

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAY 04 2016
CITY OF CHICAGO

SP Huron, LLC
APPLICANT

433-15-S, 434-15-Z, 435-15-Z
CALENDAR NUMBERS

415 W. Huron Street
PREMISES AFFECTED

February 19, 2016
HEARING DATE

Bernard Citron
APPEARANCE FOR APPLICANT

D. Tiffany Tamplin & 421 W. Huron Condo Assoc.
OBJECTORS

NATURE OF REQUESTS

Application for a special use to establish a residential use below the second floor for an existing five-story office building proposed to be converted into a five-unit seven-story building with three at grade and three below grade parking spaces.

Application for a variation to reduce the rear setback from 30' to 0' for an existing five-story office building converted into a five-unit seven-story building with three at-grade and three below grade parking spaces.

Application for a variation to eliminate the one off-street 10' x 25' loading berth for an existing five-story office building converted into a five-unit seven-story building with three at-grade and three below grade parking spaces.

ACTION OF BOARD

THE VOTE

The application for the variation to reduce the rear setback is denied. The application for the variation to eliminate the loading berth is denied. The application for the special use is denied.

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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*, and as continued

APPROVED AS TO SUBSTANCE

CHAIRMAN

without additional notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

WHEREAS, Mr. Bernard Citron, counsel for the Applicant, explained the history of the subject property and the underlying nature of the relief sought;

WHEREAS, Mr. Jeffrey Perelman, one of the principals of the Applicant, testified on behalf of the Applicant; that the Applicant purchased the subject property in June 2014; that the Applicant had originally intended to rehabilitate the existing building on the subject property ("building") as an office building; that the Applicant subsequently decided this was not feasible; that the immediate neighborhood has a lot of residential construction, and in consequence, the Applicant determined that it would rehabilitate the building into five (5) large condominiums; that in order to make the building's economic returns "work," the Applicant needed the building to have more square footage; that this is why the Applicant is intending to put a duplex unit on top of the building; that there is no other place other than the top of the building to add the square footage; that although the density of the subject property would allow twenty-four (24) units on the subject property, the Applicant believes the neighborhood desires to have larger units for families; that the ground floor of the building is above grade; that this is not very popular with retailers as retailers want things at grade; that the area is not well-traveled and the density of traffic does not lend itself to first floor retail; that a commercial use in this building is not viable at this location; that the Applicant owns other commercial buildings in the River North area and these buildings have vacancies; that the Applicant is aware of other commercial buildings in the River North area have vacancies; that the River North area has become a much stronger residential area than commercial area; and

WHEREAS, Mr. Perelman further testified that move-ins and move-outs from the building could be accommodated without a loading berth; that the Applicant is building larger units that will not be very transient; that therefore, the Applicant does not believe it will average one move-out per year; that with respect to the addition, the Applicant cannot reduce its size or else the condominium unit would not be salable; that the Applicant attempted to keep the height of the building down and wanted to maintain everything about the building that makes it attractive; that the Applicant has the support of the River North Community Organization; and

WHEREAS, Mr. Robert Harris, associate at Pappageorge Haymes Partners, testified on behalf of the application; that Pappageorge Haymes Partners was the architect for the project; that he then briefly described the Applicant's program of development for the building; that the hardship with respect to the request for variation to reduce the loading berth is because the creation of the on-site parking spaces will require structural modification of the building which will make a loading berth very hard to provide; that the hardship with respect to the rear setback is due to the two-story addition; and

WHEREAS, in response to questions by the Board, Mr. Perelman further testified that the building's program of development would be financially unfeasible without the addition to the top of the building; that this is because the Applicant is trying to maximize

its floor area ratio ("FAR") without going above a certain height; that this is also because the building will only be five (5) units instead of fifteen (15) to twenty (20) units; that because there will be only five (5) units, one (1) unit will be twenty-five percent (25%) of the proposed project; that without the addition to the top of the building, the proposed project will not be viable; and

WHEREAS, Mr. Mike Wolin testified on behalf of the application; that his credentials as an expert in real estate appraisal were accepted by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that he then orally testified that the proposed special use: (1) is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood; (2) that as the architect testified earlier, the first floor is above grade and not compatible as a retail use; (3) that commercial use is not compatible at this location as the area is residential; and (4) that residential use would be compatible at this location as the area is residential; and

WHEREAS, Ms. D. Tiffany Tamplin testified in objection to the application; that she is vice-president of the 421 W. Huron Condominium Association ("Condo Association"); that 421 W. Huron is the building next west of the subject property; and

WHEREAS, Mr. David Hartwell, counsel for the Condo Association explained that he had been retained to represent the Condo Association; that Ms. Tamplin was testifying as a unit owner in the 421 W. Huron building; and

WHEREAS, Ms. Tamplin further testified that the addition to the top of the building at the subject property would greatly reduce the light and air to condominiums on the east side of the 421 W. Huron building; and

WHEREAS, Mr. Hartwell stated that the Applicant had presented no evidence as to salability of the building without the proposed addition; that similarly, no evidence had been presented that the proposed variations would not adversely affect the 421 W Huron condominium units due to the reduced sunlight and lack of views; that the Applicant had designed the project so that the variations are required; that the Condo Association has no objection to the special use; and

WHEREAS, in response to the concerns raised by Ms. Tamplin and Mr. Hartwell, Mr. Perelman further testified that the Applicant feels it is fairly familiar with the area; that the Applicant spent a lot of money purchasing the building; that the Applicant could have torn the building down and built a fifteen (15) or twenty (20) story building as a matter of right; that the Applicant chose not to do that; that construction costs are going up; that if the Applicant only put four (4) condominium units in the building, it would not make any money; that the Applicant has purchased over \$200 million worth of residential and commercial real estate in the River North and other neighborhoods in Chicago; that the Applicant is therefore very familiar with what the market wants; that the Applicant will be performing extensive work just to put the parking on-site; that the Applicant will

have to re-pour new floors due to the parking; that ramping up and ramping down is quite expensive; and

WHEREAS, in response to further questions by the Board, Mr. Perelman further testified that even though the Applicant would be pouring a new slab, retail is still not viable on the first floor because there is only one entrance to the building; that residents will not want to share an entrance way with the commercial unit; that the first floor of the building has been vacant for quite some time; that the second floor is presently home to a dance studio; and

WHEREAS, in response to further questions by the Board, Ms. Tamplin further testified that the building next east had retail on the first floor; that said retail was a hair salon; and

WHEREAS, Mr. Perelman testified that the neighborhood is moving away from retail as a restaurant just recently left the neighborhood and there is a completely residential tower being developed at the site of the former restaurant; and

WHEREAS, Ms. Tamplin testified that a new restaurant will be replacing the restaurant in the basement of said residential tower; and

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

WHEREAS, the Department of Planning and Development recommended approval for the special use; and

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

WHEREAS, Section 17-13-1101-D of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit a reduction of off-street loading requirements by not more than one loading space; now therefore,

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

1. The Applicant did not prove its case by testimony or other evidence that the proposed special use will not have a significant adverse impact on the general welfare of the community. Instead, the Board finds that while the Applicant's witnesses more than adequately explained why the proposed special use benefitted the Applicant, the witnesses provided no such testimony as to why the proposed special use would not have a significant adverse impact on the general welfare of the community. Mr. Perelman – one of the principals of an experienced real estate developer – testified that the reason

commercial use was not feasible on the first floor of the subject property was due to the first floor being above grade. However, Mr. Perelman later testified the Applicant would be re-pouring the first floor during its rehabilitation of the building. When asked by the Board why this re-pouring of the floor would not alleviate the prior issue with respect to the feasibility of commercial use on the first floor, Mr. Perelman testified that the building only had one entrance and residents would not wish to share an entrance with a commercial use. Furthermore, though Mr. Wolin was quick to testify that the area is moving away from commercial and becoming more residential, it cannot be denied that the building next east to the subject property still has commercial on the first floor nor that the building on the subject property currently has a commercial tenant on its second floor.

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

1. The Board finds that pursuant to Section 17-13-1107-A the Applicant has not proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property as any hardship suffered by the Applicant is self-created, and, further, the requested variations are not consistent with the stated purpose and intent of the Zoning Ordinance.
2. The Board finds that the Applicant did not establish by testimony or other evidence all of the criteria required pursuant to 17-13-1107-B. In particular, the Board finds that any lack of reasonable return suffered by the Applicant with regards to the subject property is self-created. It is the Applicant's decision to rehabilitate the building in such a manner that requires the requested variations. The Applicant's architect very credibly testified that the Applicant cannot provide a loading berth due to the structural changes required to put parking on-site. The Applicant's principal, Mr. Perelman, also very credibly testified that without the addition on top of the building, the project would not be viable. However, it is the Applicant's decision to make such a program of development and turn the building residential rather than leave the building as it is: a commercial building.
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did not exist, took into account that evidence was presented that: (1) the purpose of the variations is based exclusively on the desire to make more money out of the subject property; and (2) the alleged practical difficulties or particular hardships have been created by the Applicant.

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

RESOLVED, the Board finds that the Applicant has not sufficiently established by testimony and other evidence covering the specific criteria for a variation to be granted pursuant to Sections 17-13-1107- A, B and C of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid request for special use is hereby denied.

RESOLVED, the aforesaid requests for variations are hereby denied.

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

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
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MAR 22 2016
CITY OF CHICAGO

Kenmore Commons, LLC
APPLICANT

39-16-Z
CALENDAR NUMBER

5051 N. Kenmore
PREMISES AFFECTED

February 19, 2016
HEARING DATE

David Meek
APPEARANCE FOR APPLICANT

NO OBJECTORS
OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the front setback from 15' to 0'; to reduce the north side setback from 4' to 0'; to reduce the south side setback from 4' to 0'; to reduce the combined side setback from 10' to 0' to legalize an existing, more than 20% opaque, 6' tall cedar fence.

ACTION OF BOARD

THE VOTE

The application for a variation is denied.

