747

CAL NO.: 357-17-S

APPEARANCE FOR: William J.P. Banks

MINUTES OF MEETING:  
June 16, 2017

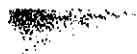
APPEARANCE AGAINST: None

PREMISES AFFECTED: 1932-1934 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the north setback from the required 5' to 3' (south to be 3'), combined side setback from 10' to 6', rear setback from 28' for an three-story, single family residence with an attached five car garage which shall also contain the required 416 square feet of relocated rear yard open space.

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

THE VOTE



JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
RECUSED		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** NA Builders Inc. **CAL NO.:** 358-17-S  
**APPEARANCE FOR:** Mary Grieb **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 511 S. California Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a one-story gas station with retail food.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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-story gas station with retail food at the subject site; a variation was also granted to the subject site in Cal. No. 359-17-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 May 16, 2017, as well as the floor plan and elevations dated September 12, 2012, all prepared by R. Don Johnson, Architect.

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:** NA Builders

**CAL NO.:** 359-17-Z

**APPEARANCE FOR:** Mary Grieb

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 511 S. California Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the minimum required lot area from 20,000 square feet to 15,625 square feet for a proposed one-story gas station with retail food.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
		X

**THE RESOLUTION:**

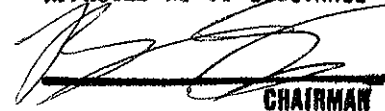
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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 minimum required lot area to 15,625 square feet for a proposed one-story gas station with retail food; a special use was also granted to the subject site in Cal. No. 358-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



JUL 24 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Michael Molinski**  
APPLICANT

**360-17-Z**  
CALENDAR NUMBER

**6826 N. Wildwood Avenue**  
PREMISES AFFECTED

**June 16, 2017**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

The application for the variation is approved.

	AFFIRMATIVE	NEGATIVE	ABSENT
Blake Sercye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shaina Doar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 6826 N.  
WILDWOOD AVENUE BY MICHAEL MOLINSKI**

**I. BACKGROUND**

Michael Molinski (the "Applicant") submitted a variation application for 6826 N. Wildwood Avenue (the "subject property"). The subject property is currently zoned RS-1 and is currently improved with a single-family home with a single-car front-attached garage (the "home"). The subject property has no rear alley access. The Applicant proposed to add an addition to the home. This addition included an expansion to the Applicant's front-attached garage. In order to permit said expansion to the garage, the Applicant sought a variation to reduce: (1) the east setback from the required 6' to 4.5'; and (2) the combined side setback from 18' to 13.64'.

**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 June 16, 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 his proposed Findings of

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

Fact. The Applicant and his attorney Mr. John Pikarski were present. The Applicant's architect Mr. Steven Besch was also present. Testifying in opposition to the application was Mr. Brock Merck. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the expert testimony of his architect Mr. Steven Besch. Mr. Besch testified as to the subject property and its improvements as well to the other properties and their improvements on the block. The Applicant then presented to and the ZONING BOARD OF APPEALS accepted into the record a survey of said block. Mr. Besch testified as to the survey. He further testified as to his program of development with respect to the proposed addition to the home and the necessity behind the requested variation. In particular, he testified that the Applicant wanted to increase the size of his garage. However, a side-by-side two (2) car garage would necessitate a requested for a 0' east side setback. Consequently, he proposed a plan of development that would include a tandem garage. He testified why the requested variation would not alter the essential character of the neighborhood. He then testified that the proposed variation would not: (1) be detrimental to the welfare of the neighborhood; (2) impair an adequate supply of light and air to adjacent properties; (3) increase street congestion in the area; (4) increase the danger of fire or public safety.

The Applicant Mr. Michael Molinski testified. He testified that he and his wife purchased the home in July 2016. He testified that he and his wife paid \$625,000 for the subject property. He testified that he estimated that the cost of remodeling the home would be approximately \$500,000. He then testified that the requested variation was solely to permit the proposed expansion to the garage and not the rest of the proposed addition. He testified that if the ZONING BOARD OF APPEALS granted the requested variation, there would still be over sixteen feet (16') between the home and the home of the neighbor next-east. He testified that the value of the subject property would be significantly enhanced by the proposed addition. He testified that he intended to live at the home for at least the next twenty-five (25) years.

Mr. Brock Merck, of 6832 N. Wildwood (i.e., the property next-east), testified in opposition to the application. He presented to and the ZONING BOARD OF APPEALS accepted into the record a packet of information detailing his objections. He testified that he attempted to negotiate in good faith with the Applicant in regards to the proposed addition but that negotiations broke down over the Applicant's decision to erect a fence between the subject property and Mr. Merck's property.

The ZONING BOARD OF APPEALS explained to Mr. Merck that the Applicant was not before the ZONING BOARD OF APPEALS for a fence but instead the proposed addition to the garage. Further, the ZONING BOARD OF APPEALS noted that fences, generally, may be built as a matter of right under the Chicago Zoning Ordinance.

