

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

**APPLICANT:** Thorntons, Inc.  
**APPEARANCE FOR:** Mara Georges  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3450-60 S. California Avenue

**CAL NO.:** 386-15-S

**MINUTES OF MEETING:**  
October 16, 2015

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

**ACTION OF BOARD-**  
APPLICATION APPROVED

DEC 02 2015  
CITY OF CHICAGO

**THE VOTE**

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

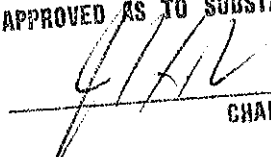
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 establish a gas station 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 Kimley Horn and Associates and dated October 13, 2015 (landscape plan) and October 15, 2015 (site plan).

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:** Temple of Mercy and Wisdom, Inc. **CAL NO.:** 387-15-S

**APPEARANCE FOR:** **MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 1814 W. 33rd Place

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a religious assembly facility.

**ACTION OF BOARD.**  
WITHDRAWN ON MOTION OF THE APPLICANT


DEC 02 2015

CITY OF CHICAGO

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
SOL FLORES	X		
SHEILA O'GRADY			X
BLAKE SERCYE			X
SAM TOIA	X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** 3300 Irving Construction, Inc.

**CAL NO.:** 388-15-S

**APPEARANCE FOR:** Meg George

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3320 W. Irving Park Road

**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 three, rear, surface parking spaces.

**ACTION OF BOARD-**  
**APPLICATION APPROVED**

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN

SOL FLORES

SHEILA O'GRADY

BLAKE SERCYE

SAM TOIA

**THE VOTE**

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 establish residential use below the second floor of a four-story, four-unit building which shall also have three, rear, surface parking spaces; a variation to reduce the required parking spaces was also granted in Cal. No. 389-15-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout, materials and plans prepared by Michael J. Leary and dated September 1, 2015.

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

APPROVED AS TO SUBSTANCE  
*J. H. W.*  
BOARD MAN

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

**APPLICANT:** 3300 Irving Construction, Inc. **CAL NO.:** 389-15-Z  
**APPEARANCE FOR:** Meg George **MINUTES OF MEETING:**  
 October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3320 West Irving Park Road

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the quantity of off-street, accessory parking spaces from four to three for a proposed four-story, four-unit building with three, rear, surfaces parking spaces.

**ACTION OF BOARD:**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

**THE RESOLUTION:**

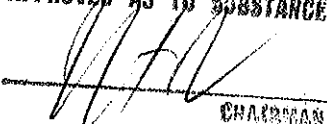
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 2015; and

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; a special use was granted to the subject site to permit the establishment of residential use below the second floor in Cal. No. 388-15-S; the applicant shall also be permitted to reduce the quantity of off-street, accessory parking spaces from four to three; 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.

389-15-Z

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Aces Square, Inc. / DBA Tigerlilie Salon **CAL NO.:** 390-15-S

**APPEARANCE FOR:** **MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 4539 N. Western 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:**  
DISMISSED FOR WANT OF PROSECUTION

DEC 02 2015

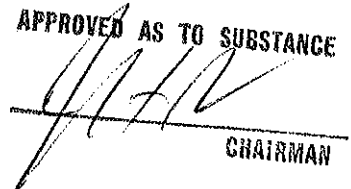
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

333 - 63 - 123

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Portillo's Hot Dogs, LLC

**CAL NO.:** 391-15-S

**APPEARANCE FOR:** Donna Pugh

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** George Blakemore

**PREMISES AFFECTED:** 500-30 W. Taylor/ 900-22 S. Canal / 901-21 S. Clinton

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a dual drive through lane to serve a two-story restaurant.

**ACTION OF BOARD-**  
APPLICATION APPROVED

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
RECUSED		

**THE RESOLUTION:**

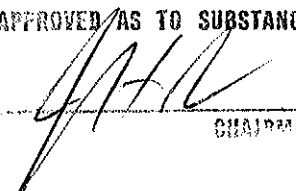
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 2015; and

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; George Blakemore testified in opposition to the application; the applicant shall be permitted to establish a dual drive-through that will serve a two-story restaurant at the subject site; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; 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 Atwell and dated October 14, 2015 (site plan) and by Watermark Engineering and dated October 16, 2015 (landscape plan).

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:** SF CHI, LLC **CAL NO.:** 392-15-S  
**APPEARANCE FOR:** Rob Gamrath **MINUTES OF MEETING:**  
October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 820 S. Canal Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of 51, off-site, required, accessory parking spaces, within an existing 94-space lot, to serve a data center located at 840 South Canal Street.