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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. David Meek, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that the Applicant sought to legalize an existing cedar plank fence that encloses the tenant common area at the Applicant's existing residential building on the subject property; and

WHEREAS, Mr. Mark Heffron, representative of the Applicant, testified in support of the application; that the Applicant acquired the subject property and did substantial

APPROVED AS TO SUBSTANCE

CHAIRMAN

rehabilitation to the existing residential building thereon; that at the time the Applicant acquired the property, there was an existing wrought iron fence; that the Applicant chose to remove said fence and replace it with a cedar plank fence; that the building permit issued for the subject property for the renovation showed that the existing wrought iron fence would remain on the subject property; that during the Applicant's subsequent zoning inspection, the Applicant learned that the cedar plank fence was not permitted; that after the Applicant did not pass its zoning inspection, the Applicant attempted to have the fence permitted as constructed; that this is why the Applicant was now before the Board; that Alderman Osterman is in support of the project; that the residents of the Applicant's building have given the Applicant positive feedback regarding the cedar plank fence; and

WHEREAS, Mr. Heffron further testified that in his opinion, strict compliance with the standards of this Zoning Ordinance would create practical difficulties or particular hardships with respect to the subject property as the subject property is improved with a large, nonconforming structure and the Applicant wishes to create an outdoor open space for its tenants; that open space is a goal of this Zoning Ordinance; that the requested variation would therefore be consistent with the purposes and intent of this Zoning Ordinance; that if the Applicant could not maintain the cedar plank fence and install a traditional wrought iron fence, the open space might be used less and less; that currently, the open space is utilized very well with the kind of privacy the cedar plank fence provides; that if the Applicant had to install a wrought iron fence, it would have to install larger hedges to create privacy; that said larger hedges would decrease the amount of available open space; that this Zoning Ordinance expects open space as an amenity and so if the variation was granted, it would not alter the essential character of the neighborhood; that the neighborhood has other fences though not necessarily cedar plank fences; that there is a similar fence to the Applicant's at 534 West Barry; that this was what inspired the Applicant to build its cedar plank fence; and

WHEREAS, the Board asked the Applicant if it had a picture of said fence at 534 West Barry; and

WHEREAS, Mr. Heffron showed the Board a picture of the fence at 534 West Barry on his cell phone; and

WHEREAS, the Board caused the record to reflect that it had been shown a picture of a 534 West Barry which had a similar fence to the Applicant's fence; and

WHEREAS, in response to questions by the Board, Mr. Heffron further testified that the Applicant had built the cedar plank fence without a permit; that this was an oversight as the Applicant has a great reputation as a real estate developer and its relationship with the City is strong across the board with the building inspectors; and

WHEREAS, the Board inquired if this were so, why the Applicant did not get a permit to build the cedar plank fence; and

WHEREAS, Mr. Heffron testified that the Applicant immediately amended its permit to show the cedar plank fence; that the cedar plank fence had been built under the assumption it would be compliant; that this was an oversight; and

WHEREAS, in response to further questions by the Board, Mr. Heffron testified that besides the fence at 534 West Barry, he is not aware of any other cedar fences in the vicinity; that with respect to the architectural similarities between the Applicant's building and the building at 534 West Barry, both are brick structures; that putting up the cedar plank fence had been a construction oversight; and

WHEREAS, the Board then asked why the Applicant did not replace the cedar plank fence with a wrought iron fence; and

WHEREAS, Mr. Heffron testified that the Applicant still could replace the cedar plank fence with a wrought iron fence but that the Applicant would like to see the current process to permit the cedar plank fence through; and

WHEREAS, Mr. Heffron further testified many of the setbacks on residential streets see no activity, especially in apartment buildings; that this is a true amenity; and

WHEREAS, the Board stated it understood how the cedar plank fence enhanced the Applicant's property but did not understand how the cedar plank fence enhanced the rest of the block; and

WHEREAS, Mr. Heffron further testified that cedar plank fence enhances the community because it activates the community; that tenants will utilize the space on a summer night which is a good thing; and

WHEREAS, the Board stated that cedar plank fence is opaque; that it is not as if the cedar plank fence engages the community; that tenants would utilize the space with a wrought iron fence, just as people do in every other neighborhood in every other street that does not have a cedar plank fence abutting the sidewalk; and

WHEREAS, the Board then asked why the Applicant did not just put up a wrought iron fence with tall shrubs; and

WHEREAS, Mr. Heffron testified that the shrubs would protrude into the usable space between the face of the building and the fence itself; and

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

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

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

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has not proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulty and particular hardship regarding the proposed use of the subject property. The Board finds that the Applicant has no practical difficulty or particular hardship with the existing unpermitted cedar plank fence. Mr. Heffron, the only representative of the Applicant, admitted that the Applicant could replace the existing unpermitted cedar plank fence with the originally permitted wrought iron fence. He further admitted he could replicate the privacy of the existing unpermitted cedar plank fence with hedges. Further, the Board finds that the requested variation is not consistent with the stated purpose and intent of this Zoning Ordinance as the purpose of this Zoning Ordinance is to protect the character of established residential neighborhoods and the existing unpermitted cedar plank fence is not within the character of the neighborhood.

2. The Board finds that pursuant to Section 17-13-1107-B that the Applicant has not proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance. Mr. Heffron did not testify that the Applicant would not be able to use its property without the requested variation or even that the Applicant would lose all of its tenants without the requested variation; instead, he only speculated that the open space on the subject property might be utilized less without the requested variation. The Board further finds pursuant to Section 17-13-1107-B that: (2) the practical difficulty or particular hardship of the property is not due to unique circumstances but is instead a desire by the Applicant to keep its tenants appeased, which is a practical difficulty generally applicable to other similarly situated residential property; and (3) the variation, if granted, will alter the essential character of the neighborhood as even Mr. Heffron admitted that he was aware of no other plank cedar fences in the area other than the fence at 534 W. Barry.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did not exist, took into account that evidence was presented that the removal of the existing unpermitted cedar plank fence on the specific property results in mere inconvenience upon the Applicant. Again, Mr. Heffron, the only representative of the Applicant to testify, testified that the Applicant could replace the existing unpermitted cedar plank fence with the originally permitted wrought iron fence and that the desired privacy could be replicated with hedges. Further, the Board took into account evidence that the alleged practical difficulty or particular hardship – that is the existing unpermitted cedar plank fence on the subject property – was created by the Applicant. Mr. Heffron testified that the Applicant's permitted plans for the subject property showed the existing wrought iron fence remaining. Instead, and contrary to the permitted plans, the Applicant removed the permitted wrought iron fence and replaced it with an unpermitted cedar plank fence. The Board finds Mr. Heffron's explanation that

this was “an oversight” unpersuasive, especially in light of his earlier testimony that the Applicant had a “great reputation” as a real estate developer.

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

RESOLVED, the aforesaid variation application is hereby denied.

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

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAR 22 2016
CITY OF CHICAGO

Winthrop House, LLC
APPLICANT

40-16-Z
CALENDAR NUMBER

5411 N. Winthrop Ave.
PREMISES AFFECTED

February 19, 2016
HEARING DATE

David Meek
APPEARANCE FOR APPLICANT

NO OBJECTORS
OBJECTORS

NATURE OF REQUEST

Application for a variation to reduce the front setback from 15' to 0' to legalize an existing, more than 20% opaque, 6' tall cedar fence.

ACTION OF BOARD

THE VOTE

The application for a variation is denied.

	APPROVE	DENY	ABSENT
Blake Sercye, Act. Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sam Toia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. David Meek, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that the Applicant sought to legalize an existing cedar plank fence that encloses the tenant common area at the Applicant's existing residential building on the subject property; and

WHEREAS, Mr. Mark Heffron, representative of the Applicant, testified in support of the application; that the Applicant acquired the subject property and did substantial rehabilitation to the existing residential building thereon; that at the time the Applicant acquired the property, there was an existing wrought iron fence; that the Applicant chose

APPROVED AS TO SUBSTANCE

CHAIRMAN

to remove said fence and replace it with a cedar plank fence; that the building permit issued for the subject property for the renovation showed that the existing wrought iron fence would remain on the subject property; that during the Applicant's subsequent zoning inspection, the Applicant learned that the cedar plank fence was not permitted; that after the Applicant did not pass its zoning inspection, the Applicant attempted to have the fence permitted as constructed; that this is why the Applicant was now before the Board; that Alderman Osterman is in support of the project; that the residents of the Applicant's building have given the Applicant positive feedback regarding the cedar plank fence; and

WHEREAS, Mr. Heffron further testified that in his opinion, strict compliance with the standards of this Zoning Ordinance would create practical difficulties or particular hardships with respect to the subject property as the subject property is improved with a large, nonconforming structure and the Applicant wishes to create an outdoor open space for its tenants; that open space is a goal of this Zoning Ordinance; that the requested variation would therefore be consistent with the purposes and intent of this Zoning Ordinance; that if the Applicant could not maintain the cedar plank fence and install a traditional wrought iron fence, the open space might be used less and less; that currently, the open space is utilized very well with the kind of privacy the cedar plank fence provides; that if the Applicant had to install a wrought iron fence, it would have to install larger hedges to create privacy; that said larger hedges would decrease the amount of available open space; that this Zoning Ordinance expects open space as an amenity and so if the variation was granted, it would not alter the essential character of the neighborhood; that the neighborhood has other fences though not necessarily cedar plank fences; that there is a similar fence to the Applicant's at 534 West Barry; that this was what inspired the Applicant to build its cedar plank fence; and

WHEREAS, the Board asked the Applicant if it had a picture of said fence at 534 West Barry; and

WHEREAS, Mr. Heffron showed the Board a picture of the fence at 534 West Barry on his cell phone; and

WHEREAS, the Board caused the record to reflect that it had been shown a picture of a 534 West Barry which had a similar fence to the Applicant's fence; and

WHEREAS, in response to questions by the Board, Mr. Heffron further testified that the Applicant had built the cedar plank fence without a permit; that this was an oversight as the Applicant has a great reputation as a real estate developer and its relationship with the City is strong across the board with the building inspectors; and

WHEREAS, the Board inquired if this were so, why the Applicant did not get a permit to build the cedar plank fence; and

WHEREAS, Mr. Heffron testified that the Applicant immediately amended its permit to show the cedar plank fence; that the cedar plank fence had been built under the assumption it would be compliant; that this was an oversight; and

WHEREAS, in response to further questions by the Board, Mr. Heffron testified that besides the fence at 534 West Barry, he is not aware of any other cedar fences in the vicinity; that with respect to the architectural similarities between the Applicant's building and the building at 534 West Barry, both are brick structures; that putting up the cedar plank fence had been a construction oversight; and

WHEREAS, the Board then asked why the Applicant did not replace the cedar plank fence with a wrought iron fence; and

WHEREAS, Mr. Heffron testified that the Applicant still could replace the cedar plank fence with a wrought iron fence but that the Applicant would like to see the current process to permit the cedar plank fence through; and

WHEREAS, Mr. Heffron further testified many of the setbacks on residential streets see no activity, especially in apartment buildings; that this is a true amenity; and

WHEREAS, the Board stated it understood how the cedar plank fence enhanced the Applicant's property but did not understand how the cedar plank fence enhanced the rest of the block; and

WHEREAS, Mr. Heffron further testified that cedar plank fence enhances the community because it activates the community; that tenants will utilize the space on a summer night which is a good thing; and

WHEREAS, the Board stated that cedar plank fence is opaque; that it is not as if the cedar plank fence engages the community; that tenants would utilize the space with a wrought iron fence, just as people do in every other neighborhood in every other street that does not have a cedar plank fence abutting the sidewalk; and

WHEREAS, the Board then asked why the Applicant did not just put up a wrought iron fence with tall shrubs; and

WHEREAS, Mr. Heffron testified that the shrubs would protrude into the usable space between the face of the building and the fence itself; and

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

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

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

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has not proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulty and particular hardship regarding the proposed use of the subject property. The Board finds that the Applicant has no practical difficulty or particular hardship with the existing unpermitted cedar plank fence. Mr. Heffron, the only representative of the Applicant, admitted that the Applicant could replace the existing unpermitted cedar plank fence with the originally permitted wrought iron fence. He further admitted he could replicate the privacy of the existing unpermitted cedar plank fence with hedges. Further, the Board finds that the requested variation is not consistent with the stated purpose and intent of this Zoning Ordinance as the purpose of this Zoning Ordinance is to protect the character of established residential neighborhoods and the existing unpermitted cedar plank fence is not within the character of the neighborhood.