Mr. Merck testified that he understood the Applicant was not before the ZONING BOARD OF APPEALS for a fence. He then testified that it was his belief that the

proposed variation would alter the essential character of the neighborhood. He testified that it was his belief that the proposed variation would impair an adequate supply of light to his home.

In response to Mr. Merck's opposition, Mr. Pikarski stated that should the proposed variation be granted, there would still be sixteen (16) feet between the Applicant's home and Mr. Merck's home. Further, the proposed garage will only be eleven feet ten inches (11' 10") tall.

#### 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.*

The subject property has no rear alley, and so the home on the subject property has a front-attached garage. Further, the Applicant's home is currently nonconforming with respect to the east setback. Therefore, as Mr. Besch very credibly testified, almost any addition made to the garage would require a variation.

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

The requested variation promotes the rehabilitation and reuse of older buildings as set forth in Section 17-1-0511. It also protects the character of established residential neighborhoods as set forth in Section 17-1-509 of the Chicago Zoning Ordinance, maintains orderly and compatible land use and development patterns as set forth in Section 17-1-0508 of the Chicago Zoning Ordinance and ensures adequate light, air, privacy and access to property as set forth in Section 17-1-0509 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.*

In purchasing the subject property to be his and his family's future home, the Applicant has made a significant investment into the subject property, and in consequence, the subject property cannot yield a reasonable return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance. One car garages are not reasonable today when most families have more than one car.

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

The fact that the subject property has no rear alley and the fact that the home on the subject property is currently nonconforming with respect to the east setback are unique circumstances that are not generally applicable to other residential property.

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

As Mr. Besch very credibly testified, a side-by-side two-car garage would use up the entire east side yard. In consequence, the Applicant proposes to build a tandem garage. This lessens the Applicant's intrusion into the east setback as the Applicant only needs a setback reduction of one and one half feet (1.5') to build said tandem garage. Moreover, the home on the subject property is already in the east setback. In fact, of the nine (9) homes on the block, four (4) are nonconforming to their side setbacks. Two (2) of these four (4) nonconforming homes have side yard setbacks less than what the Applicant is requesting. There are other multi-car garages in the neighborhood, including a multi-car garage at the property next east at 6832 N. Wildwood. As the Applicant's proposed garage will only be eleven feet ten inches (11' 10") high and as there will still be over sixteen feet (16') between the proposed garage and the home at 6832 N. Wildwood, the Applicant's proposed variation will not interfere with the light and air to the property next east at 6832 N. Wildwood.

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 non-conforming home on the subject property as well as the lack of rear alley to the subject property results in particular hardship upon the Applicant.

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.*

Neither the non-conforming home on the subject property nor the lack of rear alley to the subject property is applicable, generally, to other property within the RS-1 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 subject property as the Applicant intends to make the subject property his and his family's home.

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

The Applicant created neither the non-conforming home on the subject property nor the lack of rear alley to the subject 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.*

The Applicant's proposed variation will allow the Applicant to park another car on his property while ensuring that any intrusion into the east side setback is minimal. As noted above, there are other multi-car garages in the neighborhood, including a multi-car garage at the property next east at 6832 N. Wildwood. Further, since the garage will only be eleven feet ten inches (11'10" high) and will be over sixteen feet (16') from the home next east at 6832 N. Wildwood, the proposed variation will not interfere with the home next east at 6832 N. Wildwood. For all of these reasons, 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 subject property is located.

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 garage will only be eleven feet ten inches (11'10") high. As there will still be over sixteen feet (16') between the Applicant's garage and the home next east at 6832 N. Wildwood, the proposed variation will not impair an adequate supply of light and air to adjacent properties. The variation will not substantially increase congestion in the public streets as the Applicant will be able to park two cars on his property rather than one car. The variation will not increase the danger of fire or endanger the public safety because, as noted above, the Applicant's garage will be located over sixteen (16') feet from the home next east at 6832 N. Wildwood. Further, the variation will not substantially diminish or impair property values within the neighborhood; instead, due to the estimated \$500,000 renovation of the home, the variation will most likely increase 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 the Zoning Administrator is authorized to permit said variation.

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



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

**APPLICANT:** Lamel Collins

**CAL NO.:** 361-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 9939 S. Halsted Street

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

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

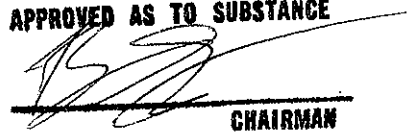
**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Saxony Wilson, LLC

**CAL NO.:** 362-17-Z

**APPEARANCE FOR:** C. Harrison Cooper

**MINUTES OF MEETING:**

June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4601 North Paulina Street

**NATURE OF REQUEST:** Application for a variation to eliminate the one required loading berth for the conversion of an existing four story building to twenty-four dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

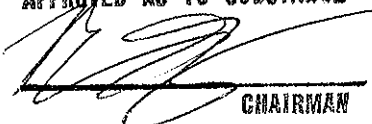
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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 one required loading berth for the conversion of an existing four story building to twenty-four dwelling unit building; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 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:** Lyle Hill **CAL NO.:** 363-17-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 8033 S. Western Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a religious assembly.  
**ACTION OF BOARD-**  
Continued to July 21, 2017 at 2 p.m.