**ACTION OF BOARD.**  
**APPLICATION APPROVED**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

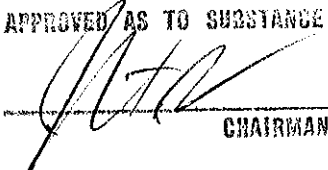
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 establish 51, off-site, required, accessory parking spaces, within an existing 94-space lot, to serve a data center located at 840 S. Canal Street; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



DEC 02 2015  
CITY OF CHICAGO

**1243 W. Henderson, LLC**

APPLICANT

**393-15-Z**

CALENDAR NUMBER

**1243 W. Henderson**

PREMISES AFFECTED

**October 16, 2015**

HEARING DATE

**Tom Moore**

APPEARANCE FOR APPLICANT

**Meghan Payne & George Blakemore**

OBJECTORS

**NATURE OF REQUEST**

Application for a variation to reduce the rear setback from 35.42' to 2'; to reduce the west side setback from 2' to 0'; to reduce the east side setback from 2' to 0'; and to reduce the combined side setback from 5' to 0' for a proposed rear detached two-car garage with an exterior fireplace and a roof deck with an open 11' tall trellis which is accessed via an open stair exceeding 6' in height.

**ACTION OF BOARD**

**THE VOTE**

The application for a variation is approved.

	APPROVE	DENY	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Blake Sercye	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Toia	<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 October 16, 2015, 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. Ted Bukowski, employee and project manager for the Applicant, testified on behalf of the Applicant; that due to the backup on the Board's call, the Applicant built the home and garage on the subject property; that both the home and the garage were permitted and that the Applicant had its building permits for the work at the hearing; that to establish a garage roof-top deck, the Applicant needs a variation, which is why the Applicant is now before the Board; that, however, the home and garage built on the subject property are fully permitted and legal; that the home and garage are built six

APPROVED AS TO SUBSTANCE

CHAIRMAN



inches off of the alley; that this is six inches further off of the alley than what previously existed at the subject property; that under this Zoning Ordinance, the Applicant could build on the alley as of right; that the Applicant is before the Board to permit the garage roof-top deck with a pergola; that a garage roof-top deck with a pergola is the standard of the neighborhood; that he then identified a series of true and accurate pictures depicting garage roof-top decks with pergolas in the surrounding area; that under this Zoning Ordinance, the Applicant is allowed to have the garage roof-top deck as of right but must obtain a variation to build stairs to said garage roof-top deck; that the variation is also needed to allow for the pergola; that this garage roof-deck and pergola is solely why the Applicant is before the Board; and

WHEREAS, the Board stated that Applicant was also before the Board due to the Applicant's request of an 8.75' wall; and

WHEREAS, Mr. Moore, counsel for the Applicant, clarified that the Applicant was asking for relief to build the 8.75' wall; and

WHEREAS, the Board requested that Mr. Moore clarify where the 8.75' wall would be erected; and

WHEREAS, Mr. Moore did so; and

WHEREAS, Mr. Bukowski further testified that the requested variation was necessary to compete with the neighborhood and get a reasonable return on the subject property; that in addition, the subject property is a short lot; that therefore every foot is important and that having the additional outdoor space will be important to the salability of the subject property; that the requested variation is consistent with the character of the neighborhood; and

WHEREAS, the Board stated that it wished to speak more about the 8.75' wall; that the Board generally allows for a setback reduction for a wall of over 6' provided that the top 2' are transparent or translucent; that the Board needed to understand why the Applicant needed an additional 2.75' of brick; and

WHEREAS, Mr. Moore requested a moment to speak to his client; and

WHEREAS, the Board granted such request; and

WHEREAS, Mr. Moore stated that he had consulted with his client and with the Board's permission, the Applicant would withdraw the 8.75' wall request from its application; that the Applicant would instead just build a 6' wall; and

WHEREAS, the Board caused the record to reflect that the Applicant's request to build a 8.75' wall along the west side property line was withdrawn; that the Board then caused the record to reflect that the rest of the Applicant's application would stand; and

WHEREAS, Mr. John Hanna testified on behalf of the Applicant; that he is a licensed architect in the state of Illinois; that this Zoning Ordinance allows the Applicant to build its building right along the alley on the subject property as the subject property is located in a RT-4 zoning district; that the Applicant has actually built its building 6" off the alley; that the proposed variation will not change the essential character of the neighborhood; that the Applicant will comply with all codes and ordinances; and