2. The Board finds that pursuant to Section 17-13-1107-B that the Applicant has not proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance. Mr. Heffron did not testify that the Applicant would not be able to use its property without the requested variation or even that the Applicant would lose all of its tenants without the requested variation; instead, he only speculated that the open space on the subject property might be utilized less without the requested variation. The Board further finds pursuant to Section 17-13-1107-B that: (2) the practical difficulty or particular hardship of the property is not due to unique circumstances but is instead a desire by the Applicant to keep its tenants appeased, which is a practical difficulty generally applicable to other similarly situated residential property; and (3) the variation, if granted, will alter the essential character of the neighborhood as even Mr. Heffron admitted that he was aware of no other plank cedar fences in the area other than the fence at 534 W. Barry.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did not exist, took into account that evidence was presented that the removal of the existing unpermitted cedar plank fence on the specific property results in mere inconvenience upon the Applicant. Again, Mr. Heffron, the only representative of the Applicant to testify, testified that the Applicant could replace the existing unpermitted cedar plank fence with the originally permitted wrought iron fence and that the desired privacy could be replicated with hedges. Further, the Board took into account evidence that the alleged practical difficulty or particular hardship – that is the existing unpermitted cedar plank fence on the subject property – was created by the Applicant. Mr. Heffron testified that the Applicant's permitted plans for the subject property showed the existing wrought iron fence remaining. Instead, and contrary to the permitted plans, the Applicant removed the permitted wrought iron fence and replaced it with an unpermitted cedar plank fence. The Board finds Mr. Heffron's explanation that

this was “an oversight” unpersuasive, especially in light of his earlier testimony that the Applicant had a “great reputation” as a real estate developer.

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

RESOLVED, the aforesaid variation application is hereby denied.

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

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

APPLICANT: Ravenswood Disposal Service, Inc. **CAL NO.:** 41-16-S

APPEARANCE FOR: Richard Toth **MINUTES OF MEETING:**
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2613-59 West Fulton Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a Class V recycling facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFIRMATIVE	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 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to establish a Class V Recycling 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 applicant also testified that there would be no rock crushing at the site; a prior special use was granted to the subject site in Cal. No. 87-89-S to establish a Transfer Station and Recycling Facility (which will remain in effect), and additional special uses were also granted to the subject site in Cal. Nos. 42-16-S and 43-16-S to establish a Reprocessable Construction/Demolition Material Facility and Transfer Station; 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; is designed to promote pedestrian safety and comfort; is necessary to accommodate the waste removal needs of the area it is intended to serve; is located outside the boundary of the 100-year flood plain; is designed to minimize the danger to the surrounding area from fires, spills or other operational accidents; is so designed and located as to minimize the impact on existing traffic flow in the surrounding area; is designed and proposed to be operated so as to minimize adverse impacts on air, land and water quality; is located and operated so as to minimize adverse affects on the economic development potential of the area and on the value of surrounding property; is designed, located and proposed to be operated that the public

CAL NO.: 41-16-S (cont'd)

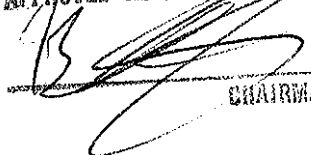
MINUTES OF MEETING:
February 19, 2016

health, safety and welfare will be protected; there is no probable adverse effect on existing manufacturing activities, including the potential for land use conflicts and nuisance complaints; and there is no probable adverse effect on efforts to market other property within the planned manufacturing district for industrial use; it is therefore,

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout and plans prepared by Weaver Consultants Group and dated February 19, 2016.

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: Ravenswood Disposal Services, Inc. **CAL NO.:** 42-16-S

APPEARANCE FOR: Richard Toth **MINUTES OF MEETING:**

February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2613-59 W. Fulton Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a Reprocessable Construction and Demolition Material recycling facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES

SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to establish a Reprocessable Construction/Demolition Material 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 applicant also testified that there would be no rock crushing at the site; a prior special use was granted to the subject site in Cal. No. 87-89-S to establish a Transfer Station and Recycling Facility (which will remain in effect), and additional special uses were also granted to the subject site in Cal. Nos. 41-16-S and 43-16-S to establish a Class V Recycling Facility and Transfer Station; 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; is designed to promote pedestrian safety and comfort; is necessary to accommodate the waste removal needs of the area it is intended to serve; is located outside the boundary of the 100-year flood plain; is designed to minimize the danger to the surrounding area from fires, spills or other operational accidents; is so designed and located as to minimize the impact on existing traffic flow in the surrounding area; is designed and proposed to be operated so as to minimize adverse impacts on air, land and water quality; is located and operated so as to minimize adverse affects on the economic development potential of the area and on the value of surrounding property; is designed, located and proposed to be operated that the public health, safety and welfare will be protected; there is no probable adverse effect on existing manufacturing activities, including the potential for land use conflicts and nuisance complaints; and there is no probable adverse effect on efforts to market other property within the planned manufacturing district for industrial use; it is therefore,

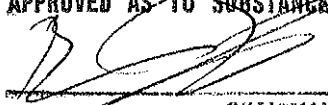
CAL NO.: 42-16-S (Cont'd)

MINUTES OF MEETING:

February 19, 2016

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout and plans prepared by Weaver Consultants Group and dated February 19, 2016.

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: Ravenswood Disposal Service, Inc. **CAL NO.:** 43-16-S

APPEARANCE FOR: Richard Toth **MINUTES OF MEETING:**
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2613-59 W. Fulton Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a transfer station.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: the applicant shall be permitted to establish a Transfer Station (including but not limited to processing of street sweepings, a category of municipal solid waste) 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 applicant also testified that there would be no rock crushing at the site; a prior special use was granted to the subject site in Cal. No. 87-89-S to establish a Transfer Station and Recycling Facility (which will remain in effect), and additional special uses were also granted to the subject site in Cal. Nos. 41-16-S and 42-16-S to establish a Class V Recycling Facility and Reprocessable Construction/Demolition Material Facility; 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; is designed to promote pedestrian safety and comfort; is necessary to accommodate the waste removal needs of the area it is intended to serve; is located outside the boundary of the 100-year flood plain; is designed to minimize the danger to the surrounding area from fires, spills or other operational accidents; is so designed and located as to minimize the impact on existing traffic flow in the surrounding area; is designed and proposed to be operated so as to minimize adverse impacts on air, land and water quality; is located and operated so as to minimize adverse affects on the economic development potential of the area and on the value of surrounding property; is designed, located and proposed to be operated that the public health, safety and welfare will be protected; there is no probable adverse effect on existing manufacturing activities, including the potential for land use conflicts and nuisance complaints; and there is no probable adverse effect on efforts to market other property within the

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

CAL NO.: 43-16-S

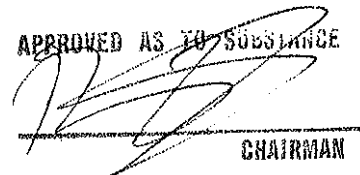
MINUTES OF MEETING:
February 19, 2016

planned manufacturing district for industrial use; it is therefore,

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout and plans prepared by Weaver Consultants Group and dated February 19, 2016.

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

APPLICANT: Daniel Harris

CAL NO.: 44-16-Z

APPEARANCE FOR: Dean Maragos

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3642 N. Magnolia Avenue

NATURE OF REQUEST: Application for a variation to allow for the establishment of a third residential unit on a lot whose area of 3,713.1 square feet is no less than 90% of the required 3,750 square feet for an existing, three-story, two-unit building to be increased to a three-unit building.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

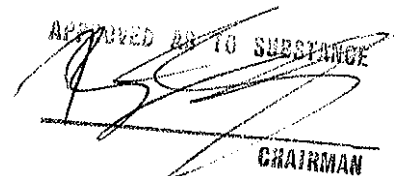
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a third residential unit on a lot whose area of 3,713.1 square feet is no less than 90% of the required 3,750 square feet for an existing, three-story, two-unit building to be increased to a three-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: Walton Builders, Inc. **CAL NO.:** 45-16-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
 February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1814 W. Grand Avenue

NATURE OF REQUEST: Application for a variation to allow for the establishment of a fifth residential unit on a lot whose area of 4,800 square feet is no less than 90% of the required 5,000 square feet for a proposed, four-story, five-unit building with ground floor retail space and five, rear, surface, parking spaces.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

**MAR 22 2016
 CITY OF CHICAGO**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

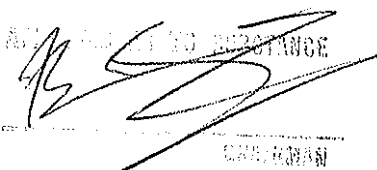
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a fifth residential unit on a lot whose area of 4,800 square feet is no less than 90% of the required 5,000 square feet for a proposed, four-story, five-unit building with ground floor retail space and five, rear, surface, parking spaces; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 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 TO PERMIT
 [Signature]
 [Stamp]