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** PCM Real Estate Investments, LLC **CAL NO.:** 364-17-Z

**APPEARANCE FOR:** Thomas S. Moore **MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1341 W. George Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 37.5' to 21.5' for a proposed open catwalk at the rear of the existing three-story building to access a garage roof deck.

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

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** S.M.A.R.T. Golf Fitness Instructions, Inc. **CAL NO.:** 365-17-S

**APPEARANCE FOR:** Liz Butler

**MINUTES OF MEETING:**  
June 16, 2017

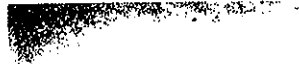
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1315 W. Concord Place

**NATURE OF REQUEST:** Application for a special use to establish a sports and recreation (participant) use.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**THE RESOLUTION:**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

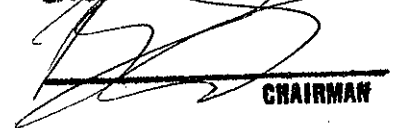
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** R Developing Group, Inc.

**CAL NO.:** 366-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
June 16, 2017

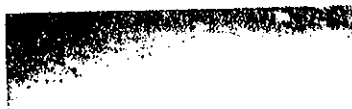
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2621 N. Southport Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 37'-3" to 21'-6" for a proposed open stair / catwalk to access a garage roof deck which shall also contain the relocated rear yard open space.

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

**THE VOTE**

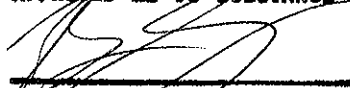


**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

  
\_\_\_\_\_  
**CHAIRMAN**

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

APPLICANT: R Developing Group, Inc.

CAL NO.: 367-17-Z

APPEARANCE FOR: Sara Barnes

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 844 W. Waveland Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 41.1' to 1.94', east setback from 2.85' to 2.38' and the rear setback from the property line to the garage from 2' to 1.94' for an open bridge at the rear of the building to access a garage roof deck.

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

THE VOTE



JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE

*Blake Serbye*  
CHAIRMAN

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

**APPLICANT:** Chicago Auto Repair Inc., d.b.a., Chicago Auto

**CAL NO.:** 368-17-S

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
June 16, 2017

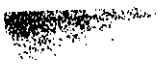
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6901-17 S. Bell Avenue

**NATURE OF REQUEST:** Application for a special use to establish a Class IV-A recycling facility.

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

**THE VOTE**



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**



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

**APPLICANT:** 2418 Ohio, LLC **CAL NO.:** 369-17-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2418 W. Ohio Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 34.82' to 24' for a proposed access connection from the existing rear porch to a proposed garage roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

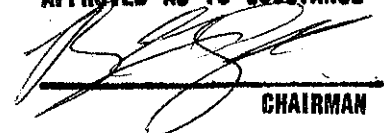
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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 a proposed access connection from the existing rear porch to a proposed garage roof deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
 CHAIRMAN

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

**APPLICANT:** Sukhmit Kalsi

**CAL NO.:** 370-17-Z

**APPEARANCE FOR:** Sara K. Barnes

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 522 N. Claremont Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the south setback from the required 2' to 0.59' for the subdivision of a lot into two zoning lots. The existing two-story, two dwelling unit front building and one dwelling unit rear building will remain.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

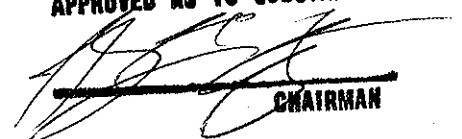
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the south setback to 0.59' for the subdivision of a lot into two zoning lots. The existing two-story, two dwelling unit front building and one dwelling unit rear building will remain; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Sukhmit Kalsi

**CAL NO.:** 371-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
June 16, 2017

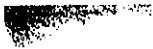
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 520 N. Claremont Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area per dwelling unit from the required 3,000 square feet to 2,884.37 square feet for a proposed three-story, three dwelling unit building.

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

**THE VOTE**



**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Sukhmit Kalsi

**CAL NO.:** 372-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 520 N. Claremont Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 15' to 13.55', south setback from 2' to zero (north to 2.96') combined side setback from 4.6' to 2.96' for a proposed three-story, three dwelling unit building.

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

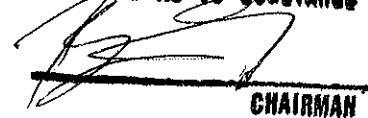
**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Sukhmit Kalsi

**CAL NO.:** 373-17-Z

**APPEARANCE FOR:** Sara Barnes

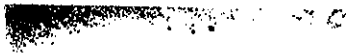
**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 520 N. Claremont Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the off-street parking requirement from three stalls to two stalls for a proposed three-story, three-dwelling unit building.