WHEREAS, Ms. Meghan Payne, of 3321 N. Lakewood, testified in objection to the application; that her garage backs into the alley; that she is on the west side of the subject property; that she has an issue with the Applicant's blatant disregard for zoning laws; that this blatant disregard has impacted her; that her access to her garage has been materially affected; that the Applicant has created a potentially dangerous condition for the inhabitants of the subject property since there are windows at tire level; and

WHEREAS, the Board inquired as to Ms. Payne's specific concern with the variation requested; and

WHEREAS, Ms. Payne testified that she had a concern with a setback that goes from 2' to 0'; that she had a concern about the west side setback for the garage and the side yard and the house that has already been built; and

WHEREAS, the Board inquired what about the setback reduction specifically concerned her; and

WHEREAS, Ms. Payne testified that the setback reduction would materially impede access to her garage; that this is because she will have two feet less if the setback goes from 2' to 0'; that therefore she will have two less feet to access her garage; and

WHEREAS, the Board stated that the 2' in question is still the Applicant's property; that Ms. Payne would not be able to use the Applicant's property to access her garage; and

WHEREAS, Ms. Payne stated that lack of structure on the Applicant's property would have helped her back in to her garage; that she is also concerned about the inhabitants of the subject property because there are windows at tire level; that however, the house and garage setback is her primary issue; and

WHEREAS, Mr. Bukowski stated that the Applicant will put some sort of iron grate on the windows to protect the windows and to protect anyone from breaking in; and

WHEREAS, Mr. Moore then stated Ms. Payne misunderstood the request for the 2'; that Ms. Payne believes the request for 2' is for 2' off of the alley; that because of this, Ms. Payne believes the house and garage were illegally built; that the home could go all the way to the alley as of right; that in fact, the home is 6" off the alley; that the way the request for zoning relief is written up makes it seem as if the Applicant is asking for a

variation to permit what the Applicant already built on the property; that this is not the case; and

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

WHEREAS, 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit a reduction in 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 that pursuant to 17-13-1107-A the Applicant has proved its case by testimony and other evidence that a practical difficulty and particular hardship exists regarding the proposed use of the subject property should the requirements of this Zoning Ordinance be strictly complied with, and, further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.
2. The Board finds that pursuant to 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 all the other homes in the area have garage roof-top decks with pergolas; (2) the practical difficulty or particular hardship is due to the fact that lot is a short lot which is a condition not generally applicable to other similarly situated properties; and (3) the variation, if granted, will not alter the essential character of the neighborhood as the rest of the neighborhood homes also have garage roof decks with pergolas.
3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship exists, took into account that evidence was presented that: (1) the fact that the subject property is a short lot results in practical difficulty or particular hardship to the Applicant if the strict letter of the Zoning Ordinance were carried out; (2) the short lot is a condition not generally applicable to other property in a RT-4 zoning district; (3) profit is not the sole motive for the Applicant as the Applicant is merely trying to compete with the homes in the neighborhood; (4) the Applicant did not create the hardship in question as it did not create the short lot; (5) the variation being granted will not be detrimental to the public welfare or injurious to other property as all the other homes in the area also have garage roof-top decks with pergolas; and (6) the variation will not impair an adequate supply of light or air to the neighboring properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

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

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

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

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



DEC 02 2015  
CITY OF CHICAGO

**BNA Holdings, LLC**

APPLICANT

**394-15-Z**

CALENDAR NUMBER

**1647 N. Tripp Avenue**

PREMISES AFFECTED

**October 16, 2015**

HEARING DATE

**Tom Moore**

APPEARANCE FOR APPLICANT

**Luis Rosado & Luisa Virvet**

OBJECTORS

**NATURE OF REQUEST**

Application for a variation to reduce the north side setback from 2' to 0' for a proposed one-story rear addition to an existing two-story single-family residence; the existing rear one-car garage will remain unchanged.

**ACTION OF BOARD**

**THE VOTE**

The application for a variation is approved.

	APPROVE	DENY	ABSENT
Jonathan Swain, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sol Flores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila O'Grady	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Blake Sercye	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Toia	<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 October 16, 2015, 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. Tom Moore, counsel for the Applicant, stated that he had met with Ms. Luisa Virvet and Mr. Luis Rosado; that the Applicant had worked out an agreement with Ms. Virvet and Mr. Rosado; that he would put the agreement in writing as soon as he left the Board's regular meeting; that he then described the agreement; and

WHEREAS, the Board asked Ms. Virvet and Mr. Rosado if Mr. Moore's recitation of the agreement was their understanding of the agreement; and

