CITY OF CHICAGO ZONING BOARD OF APPEALS FRIDAY – February 20, 2015 121 North LaSalle Street – Room 200

MINUTES

PHYSICALLY PRESENT FOR ALL OR SOME PORTIONS

Jonathan Swain, Chairman Catherine Budzinski Sol Flores Sam Toia Sheila O'Grady

Chairman Swain called the meeting to order at 9:15 AM and then undertook a roll call to establish the presence of a quorum. The morning hearing commenced with three members present (Swain, Budzinksi, and Toia). O'Grady arrived at 9:20 AM. Flores arrived at 9:40 AM.

Motion to approve minutes from January 16, 2015 regular meeting made by Chairman Swain. Second by Toia. Motion carried 3-0; yeas – Swain, Budzinski and Toia. Motion to approve February 20, 2015 agenda made by Chairman Swain. Second by Toia. Motion carried 3-0; yeas – Swain, Budzinski and Toia.

<u>9:00 A.M.</u>

28-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-2Ward: 1Efferquest, LLC Series 11505 Milwaukee, LLC1501 North Milwaukee AvenueApplication for a special use to establish an outdoor roof top patio for aproposed restaurant.Approved 3-0; yeas – Swain, Budzinski, andO'Grady (Toia recused).	
29-15-Z	Zoning District: C1-2 Ward: 33	
Applicant:	Deportiva De Futbol Corp.	
Owner:	Noah Won Yoo	
Premises Affected:	3040 West Lawrence Avenue	
Subject:	Application for a variation to establish a public place of amusement license for an indoor sports and recreation soccer facility located within 125' of an RS-3 Residential Single-Unit (Detached House) District. Approved 3-0; yeas – Swain, Budzinski, and Toia.	
30-15-Z	Zoning District: B1-2 Ward: 32	

Applicant: Owner: Premises Affected: Subject:	requirement from one (1) space conversion of a rear, detached, one space, into accessory dining space	luce the off-street, accessory parking to zero (0) spaces to allow for the e-story building, with one (1) parking to serve the existing restaurant on the ng, in the front of the lot, with one (1) drawn.
31-15-Z Applicant: Owner: Premises Affected: Subject:	to reduce the combined side setbac rear setback from 30.04' to 3' for a floor addition to an existing, one-sto	Ward: 44 e the north side setback from 2' to 0'; ck from 5' to 3.5'; and, to reduce the proposed, second floor and front, two ory, three-unit building being converted site parking. Approved 4-0; yeas – Toia.
32-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-2 Estafania Antopia Chicago Title Land Trust Company, 3652 West 26 th Street Application for a special use to esta yeas – Swain, Budzinski, O'Grady	ablish a beauty salon. Approved 4-0;
33-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B1-5 Donnie Farrow/DBA The Spotlight 5242 S. Hyde Park, LLC 1648 East 53 rd Street Application for a special use to es yeas – Swain, Budzinski, O'Grady	Ward: 5 tablish a barber shop. Approved 4-0; y, and Toia.
34-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-1 Toan Bao Truong Austin & Addison Plaza, Inc. 3550 North Austin Avenue Application for a special use to estab – Swain, Budzinski, O'Grady, and	Ward: 36 Dish a nail salon. Approved 4-0; yeas 1 Toia.
35-15-S Applicant: Owner:	Zoning District: B1-2 Kent Watkins Shepherd Real Estate Subsidy, LLC	Ward: 43