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



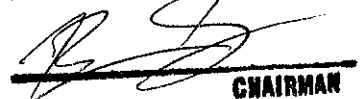
**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

APPLICANT: Jorge Gutierrez

CAL NO.: 374-17-S

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:  
June 16, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6425 S. Central Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 use at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated February 10, 2017, and prepared by Errol Jay Kirsch Architects

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Pui Tak Christian School(c/o David Wu) **CAL NO.:** 375-17-S

**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:** June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2263 S. Wentworth Avenue

**NATURE OF REQUEST:** Application for a special use to expand an existing three-classroom school by adding two additional classrooms in another part of an existing building.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

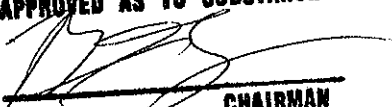
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated June 30, 2016, prepared by Onyx Architectural Services, Inc.

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Erin B. Estelle Declaration of Trust **CAL NO.:** 376-17-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:** June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1766 N. Wilmot Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the south front setback from the required 15' to zero, north rear setback from 31.17' to 9.33', reduce the east setback to zero, west to 3.16', combined side setback from 10' to 3.16' for a proposed three-story, single family residence with parking in the basement.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

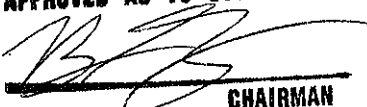
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the south front setback to zero, north rear setback to 9.33', reduce the east setback to zero, west to 3.16', combined side setback to 3.16' for a proposed three-story, single family residence with parking in the basement; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

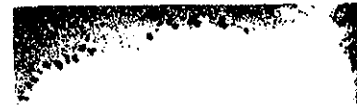
That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Healy Builders, LLC**  
APPLICANT

**377-17-Z, 378-17-Z &  
379-17-Z**  
CALENDAR NUMBERS

**3828 North Racine Avenue**  
PREMISES AFFECTED

**June 16, 2017**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

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

Blake Sercye  
Shaina Doar  
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"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 3828 N.  
RACINE AVENUE BY HEALY BUILDERS, LLC**

**I. BACKGROUND**

Healy Builders, LLC (the "Applicant") submitted three variation applications for 3828 N. Racine Avenue (the "subject property"). The subject property is currently zoned RM-4.5 and is currently vacant and unimproved. The Applicant proposed to develop the subject property with a new three-story, three-unit residential building, with an attached garage and an open rear deck/stairs and rooftop fixture. To permit this proposed construction, the Applicant sought variations to: (1) reduce the front setback from 2.25' to 1.38'; (2) reduce the rear setback from 23.17' to 18.13'; (3) reduce the north and south side setback from 2.44' each to 0' and the combined setback from 6' to 0'; (4) relocate the required rear yard open space to the roof of an attached garage; and (5) reduce the setback from the front building line wall from 20' to 15.25'.

**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 June 16, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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 managing member Mr. Brian Healy and its attorney Ms. Sara Barnes were present. Also present on behalf of the Applicant was the Applicant's project manager Mr. Michael Maresso. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

Ms. Sara Barnes explained to the ZONING BOARD OF APPEALS that the subject property is zoned RM-4.5 and consists of an irregularly shaped substandard lot measuring 30 feet in width by only 73 feet on the south side and 81 feet on the north side in depth. She further explained that the rear of the subject property is situated along a substandard public alley which measures only 13 feet in width.

Ms. Barnes explained that the Applicant had recently met with the neighbor immediately north of the subject property and had reached an agreement. She stated that the Applicant had agreed to relocate the rear access stair to both the garage and the proposed building ("rear access stair") to the south side of the subject property.

The Applicant presented the testimony of its managing member Mr. Brian Healy. Mr. Healy testified that the Applicant is in agreement to relocate the rear access stair from the north side of the subject property to the south side of the subject property. The Applicant then submitted to and the ZONING BOARD OF APPEALS accepted a revised affidavit from Mr. Healy.

The Applicant presented the testimony of its project manager Mr. Michael Maresso. Mr. Maresso testified that relocating the rear access stair from the north side of the subject property to the south side of the subject property did not impact the variations sought by 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 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.*

The subject property is irregularly shaped and significantly substandard in depth. It measures only 73' deep (on the south side) and only 81' deep (on the north side), making the subject property over 50' shorter than a standard City lot. Moreover, the rear of the property is situated along a substandard public alley, which measures only 13' in width and transverses the subject lot at a diagonal.