APPROVED AS TO SUBSTANCE

CHAIRMAN

WHEREAS, Mr. Rosado stated that this was their understanding of the agreement;  
and

WHEREAS, the Board asked Ms. Virvet and Mr. Rosado if they were in agreement  
with the Applicant's proposal; and

WHEREAS, Mr. Rosado stated that they were; and

WHEREAS, Mr. Garrett Brown testified on behalf of the Applicant; that the Applicant had purchased the subject property out of foreclosure; that the subject property is currently improved with a single family home; that the Applicant intended to renovate the single family home as it is in disrepair; that the Applicant obtained a permit to do said renovations; that there is currently an existing kitchen addition on the back of the home; that the Applicant did not know this addition was unpermitted; that the City of Chicago ("City") also did not originally know the addition was unpermitted; that the City determined that the addition was unpermitted and the Applicant's permit to renovate was revoked; that the Applicant is now before the Board to legalize the existing kitchen addition; that the current home on the subject property will not change; that the Applicant did not create the situation and is instead trying to make the existing home on the subject property legal; that the Applicant cannot sell the home without renovating it; that currently, the Applicant cannot renovate the home because it cannot obtain a permit; that therefore, the Applicant cannot get a reasonable rate of return on the subject property; that the Applicant will meet all codes and ordinances; that the proposed variation will be in character with the neighborhood; and

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

WHEREAS, Section 17-13-1101-B of the Chicago Zoning Ordinance grants the Zoning Board of Appeals authority to grant a variation to permit a reduction in 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 that pursuant to 17-13-1107-A the Applicant has proved its case by testimony and other evidence that a practical difficulty and particular hardship exists regarding the proposed use of the subject property should the requirements of this Zoning Ordinance be strictly complied with, and, further, the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance.
2. The Board finds that pursuant to 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 because it cannot be sold at all without renovating the existing home; (2) the practical difficulty or particular hardship of the property is due to the illegal addition of the existing home which is not a condition generally applicable to other similarly situated property; and (3) the variation, if granted, will not alter the essential character of the neighborhood as the illegal addition already exists.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship exists, took into account that evidence was presented that: (1) the illegal addition to the existing home results in practical difficulty or particular hardship to the Applicant if the strict letter of the Zoning Ordinance were carried out; (2) the illegal addition to the existing home is a condition not generally applicable to other property in a RS-3 zoning district; (3) profit is not the sole motive for the Applicant as the Applicant seeks only a reasonable rate of return; (4) the Applicant did not create the hardship in question as it bought the property with the illegal condition already in existence; (5) the variation being granted will not be detrimental to the public welfare or injurious to other property as the condition already exists; and (6) the variation will not impair an adequate supply of light or air to the neighboring properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood as, again, the condition already exists.

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

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

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

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

**APPLICANT:** Joseph Oswald

**CAL NO.:** 395-15-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 10301 S. Hoyne Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear setback from 28' to 0' for a proposed, two-story, rear addition to an existing, two-story, single-family residence; the first floor of such addition will contain a one-car garage.

**ACTION OF BOARD:**  
VARIATION GRANTED

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

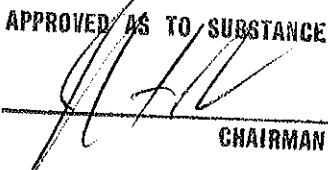
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear setback to 0' for a proposed, two-story, rear addition to an existing, two-story, single-family residence; the first floor of such addition will contain a one-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance 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:** BCL-Homes, LLC **CAL NO.:** 396-15-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2624 N. Burling Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from 12.67' to 8.75' and to reduce the rear setback from 29.56' to 22' for a proposed, three-story, single-family residence with a rear, detached, two-car garage with a roof deck which is accessed via a partially-enclosed stair exceeding 6' in height.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
SOL FLORES	X		
SHEILA O'GRADY			X
BLAKE SERCYE			X
SAM TOIA	X		

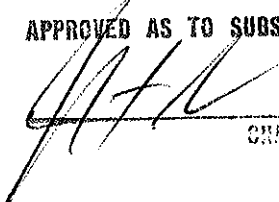
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the front setback to 8.75' and to reduce the rear setback to 22' for a proposed, three-story, single-family residence with a rear, detached, two-car garage with a roof deck which is accessed via a partially-enclosed stair exceeding 6' in height; 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:** Sheng Man De Investment Company

**CAL NO.:** 397-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2010-20 S. Archer Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a five-story, 60-room hotel.