Premises Affected: Subject:	935 West Diversey Parkway Application for a special use to establish a barber shop and beauty salon. Continued until March 20, 2015 at 2:00 PM.	
36-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-2Ward: 1Nader Yahyasame as applicant2006 West Division StreetApplication for a special use to establish a liquor store for the sale ofpackage goods.Approved 4-0; yeas – Swain, Budzinski, O'Grady,and Toia.	
37-15-Z Applicant: Owner: Premises Affected: Subject:	Zoning District: RS-3Ward: 35Adam Grimmsame as applicant4125 North Bernard StreetApplication for a variation to reduce the front setback from 39' to 14.38'and to reduce the west side setback from 3' to 2.3' for a proposed,two-story single-family residence with a rear, detached, three-car garage.Approved 4-0; yeas – Swain, Budzinski, O'Grady, and Toia.	
38-15-Z Applicant: Owner: Premises Affected: Subject:	Zoning District: RS-3Ward: 35Adam Grimmsame as applicant4125 North Bernard StreetApplication for a variation to increase the maximum allowed building height of 30' by no more than 10% (32.5') for a proposed, two-story single-family residence with a rear, detached, three-car garage. Approved 4-0; yeas – Swain, Budzinski, O'Grady, and Toia.	
39-15-Z Applicant: Owner: Premises Affected: Subject:	Zoning District: RS-2 Ward: 50 David and Shira Cheplowitz same as applicant 2901 West Estes Avenue Application for a variation to reduce the front setback from 20' to 17.5' for a proposed 3.83' x 14' terrace/patio pit/window well and to reduce the rear setback from 32.99' to 6.92' for a proposed open stair exceeding 6' in height and a second floor addition to an existing, single-family residence with a rear, attached garage and a basement kitchen (for religious beliefs). Motion to divide the application into two requests approved 4-0; yeas – Swain, Budzinski, O'Grady, and Toia. Application to reduce the front setback from 20' to 17.5' for a proposed 3.83' x 14' terrace/patio pit/window well denied 4-0; yeas (for motion to deny) – Swain, Budzinski, O'Grady, and Toia. Application to reduce the rear setback from 32.99' to 6.92' for a proposed open stair exceeding 6' in	

height and second floor addition approved 4-0; yeas - Swain, Budzinski, O'Grady, and Toia. 40-15-S **Zoning District: B3-2** Ward: 16 Checkers Drive-In Restaurants, Inc. **Applicant: Owner:** S&J Properties, Inc. **Premises Affected:** 6301 South Ashland Avenue Subject: Application for a special use to establish a one-story restaurant with one Approved 3-0; yeas - Swain, Budzinski, and drive-through lane. O'Grady (Toia recused). 41-15-S **Zoning District: C1-2** Ward: 47 The Cannabis Group, LLC **Applicant: Owner:** Rayan Brothers Enterprises, Inc. and Mansour Rayan **Premises Affected:** 5001-03 North Clark Street Subject: Application for a special use to establish a medical cannabis dispensary. Approved 4-0 subject to the conditions specified on the record; yeas -Swain, Budzinski, O'Grady and Toia. Ward: 14 42-15-S **Zoning District: C3-1 Applicant:** McDonald's USA. LLC **Owner:** GHA Holdings, Inc. **Premises Affected:** 4849 South Kedzie Avenue Subject: Application for a special use to establish a one-story restaurant with a dual-lane drive-through. Approved 3-0; yeas – Swain, Budzinski, and O'Grady (Toia recused). **43-15-S Zoning District: B1-3** Ward: 4 **Applicant:** Dolyva Properties, LLC **Owner:** Toia Building Properties, LP **Premises Affected:** 3102 South Giles Avenue Subject: Application for a special use to establish a residential use below the second floor for a proposed four-story, eight-unit building with eight, rear surface parking spaces. Continued until May 15, 2015 at 2:00 PM. 44-15-S Ward: 4 **Zoning District: B1-3 Applicant:** Dolyva Properties, LLC Toia Building Properties, LP **Owner: Premises Affected:** 3108 South Giles Avenue Subject: Application for a special use to establish a residential use below the second floor for a proposed four-story, eight-unit building with eight, rear surface parking spaces. Continued until May 15, 2015 at 2:00 PM. 45-15-Z **Zoning District: B1-3** Ward: 4 **Applicant:** Dolyva Properties, LLC