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

The requested variations will allow the Applicant to construct a three-story, three-unit residential building in a residential district. Thus, the requested variations are consistent with Sections 17-1-503 and 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 proposed variations will allow the Applicant to construct a standard residential building on an irregularly shaped and substandard lot that is accessed by a substandard rear alley. If the Applicant were forced to construct a building in accordance with the standards of the Chicago Zoning Ordinance, said building would not have any usable floor area as a habitable floor plate could not be designed. Moreover, without the variations, the residents of the building would be significantly limited in the amount of outdoor open space they could use on the subject property. A majority of the other properties on this block of Racine Avenue have similar setbacks and similar design elements which provide for reasonable outdoor space for residents (e.g. rooftop decks, garage decks, open porches, terraces and open balconies). The proposed variations, if granted, will allow the proposed building to be comparable to other residential buildings in the area.

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

The practical hardship in this case is two-fold. The subject property is an irregularly shaped lot and is significantly substandard in depth. As noted above, the lot measures only 73' deep (on the south side) and only 81' deep (on the north side). This is over 50' shorter than a standard City lot. Moreover, the rear of the property is situated along a substandard public alley. Again, as noted above, said alley measures only 13' in width and transverses the subject lot at a diagonal. This alley is the only means of vehicular ingress and egress for the subject property. If the subject property were a standard City lot of 25 feet by 125 feet and had a standard City 16 foot alley at its rear, these variations would not be required.

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

In this particular block of Racine, there are five properties on the same side of the street as the subject property. Of these five properties, four have front and rear setback conditions similar to the setback relief sought by the Applicant. These variations, therefore, will allow for the Applicant to preserve the predominant and well-established pattern of development in 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 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 subject property is irregularly shaped and is significantly substandard in depth. Further and as also noted above, the rear of the subject property is situated along a substandard public alley. Due to this, if the Applicant were forced to construct a building in accordance with the standards of the Chicago Zoning Ordinance, said building would not have any usable floor area as a habitable floor plate could not be designed.

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 substandard, irregularly shaped lot and the substandard public alley are not conditions applicable, generally, to other property within the RM-4.5 zoning classification.

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

Under the existing zoning classification of RM-4.5, the Applicant is entitled to build three dwelling units on the subject property. However, due to the irregular shape and substandard size of the subject property as well as the substandard alley to the rear of the subject property, the Applicant cannot construct a three dwelling unit building on the subject property with functional habitable space without the requested variations.

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

The Applicant created neither the irregularly shaped substandard lot nor the substandard alley to the rear of the subject property.

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, there are four other properties on this block of Racine – including the property next-north – that have similar front and rear setback conditions to

those setbacks requested by the Applicant. These variations, therefore, will allow for the Applicant to preserve the predominant and well-established pattern of development in the neighborhood. Based on the foregoing, the variations will not be detrimental to the public welfare or injurious to other properties.

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 noted above, there are four other properties on this block of Racine – including the property next-north – that have similar front and rear setback conditions to those setbacks requested by the Applicant. Further, the property next-north is improved with a three-story building that spans almost the entire length of its lot. The proposed variations will allow for the Applicant to preserve the predominant and well-established pattern of development in the neighborhood and will not impair an adequate supply of air or light to the adjacent properties. Additionally, since the Applicant is providing all of its required parking onsite, the variations will not increase congestion in the area. The proposed building will be masonry in construction with glass and metal accents and, accordingly, it shall not increase the danger of fire. Last, and in light of the foregoing, the proposed improvements are consistent with the character of the area, and should help maintain or cause an increase in 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 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 move the rear access stair from the north side of the subject property to the south side of the subject property.

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

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

**APPLICANT:** Strs L3 ACQ8, LLC

**CAL NO.:** 380-17-Z

**APPEARANCE FOR:** Meg George

**MINUTES OF MEETING:**

June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1504 N. Fremont Street

**NATURE OF REQUEST:** Application for a variation to eliminate the one required loading berth for the conversion of an existing one and two story building to general retail sales.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 one required loading berth for the conversion of an existing one and two story building to general retail sales; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

**231 Scott LLC**

APPLICANT

**381-17-Z**

CALENDAR NUMBER

**231 W. Scott Street**

PREMISES AFFECTED

**June 16, 2017**

HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

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

Blake Sercye  
Shaina Doar  
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"/>
<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 231 W. SCOTT  
STREET BY 231 SCOTT LLC**

**I. BACKGROUND**

231 Scott LLC (the "Applicant") submitted a variation application for 231 W. Scott Street (the "subject property"). The subject property is currently zoned RM-5 and is currently improved. The Applicant proposed to raze the existing improvements and redevelop the subject property with a new four-story, three-dwelling unit building with a three car attached garage. To permit the redevelopment, the Applicant sought a variation to reduce: (1) the rear setback from 39' to 29.66'; (2) the west side setback from 2.64' to 1.5' (east to be 3.5'); and the combined setback from 6.6' to 5'.

**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 June 16, 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 Mr. James Ronan and its attorney Mr. Thomas S. Moore were present. The Applicant's architect Mr. Christopher Boehm was present. Ms. Sharla Daniels, of 1436 West Chase, Ms. Dixie Baker, of 225-227 W. Scott, Mr.