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

APPLICANT: Fabiola Patino-Aranda **CAL NO.:** 46-16-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
 February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3641 W. 63rd Place

NATURE OF REQUEST: Application for a variation to reduce the front setback from 16.67' to 9.6'; to reduce the west side setback from 4' to 0.34'; to reduce the east side setback from 4' to 1.48'; and, to reduce the combined side setback from 7.5' to 1.82' for a proposed, rear, one-story addition to an existing, one-story, single-family residence; a front, covered, open porch is also proposed; the existing, rear, detached, two-car garage will remain unchanged.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

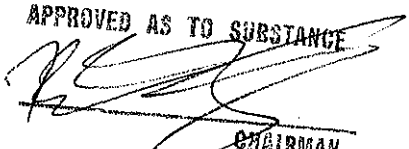
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 9.6'; to reduce the west side setback to 0.34'; to reduce the east side setback to 1.48'; and, to reduce the combined side setback to 1.82' for a proposed, rear, one-story addition to an existing, one-story, single-family residence; a front, covered, open porch is also proposed; the existing, rear, detached, two-car garage will remain unchanged; 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: GPROP, III, LLC **CAL NO.:** 47-16-Z
APPEARANCE FOR: Mark Kupiec **MINUTES OF MEETING:**
February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2010 N. Hoyne Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 28' to 21' for a proposed, rear, two-car garage with a roof deck, which is accessed via an open stair exceeding 6' in height and a bridge, which is connected to the existing, two-story, single-family residence, with a roof deck, and which will remain unchanged.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

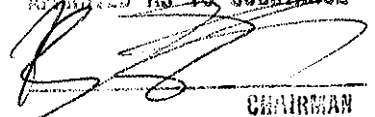
THE RESOLUTION:

) WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21' for a proposed, rear, two-car garage with a roof deck, which is accessed via an open stair exceeding 6' in height and a bridge, which is connected to the existing, two-story, single-family residence, with a roof deck, and which will remain unchanged; 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: Sun Cash of WI, LLC

CAL NO.: 48-16-S

APPEARANCE FOR: Scott Borstein

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5800 W. North Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a payday loan store.

ACTION OF BOARD-
APPLICATION GRANTED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
X		
X		
X		

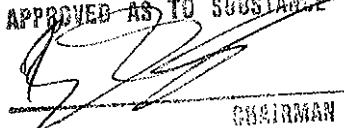
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: George A. Jasinski **CAL NO.:** 49-16-Z
APPEARANCE FOR: Paul Rinkleman **MINUTES OF MEETING:**
APPEARANCE AGAINST: None February 19, 2016
PREMISES AFFECTED: 2852 N. Hamlin Avenue

NATURE OF REQUEST: Application for a variation to increase the pre-existing floor area of 4,140 square feet by no more than 15% (17.31 square feet) for proposed, fourth floor, southern-facing dormer and rear, open deck additions to an existing, four-story, three-unit building; the rear, detached two-car garage will remain unchanged.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAR 22 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
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X		
X		

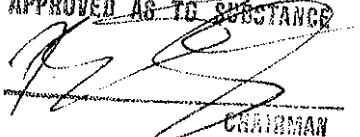
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the pre-existing floor area of 4,140 square feet by no more than 15% (17.31 square feet) for proposed, fourth floor, southern-facing dormer and rear, open deck additions to an existing, four-story, three-unit building; the rear, detached two-car garage will remain unchanged; an additional variation was also granted in Cal. No. 50-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: George A. Jasinski **CAL NO.:** 50-16-Z
APPEARANCE FOR: Paul Rinkleman **MINUTES OF MEETING:**
APPEARANCE AGAINST: None February 19, 2016
PREMISES AFFECTED: 2852 N. Hamlin Avenue

NATURE OF REQUEST: Application for a variation to increase the pre-existing height of 39.5' by no more than 10% (2.25') for proposed, fourth floor, southern-facing dormer and rear, open deck additions to an existing, four-story, three-unit building; the rear, detached two-car garage will remain unchanged.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAR 22 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
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X		

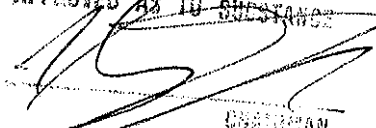
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the pre-existing height of 39.5' by no more than 10% (2.25') for proposed, fourth floor, southern-facing dormer and rear, open deck additions to an existing, four-story, three-unit building; the rear, detached two-car garage will remain unchanged; an additional variation was also granted to the subject site in Cal. No. 49-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Marcia Festen and Patricia Logue **CAL NO.:** 51-16-Z
APPEARANCE FOR: Same **MINUTES OF MEETING:**
February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 1936 W. Newport Avenue

NATURE OF REQUEST: Application for a variation to reduce the east side setback from 2' to 0' and to reduce the combined side setback from 4.04' to 0' for a proposed, rear, two-story addition to an existing, two-story, single-family residence; the rear, detached two-car garage will remain unchanged.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

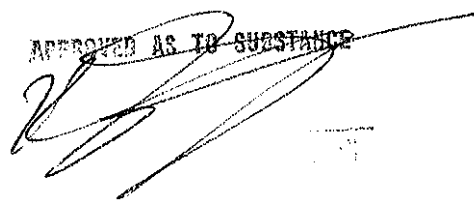
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the east side setback to 0' and to reduce the combined side setback to 0' for a proposed, rear, two-story addition to an existing, two-story, single-family residence; the rear, detached two-car garage will remain unchanged; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE


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

APPLICANT: 351 W. Dickens Condominium Association

CAL NO.: 52-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 351-53 W. Dickens Avenue

NATURE OF REQUEST: Application for a variation to reduce the west side setback from 5' to 0' to replace four, open, balconies along the west side of the building and an open, spiral staircase, which will access a proposed, rooftop deck from the fourth floor balcony; three, open balconies along the east side of the building, which project over the public right-of-way, will also be replaced.

ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

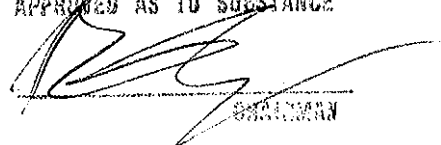
MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE



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

APPLICANT: Sid Feldman **CAL NO.:** 53-16-Z
APPEARANCE FOR: John Pikarski **MINUTES OF MEETING:**
APPEARANCE AGAINST: None February 19, 2016
PREMISES AFFECTED: 2246 W. Warren Boulevard

NATURE OF REQUEST: Application for a variation to allow for the establishment of a third residential unit on a lot whose area of 2,745.36 square feet is no less than 90% of the required 3,000 square feet for an existing, three-story, two-unit building to be increased to a three-unit building.

**ACTION OF BOARD-
 VARIATION GRANTED**

THE VOTE

MAR 22 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to allow for the establishment of a third residential unit on a lot whose area of 2,745.36 square feet is no less than 90% of the required 3,000 square feet for an existing, three-story, two-unit building to be increased to a three-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


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

APPLICANT: McDonald's USA, LLC

CAL NO.: 54-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 4704 S. Cicero Avenue

NATURE OF REQUEST: Application for a special use to renovate and expand an existing, one-story restaurant and establish a second drive-through lane.

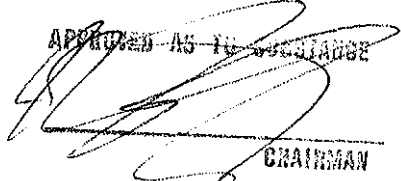
ACTION OF BOARD-
CASE CONTINUED TO APRIL 18, 2016

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

~~APPROVED AS TO ACCURACY~~

CHAIRMAN

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

APPLICANT: Michigan Corners Limited Partnership

CAL NO.: 55-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 5700-08 S. Michigan Avenue

NATURE OF REQUEST: Application for a variation to reduce the south side setback from 10.37' to 0' and to reduce the rear setback from 48' to 0' for a proposed, 9' tall x 147.17' long, cyclone, chain-link fence with a 9' tall x 3.5' wide, rear gate.

ACTION OF BOARD-
DISMISSED FOR WANT OR PROSECUTION

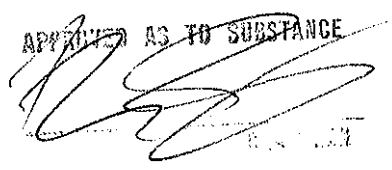
THE VOTE

MAR 22 2016

CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE


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

APPLICANT: Shalonda Cannon/DBA Posh Hair Salon, LLC **CAL NO.:** 56-16-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5720 W. Grand Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

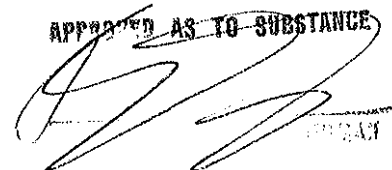
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE



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

APPLICANT: Latre B. Lawson- AKPIGO **CAL NO.:** 57-16-S

APPEARANCE FOR: Same **MINUTES OF MEETING:**

APPEARANCE AGAINST: None February 19, 2016

PREMISES AFFECTED: 6355 S. Cottage Grove Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a barber shop and hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AMANDA WILLIAMS

AFIRMATIVE	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 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4 , 2016; and

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

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

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

APPROVED AS TO SUBSTANCE



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

APPLICANT: Shaka Price/DBA California Touch Hair Services

CAL NO.: 58-16-S

APPEARANCE FOR: Same

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 6017-A North California Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty shop.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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X		

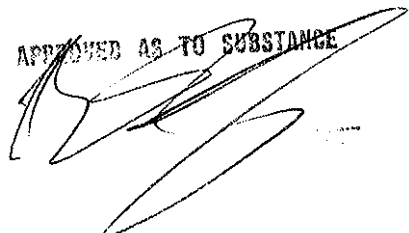
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-01 07B and by publication in the Chicago Sun-Times on February 4 , 2016; and

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

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

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

APPROVED AS TO SUBSTANCE


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

APPLICANT: Akiilah Zafir **CAL NO.:** 59-16-S
APPEARANCE FOR: Same **MINUTES OF MEETING:**
February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 8532 S. Ashland Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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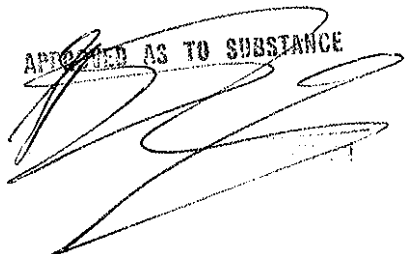
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 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; 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


**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAR 29 2016
CITY OF CHICAGO

Dieu Nguyen

APPLICANT

60-16-S

CALENDAR NUMBER

5953 W. Belmont Avenue

PREMISES AFFECTED

February 19, 2016

HEARING DATE

Alejandro Lopez

APPEARANCE FOR APPLICANT

Ninh Ma

APPEARANCE FOR OBJECTORS

NATURE OF REQUEST

Application for a special use to establish a nail salon.