Owner: Premises Affected: Subject:	Toia Building Properties, LP 3108 South Giles Avenue Application for a variation to reduce the front setback from 8.75' to 0' for a proposed four-story, eight-unit building with eight, rear surface parking spaces. Continued until May 15, 2015 at 2:00 PM.
46-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-3Ward: 271429 N. Sedgwick, LLLPsame as applicant1429 North Sedgwick StreetApplication for a special use to reduce the size of the ground floor retailunit from 1,020.5 square feet to 592 square feet in an existing, six-story,10-unit building with a rear, first floor, eight-car garage, accessed fromNorth Sedgwick Street.Approved 4-0; yeas – Swain, Budzinski,O'Grady and Toia.
47-15-Z Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-3Ward: 271429 N. Sedgwick, LLLPsame as applicant1429 North Sedgwick StreetApplication for a variation to reduce the rear setback from 30' to 0' for anexisting, six-story, 10-unit building with a rear, first floor, eight-car garage,accessed from North Sedgwick Street. Approved 4-0; yeas – Swain,Budzinski, O'Grady and Toia.
48-15-Z Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-3Ward: 271429 N. Sedgwick, LLLPsame as applicant1429 North Sedgwick StreetApplication for a variation to reduce the 10-space parking requirement byno more than 20% (to eight spaces) for an existing, six-story, 10-unitbuilding with a rear, first floor, eight-car garage, accessed from NorthSedgwick Street.Approved 4-0; yeas – Swain, Budzinski, O'Gradyand Toia.
49-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-3Ward: 27Pink Beard, LLC1429 N. Sedgwick, LLLP1429 North Sedgwick StreetApplication for a special use to establish a hair salon.Withdrawn.

The Chairman moved to recess for lunch at 12:30 PM. Second by Toia. Motion carried 5-0.

<u>2:00 P.M.</u>

The Board reconvened for the afternoon session at 2:11 PM. The Chairman undertook a roll call to establish the presence of a quorum. The afternoon hearings commenced with five members present (Swain, Budzinski, Flores, O'Grady and Toia). Flores left at 7:40 PM and therefore took no part in either closed session or voting.

50-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: C1-1Ward: 39Hookah Palace, Inc.same as applicant4614 West Lawrence AvenueApplication for a special use to establish a hookah bar.Continued untilMarch 20, 2015 at 2:00 PM.	
51-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B1-2Ward: 1814 N Marshfield, Inc.same as applicant814 North Marshfield AvenueApplication for a special use to establish a residential use below the secondfloor for a proposed three-story, six-unit building with an open, three-storyrear deck connected to a rear, six-car garage with a roof top deck.Approved 4-0; yeas – Swain, Budzinski, O'Grady and Toia.	
52-15-Z	Zoning District: RS-3 Ward: 32	
Applicant:	The Michael H. Schiek Trust	
Owner:	same as applicant	
Premises Affected:	2130 West Charleston Street	
Subject:	Application for a variation to reduce the front setback from 10.83' to 8.6'; to reduce the rear setback from 28' to 3.23'; to reduce the east side setback from 2' to 0'; to reduce the west side setback from 2' to 0'; to reduce the combined side setback from 4.8' to 0'; and, to reduce the front setback from the property line for parked vehicles from 20' to 8.6' for a proposed, third floor addition, with a terrace, to an existing, single-family residence with a front, detached, two-car garage. Approved 4-0; yeas – Swain, Budzinski, O'Grady and Toia.	

CONTINUANCES

355-14-S	Zoning District: DX-5	Ward: 42
Applicant:	Erie Acquisitions, LLC	
Owner:	same as applicant	
Premises Affected:	61 West Erie Street	
Subject:	Application for a special use to est	ablish a residential use below the second
	floor for a proposed ten-story, eig	nt-unit building with 16 indoor, at-grade