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**



Chethan Shetty, of 225 W. Scott, and Mr. William Pugh, of 235 W. Scott, were also present. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

Mr. Thomas S. Moore explained to the ZONING BOARD OF APPEALS that the Applicant had worked out an agreement with Ms. Daniels, Ms. Baker, Mr. Shetty and Mr. Pugh with respect to the proposed redevelopment on the subject property. The Applicant agreed to move the proposed building's air conditioners to the rear of its proposed building. This was done so that the noise created by said air conditioners would not disturb the neighbor next west Miss Pernella Pugh. Mr. Moore explained that there had been two other individuals in opposition to the Applicant's application. These individuals had left the hearing but had advised they would withdraw their opposition provided that any relief granted by the ZONING BOARD OF APPEALS would be tied to the architectural plans and drawings submitted by the Applicant to the ZONING BOARD OF APPEALS.

Ms. Daniels testified that she and Ms. Baker, Mr. Shetty, and Mr. Pugh were in agreement with Mr. Moore's summation of the agreement with respect to the placement of the air conditioners.

The ZONING BOARD OF APPEALS stated that should the Applicant's variation be approved it would be subject to the two conditions: (1) that the proposed building would be developed consistent with the architectural plans and drawings submitted by the Applicant to the ZONING BOARD OF APPEALS; and (2) that the proposed building's air conditioners would be moved to the rear or the proposed building so that the air conditioners would not disturb Miss Pernella Pugh.

The Applicant presented the testimony of its representative Mr. James Ronan. Mr. Ronan testified as to the necessity of the proposed variation. He testified that there is no alley servicing the subject property. He testified that as the subject property is zoned RM-5, the Applicant can build a three-unit residential building as of right. The Chicago Zoning Ordinance requires this three-unit residential building to have three on-site parking spaces. However, because there is no alley servicing the subject property, all of these on-site parking spaces must be accessed from the street at the front of the subject property. He testified that as the Chicago Zoning Ordinance prohibits off-street parking within twenty feet (20') of the front property line, the Applicant's proposed building must be pushed back. Consequently, he testified that the Applicant required the requested variation.

The Applicant presented the expert testimony of Mr. Christopher Boehm. Mr. Boehm testified that the Applicant met the standards required for a variation.

#### 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.*

As Mr. Ronan credibly testified, there is no alley servicing the subject property. Consequently, all on-site parking must be accessed from the street at the front of

the subject property. Section 17-10-062-A of the Chicago Zoning Ordinance requires all on-site parking to be set back twenty feet (20') from the front property line. This twenty foot (20') setback necessitates that the proposed building be pushed back from the front property line. Due to this, the Applicant requires corresponding rear and side yard setback relief.

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

As Mr. Boehm testified, the requested variation protects the character of established residential neighborhoods pursuant to Section 17-1-0502 of the Chicago Zoning Ordinance. It also helps maintain a range of housing choices and options pursuant to Section 17-1-512.

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 RM-5, and the Applicant is therefore entitled to build a three-unit residential building as of right. However, the subject property's lack of alley access requires that all on-site parking be accessed from the street at the front of the property. Section 17-10-062-A of the Chicago Zoning Ordinance requires all on-site parking to be set back twenty feet (20') from the front property line. Therefore, in order for the Applicant to provide its required on-site parking for its proposed building, the Applicant needs to move its proposed building back from the front property line. This repositioning of the proposed building requires rear and side setback relief. Without this requested rear and side setback relief, the Applicant would not be able to build what is allowed as of right in the RM-5 zoning classification. Consequently, the subject property would not be able to 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.*

The subject property's lack of alley access is a unique circumstance and not generally applicable to other residential property.

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

As Mr. Ronan testified, other improvements in the neighborhood are also pushed back from the front property line as they too lack alley access. Because of this, the variation will not change the essential character of this 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 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 lack of an alley 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 lack of an alley is not a condition generally applicable to other property within the RM-5 zoning classification.

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

As noted above, the subject property is zoned RM-5, and the Applicant is therefore entitled to build a three-unit residential building as of right. However, the subject property's lack of alley access requires that all on-site parking to be accessed from the street at the front of the property. Section 17-10-062-A of the Chicago Zoning Ordinance requires all on-site parking be set back twenty feet (20') from the front property line. Therefore, in order for the Applicant to provide its required on-site parking for its proposed building, the Applicant needs to move its proposed building back from the front property. This repositioning of the proposed building requires rear and side setback relief. Without this requested rear and side setback relief, the Applicant would not be able to build what is allowed as of right in the RM-5 zoning classification. Consequently, the requested variation is not based exclusively upon a desire to make more money out of the subject property but rather a desire to build a building to which the Applicant – due to the subject property's zoning classification – is entitled.

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 subject property's lack of access to an alley.

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.*

Due to the conditions imposed by the ZONING BOARD OF APPEALS, 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.