ACTION OF BOARD

THE VOTE

The application for a special use is approved.

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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. George Belenke testified on behalf of the application; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that he then orally testified that the proposed special use: (1) complies with all applicable standards of this Zoning Ordinance as nail salons are allowed in a B3-1 zoning district as a special use; (2) is in the interest of the public convenience as it will employ at least two (2) people and up to possibly six (6) while providing a service that is not provided in the immediate area as there are no other nail salons within 1000 feet of the subject property; will not have a significant adverse impact on the general welfare of

APPROVED AS TO SUBSTANCE

CHAIRMAN

the community but will instead have a positive impact due to the aforementioned creation of jobs and the providing of a service not currently provided in the immediate area; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be filling a vacant space in a long-existing strip shopping center; (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 because there is already outdoor lighting in the strip shopping center and the use will generate much less traffic than the Subway and 7-11 also in said strip shopping center; (5) is designed to promote pedestrian safety and comfort as the strip shopping center has twenty-four (24) off-street parking spaces with lighting and as there are public sidewalks to the north and west of the strip shopping center as well as a concrete walkway immediately adjacent to the strip shopping center; and

WHEREAS, in response to questions by the Board, Mr. Belenke conceded he did not know how many – if any – of these twenty-four (24) off-street parking spaces would be solely dedicated to the proposed special use; and

WHEREAS, Ms. Dieu Nguyen, the Applicant, testified on behalf of the application; that she previously owned a nail salon at 19 W. Jackson; that she has been in the nail business for fifteen (15) years; that she submitted the application for a special use for a nail salon at the subject property; that it is her belief that said nail salon will add to the public convenience and general welfare of the community; and

WHEREAS, Mr. Guy Dor testified on behalf of the application; that he is Ms. Nguyen's husband; that there is not another nail salon within 1000 feet of the subject property; that the nearest nail salon to the subject property is 1398 feet; and

WHEREAS, Mr. Ninh Ma, counsel for the Illinois Association of Nail Technicians stated that he represented the Illinois Association of Nail Technicians; that he had with him a petition signed by over 120 people; that he then read the petition into the record; and

WHEREAS, the Board reminded the Objectors' counsel that any competition related objections would not be considered; that the Board then stated it would accept the petition into the record but that said petition was hearsay and would be weighed as such; and

WHEREAS, Mr. Ma stated that he wanted to focus on the second criteria for a special use; that the Applicant needed to show the Board that the special use application was in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or the community; that there were over twenty (20) nail salons within a one (1) mile radius of the subject property; that the increase of supply of manicure and pedicure services will drive said pricing of manicure and pedicure services down; and

WHEREAS, Mr. David Nguyen testified in objection to the application; that he has operated a nail salon at 5743 W. Belmont for the past eight (8) years; that he has been in the nail salon industry for about nineteen (19) years; that fourteen (14) years ago, a manicure and pedicure set would cost \$60; that today the price for a manicure and pedicure set is \$30; that this decrease in price is due to the increased supply of manicure and pedicure services within the immediate area; and

WHEREAS, the Board again reminded the Objectors' counsel that any competition related objections would not be considered by the Board; and

WHEREAS, Ms. Angelica Villaseñor testified in objection to the application; that she frequents nail salons; that she has seen pricing decrease while she has been a customer; that she is concerned about the health and safety of nail technicians; that she had a *New York Times* article entitled "The Price of Nails"; that said article detailed the hardship on nail technicians due to the oversaturation of nail salons in New York City; and

WHEREAS, the Board stated that with respect to the second criteria for a special use, the focus was on the adverse impact on the general welfare of the particular neighborhood and community in which the subject property was located; that as the *New York Times* article was about New York City, it was therefore irrelevant; and

WHEREAS, Mr. Ma was given leave to cross-examine Mr. Belenke; that Mr. Belenke further testified that this particular salon on the subject property is in the best interest of the public convenience despite the twenty (20) nail salons within a one (1) mile radius of the subject property because the subject property is a vacant commercial unit; that said commercial unit has been vacant quite awhile; that there are no other nail salons within 1000 feet; that the subject property is located in a densely developed area; that, therefore, customers do not have to walk to the other nail salons mentioned; that if customers chose to drive, it is a short drive to the subject property; and

WHEREAS, Mr. Ma was given leave to cross-examine Ms. Nguyen; that she testified that she planned to hire five (5) employees; that she has not yet identified these employees; and

WHEREAS, Mr. Ma stated that the Objectors prayed that the Board deny the Applicant's application as said application is not within the best interest of public convenience; that he then reiterated his arguments regarding supply and demand; and

WHEREAS, the Board stated that nowhere under the criteria for a special use did "best of interest of public convenience" appear; and

WHEREAS, Mr. Nguyen further testified that he is seeing a decreased demand at his salon for manicure and pedicure services; and

WHEREAS, Mr. Alejandro Lopez, counsel for the Applicant, stated that this Zoning Ordinance is very specific as to what the Applicant is required to show; that the

Applicant has adequately shown that and have provided Mr. Belenke's report to that effect; that the Objectors' arguments are based on factors not to be considered under this Zoning Ordinance; and

WHEREAS, in response to questions by the Board, Ms. Nguyen further testified that she is familiar with the potentially hazardous material that develops as part of the offering of beauty services; that she has a plan in place for properly disposing of chemicals so that there are no health threats to the community; and

WHEREAS, Mr. Ma inquired if the plans submitted to the Board showed an exhaust system adequate for the chemicals utilized in the proposed nail salon; and

WHEREAS, Mr. Lopez stated that his client would address any compliance issues necessary in order to establish the proposed special use; that the Applicant would work with the owner of the building to ensure that there would be no issues with exhaust and other hazardous chemicals; and

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

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

1. The proposed special use complies with all applicable standards of this Zoning Ordinance.
2. The proposed special use is in the interest of the public convenience as it will employ at least two (2) people and up to possibly six (6) while providing a service that is not provided in the immediate area as there are no other nail salons within 1000 feet of the subject property. Further, the proposed special use will not have a significant adverse impact on the general welfare of the community but will instead have a positive impact due to the aforementioned creation of jobs and the providing of a service not currently provided in the immediate area. The Board finds Mr. Belenke to be a very credible witness. Any testimony by Mr. Nguyen regarding public convenience or adverse impact must be discounted by the Board as Mr. Nguyen is a competitor of the Applicant. The control or restriction of competition is not a proper or lawful zoning objective. *Cosmopolitan Nat. Bank v. Village of Niles*, 118 Ill.App.3d 87, 91 (1st Dist. 1983); *see also Lazarus v. Village of Northbrook*, 31 Ill.2d 146, 152 (1964). Ms. Villaseñor's testimony regarding decreased prices must also be discounted as it touches upon competition. So too must her testimony regarding nail technicians' welfare be discounted as this criteria is focused on the general welfare of the community in which the subject property is located – not the general welfare of New York City. Further, Mr. Ma's arguments regarding public convenience miss the mark as Illinois courts have consistently held that "public convenience" does not mean "absolutely necessary" but

instead “expedient” or “reasonably convenient” to the public welfare. *Cosmopolitan Nat. Bank* at 91. The Board finds that the proposed special use is reasonably convenient at this location as Mr. Belenke very credibly testified that this immediate area is densely developed and that there is no other nail salon within 1000 feet of the subject property.

3. The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be located in an existing vacant storefront.

4. The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics such as hours of operation, outdoor lighting, noise and traffic generation because there is already outdoor lighting in the strip shopping center and the use will generate much less traffic than the Subway and 7-11 also in said strip shopping center.

5. The proposed special use is designed to promote pedestrian safety and comfort as the strip shopping center has twenty-four (24) off-street parking spaces with lighting and as there are public sidewalks to the north and west of the strip shopping center as well as a concrete walkway immediately adjacent to the strip shopping center.

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

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

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

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

APPLICANT: George Yakhnis

CAL NO.: 61-16-S

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2635 ½ -37 W. Peterson Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a barber shop.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 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; 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 SUBS

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

APPLICANT: Kasper Development, Ltd.

CAL NO.: 62-16-Z

APPEARANCE FOR: Paul Kolpak

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3002 S. Shields Avenue

NATURE OF REQUEST: Application for a variation to allow 55 square feet of the required, 200 square feet of private yard, per townhouse, to be located on the open, rear, second floor balcony of each of the four, two-story townhouses proposed at this location.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

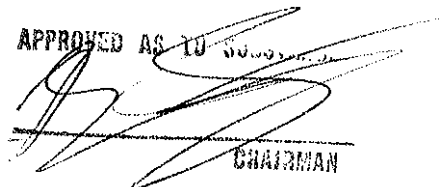
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to allow 55 square feet of the required, 200 square feet of private yard, per townhouse, to be located on the open, rear, second floor balcony of each of the four, two-story townhouses proposed at this location; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Truth Chicago, LLC

CAL NO.: 63-16-S

APPEARANCE FOR: Mark Kupiec

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 56 E. Pershing Road

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a rooftop patio to serve the existing restaurant at this location..

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
RECUSED		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by Onyx Architectural Services, Inc. and dated September 14, 2015

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

APPROVED AS TO SUBS...

CHAIRMAN

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

APPLICANT: Community Development Institute **CAL NO.:** 64-16-Z

APPEARANCE FOR: Louis Powell **MINUTES OF MEETING:**

February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 7832-37 S. Union Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the south side setback from 28.71' to 3' for a proposed, eight-space, surface parking lot to serve a high school proposed to be established within the existing, five-story building at this location.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAR 22 2016
CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES
SHEILA O'GRADY
SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

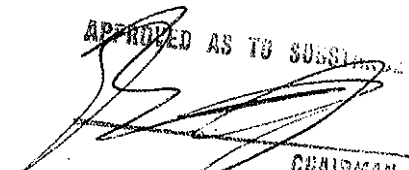
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the south side setback to 3' for a proposed, eight-space, surface parking lot to serve a high school proposed to be established within the existing, five-story building at this location the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Mike Slobodan Pavlovic

CAL NO.: 65-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 3949 N. Whipple Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to expand an existing tavern.