parking spaces. Approved 4-0 subject to the conditions specified on the record; yeas - Swain, Budzinski, O'Grady and Toia. 399-14-S **Zoning District: B3-2** Ward: 44 MedMar, Inc. **Applicant:** Stanley Kwiatkowski **Owner: Premises Affected:** 2843 North Halsted Street Subject: Application for a special use to establish a medical cannabis dispensary. Denied 4-0; yeas (for motion to deny) - Swain, Budzinski, O'Grady and Toia. 410-14-S **Zoning District: C2-2** Ward: 17 Wendy's Old Fashioned Hamburgers of New York, LLC **Applicant:** 71st & Western, LLC **Owner: Premises Affected:** 7015-43 South Western Avenue Subject: Application for a special use to establish a one-story restaurant with a dual-lane drive-through. Approved 3-0; yeas - Swain, Budzinski, and O'Grady (Toia recused). Ward: 50 412-14-S **Zoning District: B1-2 Applicant:** ZAM's Hope **Owner:** Khan & Associates **Premises Affected:** 6401 North Artesian Avenue/2422 West Devon Avenue Subject: Application for a special use to establish a community center. **Continued** until April 17, 2015 at 2:00 PM. 417-14-Z Ward: 30 **Zoning District: RS-2 Applicant:** Migert Baburi **Owner:** same as applicant **Premises Affected:** 3718 North Springfield Avenue Subject: Application for a variation to reduce the rear setback from 28.84' to 2'; to reduce the north side setback from 5' to 4.33'; and, to increase the floor area ratio from 0.65 to 0.75 for a proposed, two-story, rear addition, including an attached garage, to an existing, two-story, single-family residence. Continued until April 17, 2015 at 2:00 PM. Ward: 36 8-15-Z **Zoning District: B2-3 Applicant:** Jorge Marban **Owner:** Crawford Real Estate Services, Inc. **Premises Affected:** 6310 West Grand Avenue Application for a variation to establish a public place of amusement license Subject: for a proposed indoor soccer facility located within 125' of an RS-3 Residential Single-Unit (Detached House) District. **Continued until** April 17, 2015 at 2:00 PM.

11-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: B3-3Ward: 2Bang Salon4, LLCChabad Living Room, LLC1630 North Milwaukee AvenueApplication for a special use to establish a hair salon.Approved 4-0;yeas – Swain, Budzinski, O'Grady and Toia.
17-15-S Applicant: Owner: Premises Affected: Subject:	Zoning District: DX-7 Ward: 25 POGN, LLC same as applicant 220 South Green Street Application for a special use to establish a non-accessory parking garage for 24 spaces in a proposed 156-space parking garage at this location; the remaining 132 spaces will serve for the exclusive use of the 60 units to be located in this proposed 10-story building. Continued until March 20, 2015 at 2:00 PM.
18-15-Z Applicant: Owner: Premises Affected: Subject:	Zoning District: DX-7 Ward: 25 POGN, LLC same as applicant 220 South Green Street Application for a variation to reduce the rear setback from 30' to 15'; to reduce the rear setback off of the alley for a garage entrance from 2' to 0'; and, to eliminate the one required, off-street 10' x 14' x 25' loading berth for a proposed, 10-story, 60-unit building with a 156-space parking garage located on the first three floors. Continued until March 20, 2015 at 2:00 PM.
21-15-Z Applicant: Owner: Premises Affected: Subject:	Zoning District: DR-7Ward: 2MD's & We're Not Doctors, Inc./DBA Pizano's Pizza & Pasta IChicago Title Land Trust Company, No. 24360864-66 North State StreetApplication for a variation to expand an existing non-conforming eatingand drinking establishment.Approved 3-0; yeas – Swain, Budzinski,and O'Grady (Toia recused).

Motion to move into closed session pursuant to Section 2(c)(4) of the Open Meetings Act for the purpose of considering the evidence and testimony presented in open session made by Chairman. Second by O'Grady. Motion carried 4-0; yeas – Swain, Budzinski, O'Grady, and Toia. Meeting went into closed session at 8:25 PM.

Motion to return to open session for voting made by Chairman. Second by Toia. Motion carried 4-0; yeas – Swain, Budzinski, O'Grady, and Toia. Meeting returned to open session at 8:54 PM.

Motion to approve written resolutions containing finds of fact consistent with the votes of the Board at its regular meetings of December 19, 2014 and January 16, 2015 made by the Chairman. Second by Toia. Motion carried 4-0; yeas – Swain, Budzinski, O'Grady, and Toia.

Motion to adjourn made by Swain. Second by O'Grady. Motion carried 4-0; yeas – Swain, Budzinski, O'Grday, and Toia. Meeting adjourned at 9:00 PM.