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.*

As noted above, due to the conditions imposed by the ZONING BOARD OF APPEALS, 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.

#### 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 development on the subject property shall be tied to the architectural plans and drawings that were submitted by the Applicant to the ZONING BOARD OF APPEALS; and
2. The Applicant shall locate the air conditioners at the rear of the proposed building.

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:** David Ayers **CAL NO.:** 382-17-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 11216 S. Drake Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 18.08' to 17', north setback from 4' to 3', south from 4' to 3', combined side setback from 9' to 6' for a proposed two-story single family residence with front open porch and rear open deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

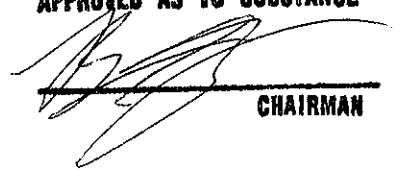
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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 17', north setback to 3', south to 3', combined side setback to 6' for a proposed two-story single family residence with front open porch and rear open deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
 \_\_\_\_\_  
**CHAIRMAN**

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

**APPLICANT:** 1502 W. Wolfram, LLC

**CAL NO.:** 383-17-Z

**APPEARANCE FOR:** Sara K. Barnes

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:**

**NATURE OF REQUEST:** Application for a variation to reduce the east setback from the required 2' to zero, west setback from 2' to zero, combined side setback from 5' to zero, rear setback from 35' to 2' for a proposed one story open stair to access a garage roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**'JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**

\_\_\_\_\_  
CHAIRMAN

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

**APPLICANT:** Martin Brudder

**CAL NO.:** 384-17-Z

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6147 S. Meade Avenue

**NATURE OF REQUEST:** Application for a variation to increase the area for an accessory structure from the maximum of 630 square feet to 673.06 square feet for an addition to the rear of a one story, detached two car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

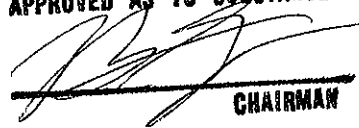
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 16, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 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 area for an accessory structure to 673.06 square feet for an addition to the rear of a one story, detached two car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



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

**APPLICANT:** 1108 Webster LLC

**CAL NO.:** 84-17-Z

**APPEARANCE FOR:** Thomas S. Moore

**MINUTES OF MEETING:**  
June 16, 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 2'\* for an open bridge to access a proposed garage rooftop deck on the existing six-car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 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 reduce the rear setback to 2' for an open bridge to access a proposed garage rooftop deck on the existing six-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

Recommended at Hearing

**APPROVED AS TO SUBSTANCE**  
  
CHAIRMAN

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

APPLICANT: Westford Development LLC

CAL NO.: 229-17-Z

APPEARANCE FOR: Sara K. Barnes

MINUTES OF MEETING:  
June 16, 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-  
VARIATION WITHDRAWN

THE VOTE

JUL 24 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** Westford Development LLC

**CAL NO.:** 230-17-Z

**APPEARANCE FOR:** Sara K. Barnes

**MINUTES OF MEETING:**  
June 16, 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.

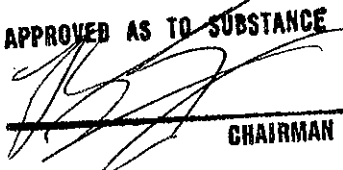
**ACTION OF BOARD-  
VARIATION WITHDRAWN**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Westford Development LLC

**CAL NO.:** 231-17-Z

**APPEARANCE FOR:** Sara K. Barnes

**MINUTES OF MEETING:**  
June 16, 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.

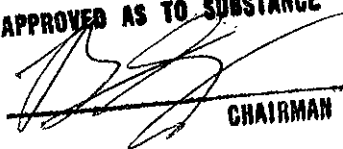
**ACTION OF BOARD-**  
**Continued to July 21, 2017 at 2 p.m.**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Westford Development LLC

**CAL NO.:** 232-17-Z

**APPEARANCE FOR:** Sara K. Barnes

**MINUTES OF MEETING:**  
June 16, 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-  
VARIATION WITHDRAWN**

**THE VOTE**



**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** Westford Development LLC

**CAL NO.:** 233-17-Z

**APPEARANCE FOR:** Sara K. Barnes

**MINUTES OF MEETING:**  
June 16, 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 be 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-  
VARIATION WITHDRAWN**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

<b>AFFIRMATIVE</b>	<b>NEGATIVE</b>	<b>ABSENT</b>
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Sky Real Estate, LLC – Series 2430 N. Albany **CAL NO.:** 259-17-Z

**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2426 N. Albany Avenue

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

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

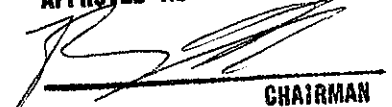
**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Sky Real Estate, LLC – Series 2430 N. Albany **CAL NO.:** 260-17-Z

**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**

June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2426 N. Albany Avenue

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

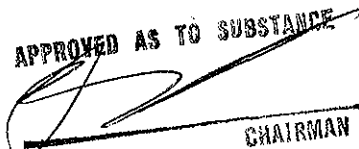
**ACTION OF BOARD-**  
Continued to July 21, 2017 at 2 p.m.