ACTION OF BOARD-
CASE CONTINUED TO MARCH 18, 2016

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT:

Steven L. and Marilyn Parker

CAL NO.: 66-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

3654 South Giles Avenue

NATURE OF REQUEST: Application for a variation to reduce the north side setback from 2.73' to 1.34'; to reduce the combined side setback from 6.82' to 1.38'; and, to reduce the front obstruction setback from 20' to 11.25' for a proposed, two-story, north-side addition to an existing, two-story, single-family residence; said addition will also include a front, attached, one-car garage, accessed directly from South Giles Avenue, with a rooftop deck.

ACTION OF BOARD-

CASE CONTINUED TO MARCH 18, 2016

THE VOTE

MAR 22 2016

CITY OF CHICAGO

BLAKE SERCYE

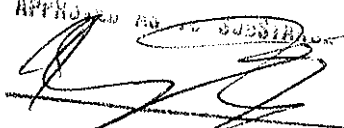
SOL FLORES

SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED BY: 
 CHAIRMAN

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

APPLICANT: Ceres Acquisitions, LLC

CAL NO.: 67-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1747 West Wallen Avenue

NATURE OF REQUEST: Application for a variation to allow for the establishment of a fourth residential unit on a lot whose area of 3,750 square feet is no less than 90% of the required 4,000 square feet for an existing, three-story, three-unit building to be increased to a four-unit building.

ACTION OF BOARD-
CASE CONTINUED TO MARCH 18, 2016

THE VOTE

MAR 22 2016

CITY OF CHICAGO

BLAKE SERCYE

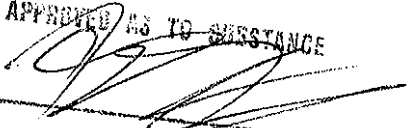
SOL FLORES

SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Illinois Association of Seventh-Day Adventist

CAL NO.: 68-16-S

APPEARANCE FOR: William Getzoff

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 8237-47 S. State Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a religiously-affiliated Sabbath school.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

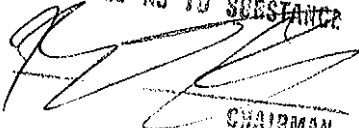
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by McClure Engineering Associates, Inc., and dated January 7, 2016.

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: 1045 Washington, LLC **CAL NO.:** 69-16-S

APPEARANCE FOR: Sylvia Michas **MINUTES OF MEETING:**

February 19, 2016

APPEARANCE AGAINST: George Blakemore

PREMISES AFFECTED: 28-42 N. Carpenter / 27-41 N. Aberdeen Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a residential use below the second floor for a proposed, six-story, 70-unit building with 78 indoor, parking spaces located on the first floor.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
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		X
X		
X		
X		

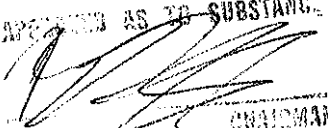
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; George Blakemore testified in opposition to the application for special use; the applicant shall be permitted to establish a residential use below the second floor for a proposed, six-story, 70-unit building with 78 indoor, parking spaces located on the first floor; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; a variation was also granted to the subject site in Cal. No. 70-16-Z; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by Sullivan, Goulette & Wilson Architects and dated January 19, 2016.

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: 1045 Washington, LLC

CAL NO.: 70-16-Z

APPEARANCE FOR: Sylvia Michas

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 28-42 N. Carpenter / 27-41 N. Aberdeen Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to reduce the rear setback from 30' to 0' for a proposed, six-story, 70-unit building with 78 indoor4, parking spaces located on the first floor.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 69-16-S; George Blakemore testified in opposition to the application for variation; the applicant shall be permitted to reduce the rear setback to 0' for a proposed, six-story, 70-unit building with 78 indoor4, parking spaces located 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 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.

APPLIED AS TO SUBSTANCE
[Signature]

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

APPLICANT: Theodore Harris and Sarah I. Black

CAL NO.: 71-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2345 N. Leavitt Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 0' and to reduce the north side setback from 3.2' to 0.5' for a proposed, third floor addition with front and rear, open decks for the proposed conversion of an existing, two-story, one-unit building, with a tavern on the ground floor, into a vacation rental unit.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

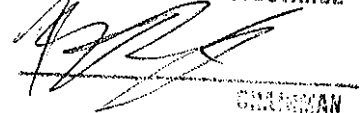
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 0' and to reduce the north side setback to 0.5' for a proposed, third floor addition with front and rear, open decks for the proposed conversion of an existing, two-story, one-unit building, with a tavern on the ground floor, into a vacation rental unit; 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: 3851 N. Southport LLC

CAL NO.: 72-16-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3851 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 2' for the proposed expansion of an existing, three-story, five-unit building, with ground floor retail, to a three-story, six-unit building, with ground floor retail, through the addition of a rear, three-story addition and a rear, attached, two-car garage with a roof top deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 2' for the proposed expansion of an existing, three-story, five-unit building, with ground floor retail, to a three-story, six-unit building, with ground floor retail, through the addition of a rear, three-story addition and a rear, attached, two-car garage with a roof top deck; an additional variation was also granted to the subject site in Cal. No. 73-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: 3851 N. Southport LLC **CAL NO.:** 73-16-Z

APPEARANCE FOR: Thomas Moore **MINUTES OF MEETING:**

APPEARANCE AGAINST: None February 19, 2016

PREMISES AFFECTED: 3851 N. Southport Avenue

NATURE OF REQUEST: Application for a variation to reduce the quantity of off-street vehicular parking spaces by no more than one for the proposed expansion of an existing, three-story, five-unit building, with ground floor retail, to a three-story, six-unit building, with ground floor retail, through the addition of a rear, three-story addition and a rear, attached, two-car garage with a roof top deck.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the quantity of off-street vehicular parking spaces by no more than one for the proposed expansion of an existing, three-story, five-unit building, with ground floor retail, to a three-story, six-unit building, with ground floor retail, through the addition of a rear, three-story addition and a rear, attached, two-car garage with a roof top deck; an additional variation was granted in Cal. No.72-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: Mokin Properties, LLC

CAL NO.: 74-16-S

APPEARANCE FOR: Bryan Butcher

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 351 W. Huron Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a residential use below the second floor for a proposed, seven-story, six-unit building with six indoor, at-grade, parking spaces and one indoor, at-grade, loading space.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 2, 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-01 07B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a residential use below the second floor for a proposed, seven-story, six-unit building with six indoor, at-grade, parking spaces and one indoor, at-grade, loading space; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; a variation was also granted to the subject site in Cal. No. 75-16-Z; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by Hartshorne Plunkard Architecture and dated January 20, 2016.

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: Mokin Properties, LLC **CAL NO.:** 75-16-Z
APPEARANCE FOR: Bryan Butcher **MINUTES OF MEETING:**
February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 351 W. Huron Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 0' and to reduce the garage setback off of the rear property line from 1' to 0' for a proposed, seven-story, six-unit building with six indoor, at-grade, parking spaces and one indoor, at-grade, loading space.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

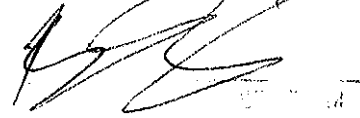
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 74-16-S; the applicant shall also be permitted to reduce the rear setback to 0' and to reduce the garage setback off of the rear property line to 0' for a proposed, seven-story, six-unit building with six indoor, at-grade, parking spaces and one indoor, at-grade, loading space; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



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

APPLICANT: Regal, Inc.

CAL NO.: 76-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 6947 S. South Chicago Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a public place of amusement license for a proposed banquet hall within 125' of an RS-3, Residential Single-Unit (Detached House) District.

ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
SECRETARY

**ZONING BOARD OF APPEALS
CITY OF CHICAGO**

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



MAR 27 2016
CITY OF CHICAGO

Jorge Caal
APPLICANT

77-16-Z, 78-16-Z, 79-16-Z
CALENDAR NUMBERS

344 N. Hamlin
PREMISES AFFECTED

February 19, 2016
HEARING DATE

Jorge Caal
APPLICANT

Sheila Tucker & George Blakemore
OBJECTORS

NATURE OF REQUESTS

Application for a variation to reduce the front setback from 15' to 13.5' for a proposed four-story, eight-unit building with six side and rear surface parking spaces.

Application for a variation to reduce the 492.18 square feet of rear yard open space to 477 square feet for a proposed four-story, eight-unit building with six side and rear yard surface parking spaces.

Application for a variation to reduce the eight off-street accessory parking spaces to six for a proposed four-story, eight-unit building with six side and rear yard surface parking spaces.

ACTION OF BOARD

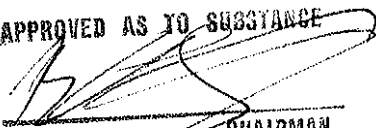
THE VOTE

The application for a variation is approved subject to the condition specified in the decision.

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

THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

APPROVED AS TO SUBSTANCE

CHAIRMAN

WHEREAS, Mr. Jorge Caal, the Applicant testified on behalf of the application; that the request for variation was for an existing eight-unit structure he had purchased in 2011; and

WHEREAS, Mr. Thad Gleason testified on behalf of the application; that he is the Applicant's architect; that the development on the subject property had been designed by him in 2004; that the City issued a permit for said development in June 2005; that construction started on the development and a building shell was erected; that financing fell through and the development was never completed; that the original developer filed for bankruptcy in 2006; that the building shell has been sitting empty and unused since that time; that the Applicant purchased the property and desires to complete the project; that he revised his original plans for the Applicant to bring them up to all current codes; that he submitted said revised plans to the City; that the City's Department of Planning and Development ("Department") informed him that a few of the City's ordinances had changed; that the building currently encroaches 1.6' feet into the front setback; that the parking stalls had previously been shown on the plans as eight (8) stalls on a 30 degree angle; that the Department informed him that this would not work; that parallel parking stalls had to be used; that if parallel parking stalls were used, the site could only accommodate six (6) on-site spaces; that additionally, with respect to the on-site parking requirement, the rear yard open space had to be reduced; that collectively this is a hardship to the Applicant as the alternative is to tear down the building; and

WHEREAS, Ms. Sheila Tucker, of 342 N. Hamlin, testified; that she is the neighbor next door to the subject property; that she is concerned that while ingress to the parking lot on the subject property will be on Fulton, egress from the parking lot will be on Hamlin; that as shown on the Applicant's documents, her gas meter is right near the parking egress; that she is concerned someone will hit her gas meter; that she wants to make sure that her gas meter will be secured by Mr. Caal; and