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



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

**APPLICANT:** Sky Real Estate, LLC – Series 2430 N. Albany **CAL NO.:** 261-17-Z

**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2430 N. Albany Avenue

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

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

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

**APPLICANT:** Sky Real Estate, LLC – Series 2430 N. Albany **CAL NO.:** 262-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2430 N. Albany Avenue

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


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

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** La Caridad Jewelry, Inc. **CAL NO.:** 285-17-S  
**APPEARANCE FOR:** Pericles Abbasi **MINUTES OF MEETING:**  
 June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 4246 W. Fullerton Avenue  
**NATURE OF REQUEST:** Application for a special use to permit the establishment of a pawn shop.

**ACTION OF BOARD-  
 APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

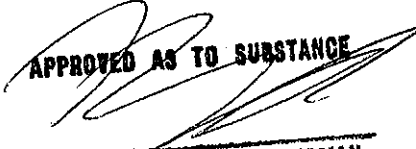
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 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 pawn shop at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Carol and Marc Koif **CAL NO.:** 288-17-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2458 N. Burling Street

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

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**'JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 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 floor area by no more than 8.73% from 3692.74 square feet with an addition of 322.05 square feet for a rear three story addition and rooftop stair enclosure, rear three story open porch, roof top pergola and detached two car garage; two additional variations were granted to the subject site in Cal. Nos. 289-17-Z and 290-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Carol and Marc Koif

**CAL NO.:** 289-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2458 N. Burling Street

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

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

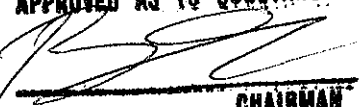
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 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 35.65', north setback to 0.4' (south to be 2.58'), combined side setback to 2.98', the front building line setback for stairway enclosures and pergolas exceeding the maximum height to 12.63'; two additional variations were granted to the subject site in Cal. Nos. 288-17-Z and 290-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Carol and Marc Koif

**CAL NO.:** 290-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2458 N. Burling Street

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

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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		X

**THE RESOLUTION:**

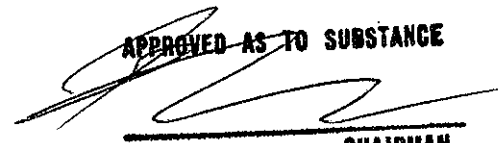
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2017; and

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 spaces to two for an existing three-story, three dwelling unit building; two additional variations were granted to the subject site in Cal. Nos. 288-17-Z and 289-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning ordinance with the standards of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Loyola Properties Limited LLC **CAL NO.:** 296-17-S  
**APPEARANCE FOR:** Martin Murphy **MINUTES OF MEETING:** June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6500-06 W. Imlay Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
		X

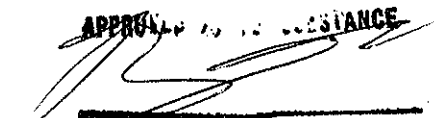
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a residential use below the second floor for a proposed four dwelling unit town home building at the subject site; a variation was also granted to the subject site in Cal. No. 297-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED BY THE CHAIRMAN  
  
CHAIRMAN

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

**APPLICANT:** Loyola Properties Limited LLC **CAL NO.:** 297-17-Z  
**APPEARANCE FOR:** Martin Murphy **MINUTES OF MEETING:** June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6500-06 W. Imlay Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

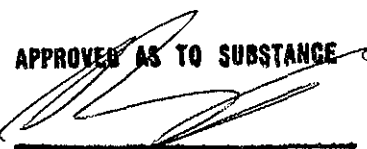
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 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 for a townhome front wall facing a public street to 8.5' for a proposed four dwelling unit townhome building at the subject site; a special use was also granted to the subject site in Cal. No. 296-17-S; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**



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

**APPLICANT:** Chicago Title and Land Trust u/t/a/d 12/6/11 a/k/a  
Trust n. 8002358446

**CAL NO.:** 300-17-Z

**APPEARANCE FOR:** Meg George

**MINUTES OF MEETING:**  
June 16, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2230 N. Dayton Street

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

**ACTION OF BOARD-  
VARIATION WITHDRAWN**

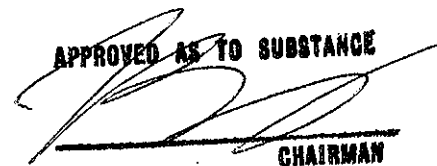
**THE VOTE**

#:

**JUL 24 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Barrett Homes, LLC **CAL NO.:** 309-17-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
June 16, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2243 N. Halsted Street

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

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**JUL 24 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 19, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on May 5, 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 23.42' for a proposed open connection between an open stair and a landing to access a garage roof deck; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 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**