WHEREAS, Mr. Caal testified that he had no objection to putting up some concrete barrier between Ms. Tucker's gas meter and the parking lot on the subject property; and

WHEREAS, the Board inquired if Mr. Caal would have a problem if the Board made Ms. Tucker's request a condition of its approval; and

WHEREAS, Mr. Caal stated he had no problem with such a condition; and

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

WHEREAS, Ms. Tucker further testified that the Applicant was the property's third or fourth owner attempting to fix the subject property; that she believed the Applicant was trying to improve the neighborhood; that again, her concern was the gas meter; and

WHEREAS, in response to further questions by the Board, Mr. Gleason testified that he and the Applicant would prefer to have all the parking on-site; that because of the Department's requirement that the Applicant could not have angled parking, there was

not enough room for eight (8) parking stalls; that the Applicant was slightly under the landscape requirement for rear yard open space due to the amount of distance required between the nonconforming existing building shell and the proposed drive aisle for the parking lot; and

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

WHEREAS, Section 17-13-1101-A of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit a reduction to minimum rear yard open space; and

WHEREAS, Section 17-13-1101-A of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation reducing applicable off-street parking requirements by not more than one parking space or 20% of the applicable regulations, whichever number is greater; now, therefore,

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

1. The Board finds pursuant to Section 17-13-1107-A that the Applicant has proved its case by testimony and other evidence that strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property as the property is currently improved with a nonconforming existing building shell. Further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance as this Zoning Ordinance is adopted for the purpose of promoting rehabilitation and reuse of older buildings.
2. The Board finds pursuant to Section 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of this Zoning Ordinance as the only alternative, as very credibly testified to by Mr. Gleason, would be to tear down the nonconforming existing building shell and begin anew; (2) the practical difficulty or particular hardship of the property – namely, the nonconforming existing building shell – is due to the unique circumstances of the property's prior owner's bankruptcy and the subsequent changes to this Zoning Ordinance and is not generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as the nonconforming existing building shell has been on the subject property since 2005.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship did exist, took into account that evidence was presented that: (1) the particular topographical condition of the specific property involved – namely, the nonconforming existing building shell – would result in particular hardship upon the Applicant if the strict letter of the regulations were carried out; (2) the nonconforming existing building shell is not applicable, generally, to other property in the RM-5 zoning district; (3) the purpose of the variation is not based exclusively upon a desire to make more money out of the property; (4) the nonconforming existing building shell has not been created by the Applicant as the Applicant purchased the property in 2011; (5) the granting of the variation will not be detrimental to public welfare or injurious to other property as Mr. Caal has agreed to protect Ms. Tucker's gas meter; and (6) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use subject to the following condition, pursuant to the authority granted by Section 17-13-1105 of the Chicago Zoning Ordinance:

1. The Applicant shall protect the gas meter of the property at 342 N. Hamlin by some reasonable means.

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: MA Capital Fund, LLC Series 3937 **CAL NO.:** 80-16-Z

APPEARANCE FOR: Aaron Fox **MINUTES OF MEETING:**
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3937 N. Marshfield Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 33.9' to 4.67'; to reduce the north side setback from 2' to 0'; and, to reduce the combined side setback from 5' to 3' for a proposed, rooftop deck which will be located on an existing, rear, detached, two-car garage, with an exterior, at-grade fireplace, and which will be accessed via an open stair exceeding 6' in height; the existing garage and two-story, single-family residence will otherwise remain unchanged.

**ACTION OF BOARD-
VARIATION GRANTED**

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 4.67'; to reduce the north side setback to 0'; and, to reduce the combined side setback to 3' for a proposed, rooftop deck which will be located on an existing, rear, detached, two-car garage, with an exterior, at-grade fireplace, and which will be accessed via an open stair exceeding 6' in height; the existing garage and two-story, single-family residence will otherwise remain unchanged; 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 JURISDICTION

CHAIRMAN

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

APPLICANT: PNC Series, LLC- 1036 W. Wellington **CAL NO.:** 81-16-Z

APPEARANCE FOR: **MINUTES OF MEETING:**
February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1036 W. Wellington Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 35' to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, two-car garage which will be accessed via an open stair exceeding 6' in height which will be connected to a proposed, two-story, single-family residence.

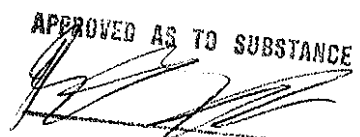
ACTION OF BOARD-
CASE CONTINUED TO MARCH 18, 2016

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: PNC Series, LLC - 1034 W. Wellington

CAL NO.: 82-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 3004 N. Kenmore Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 35' to 22' and to allow the 225 square feet of rear yard open space to be provided on the rooftop deck proposed to be established on the proposed, rear, detached, two-car garage which will be accessed via an open stair exceeding 6' in height which will be connected to a proposed, two-story, single-family residence.

ACTION OF BOARD-
CASE CONTINUED TO MARCH 18, 2016

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
CHAIRMAN

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

APPLICANT: XO Studio 2, LLC' **CAL NO.:** 83-16-S

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

APPEARANCE AGAINST: None February 19, 2016

PREMISES AFFECTED: 2142 W. Roscoe Street, Suite C

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a hair salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4 , 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 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; 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


 CHAIRMAN

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

APPLICANT: J'Adore Hair Studio, Inc. **CAL NO.:** 84-16-S
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3829 N. Harlem Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty and nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

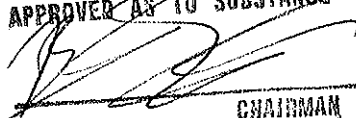
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a beauty 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; 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: Guilerno's Jewelry, Co.

CAL NO.: 85-16-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2207 N. Western Avenue, Unit 3C

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

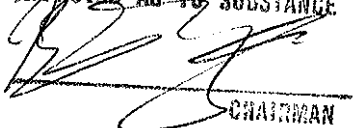
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Vim & Vigor Salon, LLC **CAL NO.:** 86-16-S

APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**

February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1435 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

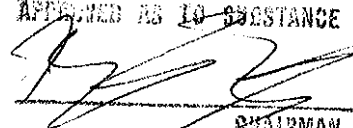
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: Eric Street Salon Concepts, LLC **CAL NO.:** 87-16-S

APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
February 19, 2016

APPEARANCE AGAINST: George Blakemore

PREMISES AFFECTED: 1513 N. Wells Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty and nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-01 07B and by publication in the Chicago Sun-Times on February 4 , 2016; and

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


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

APPLICANT: Southport Salon Concepts, LLC **CAL NO.:** 88-16-S
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
 February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 3337 N. Southport Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a beauty and nail salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
 CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

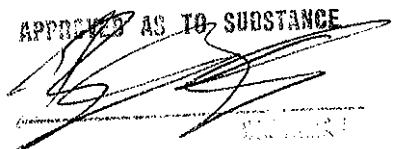
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

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

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

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

APPROVED AS TO SUBSTANCE


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

APPLICANT: Southport Salon Concepts, LLC

CAL NO.: 89-16-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3337 North Southport Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a massage salon.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 88-16-S to permit the establishment of a beauty and nail salon at the subject site; the applicant shall also be permitted to establish a massage salon at this location; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: GLK Properties, LLC **CAL NO.:** 90-16-S
APPEARANCE FOR: Nick Ftikas **MINUTES OF MEETING:**
February 19, 2016
APPEARANCE AGAINST: None
PREMISES AFFECTED: 2509 W. Argyle Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a residential use below the second floor for a proposed, four-story, four-unit building with a roof deck and a rear, detached, four-car garage with a roof deck.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY
SAMTOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a residential use below the second floor; 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; additional variations were also granted to the subject site in Cal. No. 91-16-Z and 92-16-Z; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by Hanna Architects and dated February 11, 2016.

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

APPROVED BY THE ZONING BOARD

SECRETARY

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

APPLICANT: GLK Properties, LLC

CAL NO.: 91-16-Z

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2509 W. Argyle Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 30' to 25' for a proposed, four-story, four-unit building with a roof deck and a rear, detached, four-car garage with a roof deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 91-16-S; the applicant shall also be permitted to reduce the rear setback from 30' to 25' for a proposed, four-story, four-unit building with a roof deck and a rear, detached, four-car garage with a roof deck; an additional variation was also granted in Cal. No 92-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



MAN

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

APPLICANT: GLK Properties, LLC

CAL NO.: 92-16-Z

PEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2509 W. Argyle Street

NATURE OF REQUEST: Application for a variation to allow for the establishment of a fourth residential unit on a lot whose area of 3,625 square feet is no less than 90% of the required 4,000 square feet for a proposed, four-story, four-unit building with a roof deck and a rear, detached, four-car garage with a roof deck.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

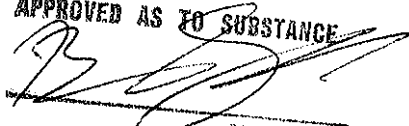
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; a special use was granted to the subject site in Cal. No. 90-16-S; the applicant shall also be permitted to establish a fourth residential unit on a lot whose area of 3,625 square feet is no less than 90% of the required 4,000 square feet for a proposed, four-story, four-unit building with a roof deck and a rear, detached, four-car garage with a roof deck; an additional variation was also granted in Cal. No. 91-16-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 1110 North Ashland, LLC

CAL NO.: 93-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1108-10 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation to allow for the establishment of a sixth residential unit on a lot whose area of 5,500 square feet is no less than 90% of the required 6,000 square feet for a proposed, four-story, six-unit building; the ground floor will contain office/retail space and two, enclosed parking spaces, four additional surface parking spaces will be provided in the rear.

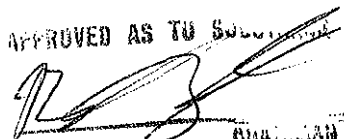
ACTION OF BOARD-
CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBMITTAL

CHAIRMAN

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

APPLICANT: 34 Bellevue Chicago, LLC

CAL NO.: 94-16-Z

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 34 E. Bellevue Place

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 36.2' to 5.83' and to reduce the garage setback off of the rear property line from 2' to 0.17' for a proposed, rear, attached, two-car garage with a roof deck which is accessed via an open stair exceeding 6' in height; the existing, three-story, single-family residence will remain unchanged.

ACTION OF BOARD-
VARIATION GRANTED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 5.83' and to reduce the garage setback off of the rear property line to 0.17' for a proposed, rear, attached, two-car garage with a roof deck which is accessed via an open stair exceeding 6' in height; the existing, three-story, single-family residence will remain unchanged; 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 BY [Signature]
CHAIRMAN

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

APPLICANT: Inspire Girls Academy

CAL NO.: 95-16-S

APPEARANCE FOR:

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 358 W. Ontario Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of an elementary school.

ACTION OF BOARD-
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED BY: [Signature]
DATE: [Signature]

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

APPLICANT: Chicago Teachers Union Foundation, Inc. **CAL NO.:** 96-16-S

APPEARANCE FOR: Meg George **MINUTES OF MEETING:**

February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1908 W. Fulton Street

NATURE OF REQUEST: Application for a special use to establish an off-site, accessory, parking for 57 vehicles, within a proposed, 60-space parking lot, to serve the second floor of a proposed office located 1901 West Carroll Avenue.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES

SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

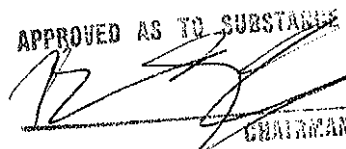
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on February 4, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site, accessory, parking for 57 vehicles, within a proposed, 60-space parking lot, to serve the second floor of a proposed office located 1901 West Carroll Avenue ;expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by Risinger and Associates (landscape plan) and dated February 4, 2016, and those prepared by both Risinger and Associates and K-Plus Engineering (site plan) and dated February 15, 2016.

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:

EDS - 61 West Erie Series

CAL NO.: 97-16-S

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

57-61 West Erie Street

NATURE OF REQUEST: Application for a special use to establish a residential use below the second floor for a proposed 12-story, 10-unit building with 12 indoor, at-grade parking spaces; the adjacent, three-story, three-unit building will remain unchanged other than being connected to this proposed development.

ACTION OF BOARD-

CASE CONTINUED TO APRIL 15, 2016

THE VOTE

MAR 22 2016

CITY OF CHICAGO

BLAKE SERCYE

SOL FLORES

SHEILA O'GRADY

SAM TOIA

AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE

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

APPLICANT: LGLC, LLC **CAL NO.:** 428-15-Z

APPEARANCE FOR: William Banks **MINUTES OF MEETING:**
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2145 N. Dayton Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from 35' to 0' and to reduce the south side setback from 3.31' to 0' for an existing, three-story, single-family residence connected via an enclosed walkway to a proposed, rear, three-car garage, which exceeds 15' in height, with an open rooftop deck accessed by a catwalk and an open, exterior staircase greater than 6' above-grade; a 6' high, solid, masonry fence will be provided along the side property lines, between the single-family residence and garage.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on November 5, 2016; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 0' and to reduce the south side setback to 0' for an existing, three-story, single-family residence connected via an enclosed walkway to a proposed, rear, three-car garage, which exceeds 15' in height, with an open rooftop deck accessed by a catwalk and an open, exterior staircase greater than 6' above-grade; a 6' high, solid, masonry fence will be provided along the side property lines, between the single-family residence and garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE

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

APPLICANT: Tri City Foods of Illinois, Inc./DBA Burger King

CAL NO.: 462-15-S

APPEARANCE FOR: Nick Ftikas

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST: None

PREMISES AFFECTED: 28 E. 87th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the re-establish a drive-through lane to serve a one-story restaurant.

ACTION OF BOARD:
APPLICATION APPROVED

THE VOTE

MAR 22 2016
CITY OF CHICAGO

BLAKE SERCYE
SOL FLORES
SHEILA O'GRADY

SAM TOIA
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

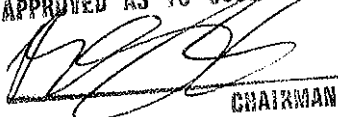
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on November 5, 2015; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by Warren Johnson Architects and dated September 24, 2015.

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

APPROVED AS TO FORM AND CONTENT

CHAIRMAN

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

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

APPEARANCE FOR:

MINUTES OF MEETING:
November 20, 2015

APPEARANCE AGAINST:

PREMISES AFFECTED: 3953 W. Chicago Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of re-establish a one-story restaurant with a drive-through lane.

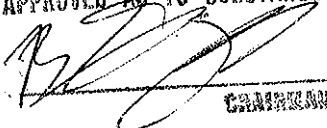
ACTION OF BOARD:
CASE CONTINUED TO JULY 15, 2016

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE

CARRINGTON

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

APPLICANT: 4030 Indiana, LLC

CAL NO.: 489-15-Z

APPEARANCE FOR:

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 4030 S. Indiana Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the quantity of four off-street parking spaces by no more than two (to three spaces) for the proposed conversion of a three-story, three-unit building into a four-unit building.

ACTION OF BOARD:
WITHDRAWN ON MOTION OF THE APPLICANT

THE VOTE

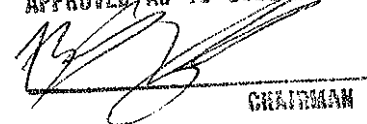
MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED, AS TO SUBSTANCE


CHAIRMAN

ZONING BOARD OF APPEALS
CITY OF CHICAGO

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



MAR 22 2016

CITY OF CHICAGO

Victor Adame/DBA Lissett Beauty Salon

APPLICANT

13-16-S

CALENDAR NUMBER

3000 N. Pulaski Rd., Suite 1S

PREMISES AFFECTED

February 19, 2016

HEARING DATE

Manuel Cardenas

APPEARANCE FOR APPLICANT

Nader Ghunaim & George Blakemore

OBJECTORS

NATURE OF REQUEST

Application for a special use to establish a beauty salon.

ACTION OF BOARD

THE VOTE

The application for a special use is approved.

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

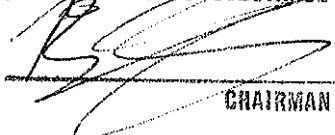
THE RESOLUTION OF THE BOARD

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on February 19, 2016, after due notice thereof as provided under Section 17-13-0107-B and by publication in the *Chicago Sun-Times*, and as continued without additional notice as provided under Section 17-13-0108-A of this Zoning Ordinance; and

WHEREAS, Mr. Manuel Cardenas, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that the Applicant currently owns a salon located at 2916 N. Pulaski; that the Applicant has purchased the subject property; that the Applicant is very experienced in running a beauty salon; that his wife does the salon work and takes care of the customers; that most of the Applicant's customers come from the neighborhood; and

WHEREAS, Mr. Victor Adame, the Applicant, testified on behalf of the application; that he is the owner of the subject property; that he has owned and managed a salon at

APPROVED AS TO SUBSTANCE


CHAIRMAN

2916 N. Pulaski for the last ten (10) years; that he has always run his salon in compliance with all City laws; that the new location of his salon at 3000 N. Pulaski will be in the interest of the public convenience; that he will run his business in a manner compatible with the character of the surrounding area; that his wife takes care of clients in the salon; that she has been in the beauty salon business for twelve (12) years; that the Applicant will have five (5) chairs and three (3) employees at its new location at the subject property; that the Applicant's proposed hours of operation are: 10:00 AM – 7:00 PM, Monday – Friday; 9:00 AM – 6:00 PM, Saturday; that the Applicant will be closed on Sunday; and

WHEREAS, Mr. Robert Napoli testified on behalf of the application; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that he then orally testified that the proposed special use: (1) is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the community; (2) is compatible with the character of the surrounding area in terms of operating characteristics such as hours of operation, outdoor lighting, noise and traffic generation because it will have similar hours of operation to other businesses in the area, will have no outdoor lighting, and will have no significant traffic generation as most of the patrons of the Applicant are from the area and will either walk or take public transportation to the subject property; and (3) will have no adverse pedestrian safety or comfort problems; and

WHEREAS, Mr. Napoli also testified that there are three (3) existing personal service uses within 1000 feet of the subject property; that one (1) of these existing personal service uses is the Applicant's current location at 2916 N. Pulaski; that the subject property is superior to the Applicant's current location as it is a corner location; and

WHEREAS, Mr. Nader Ghunaim testified in opposition to the application; that he is the owner of the hair salon at 3021 N. Pulaski; that there are already personal service uses in the area that provide the service proposed by the Applicant; that the area does not have a lot of parking; that as a result, there are traffic accidents and people park in his private lot; that he has had to tow cars from his private lot; and

WHEREAS, in response to the issues raised by the Objector, Mr. Cardenas explained that the Applicant is currently already in the area and is relocating his hair salon from half a block south of the subject property; that there is no proof or evidence that the Applicant's clients have been using Mr. Ghunaim's parking lot; and

WHEREAS, in response to the issues raised by the Objector, Mr. Napoli further testified that there is metered parking on both sides of the street on this portion of Pulaski; and

WHEREAS, Mr. Adame further testified that the Applicant would not be offering nail services at the new location though the Applicant did offer nail services at its current location; and

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

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

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

1. The proposed special use complies with all applicable standards of this Zoning Ordinance.
2. The proposed special use is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the community because it will allow an existing business in the area to relocate to a more favorable location.
3. The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be located in an existing building.
4. The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics such as hours of operation, outdoor lighting, noise and traffic generation because there it will have similar hours of operation to other businesses in the area, will have no outdoor lighting, and will have no significant traffic generation as most of the patrons of the Applicant are from the area and will either walk or take public transportation to the subject property.
5. The proposed special use is designed to promote pedestrian safety and comfort as there are no pedestrian safety or comfort problems.

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

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

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

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

APPLICANT: Finprom, Inc.

CAL NO.: 18-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:
February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED: 1310 N. Cleveland Avenue

NATURE OF REQUEST: Application for a Variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of To reduce the rear, north side, south side and combined side setbacks, and to reduce the rear yard open space for a proposed, three-story, four-unit building with an attached, four-car garage, access directly from North Cleveland Avenue.


ACTION OF BOARD:
CASE CONTINUED TO MARCH 18, 2016

THE VOTE

MAR 22 2016
CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE

SECRETARY

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

APPLICANT:

Chris Amatore

CAL NO.: 24-16-Z

APPEARANCE FOR:

MINUTES OF MEETING:

February 19, 2016

APPEARANCE AGAINST:

PREMISES AFFECTED:

6731 South St. Lawrence Avenue

NATURE OF REQUEST: Application for a Variation under Chapter 17 of the Zoning Ordinance for the approval to allow for the legalization of a second unit within an existing, two-story building, originally established as a single-family residence more than 50 years ago.

ACTION OF BOARD-

DISMISSED FOR WANT OF PROSECUTION

THE VOTE

MAR 22 2016

CITY OF CHICAGO

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO SUBSTANCE
[Signature]
CARRILLO