**ACTION OF BOARD.**

CASE CONTINUED TO JANUARY 15, 2015

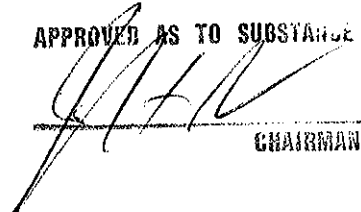
DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

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:** The Domain Group, LLC **CAL NO.:** 398-15-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
 October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 650 N. Morgan Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear setback from 30' to 1.42' for a proposed, seven-story, 25-unit building with 26, enclosed, parking spaces on the ground floor.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

**THE VOTE**

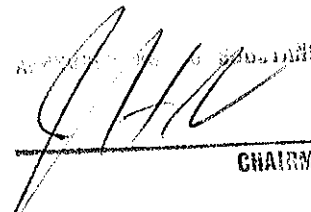
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear setback to 1.42' for a proposed, seven-story, 25-unit building with 26, enclosed, parking spaces on the ground 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.

  
 \_\_\_\_\_  
 CHAIRMAN

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

**APPLICANT:** Gary Smith

**CAL NO.:** 399-15-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4150 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to allow for the establishment of four residential units on such a lot whose area of 3,918.75 square feet is no less than 90% of the required 4,000 square feet for the proposed conversion of an existing, two-story, two-unit building into a three-story, four-unit building; such conversion will also include the enclosure of an existing, rear, two-story, open porch, the addition of a third floor and a rear, open, three-story porch; the existing, rear, detached, two-car garage will be replaced with three, surface, parking spaces.

**ACTION OF BOARD-**  
VARIATION GRANTED

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

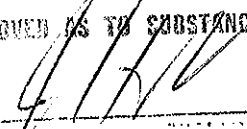
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 establish four residential units on such a lot whose area of 3,918.75 square feet is no less than 90% of the required 4,000 square feet for the proposed conversion of an existing, two-story, two-unit building into a three-story, four-unit building; such conversion will also include the enclosure of an existing, rear, two-story, open porch, the addition of a third floor and a rear, open, three-story porch; the existing, rear, detached, two-car garage will be replaced with three, surface, parking spaces; additional variations were also granted in Cal. Nos. 400-15-Z and 401-15-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  
  
JONATHAN SWAIN

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

**APPLICANT:** Gary Smith **CAL NO.:** 400-15-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 4150 N.Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the quantity of off-street, accessory parking spaces by no more than one (from four to three) for the proposed conversion of an existing, two-story, two-unit building into a three-story, four-unit building; such conversion will also include the enclosure of an existing, rear, two-story, open porch, the addition of a third floor and a rear, open, three-story porch; the existing, rear, detached, two-car garage will be replaced with three, surface, parking spaces.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

**THE VOTE**

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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; additional variations were granted in Cal. Nos. 399-15-Z and 401-15-Z; the applicant shall now be permitted to reduce the quantity of off-street, accessory parking spaces by no more than one (from four to three) for the proposed conversion of an existing, two-story, two-unit building into a three-story, four-unit building; such conversion will also include the enclosure of an existing, rear, two-story, open porch, the addition of a third floor and a rear, open, three-story porch; the existing, rear, detached, two-car garage will be replaced with three, 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 AS TO SUBSTANCE  


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

**APPLICANT:** Gary Smith **CAL NO.:** 401-15-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 4150 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the south side setback from 2' to 0' and to reduce the combined side setback from 5' to 3.02' for the proposed conversion of an existing, two-story, two-unit building into a three-story, four-unit building; such conversion will also include the enclosure of an existing, rear, two-story, open porch, the addition of a third floor and a rear, open, three-story porch; the existing, rear, detached, two-car garage will be replaced with three, surface, parking spaces.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

DEC 02 2015

CITY OF CHICAGO

**THE VOTE**

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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; additional variations were granted in Cal. Nos. 399-15-Z and 400-15-Z; the applicant shall also now be permitted to reduce the south side setback to 0' and to reduce the combined side setback to 3.02' for the proposed conversion of an existing, two-story, two-unit building into a three-story, four-unit building; such conversion will also include the enclosure of an existing, rear, two-story, open porch, the addition of a third floor and a rear, open, three-story porch; the existing, rear, detached, two-car garage will be replaced with three, 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 AS TO SUBSTANCE  


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

**APPLICANT:** Platinum Fades X, Inc./DBA Platinum Fades

**CAL NO.:** 402-15-S

**APPEARANCE FOR:** Megan Mathias

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5240 W. Belmont 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 salon.

**ACTION OF BOARD.**  
APPLICATION APPROVED

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
SOL FLORES	X		
SHEILA O'GRADY			X
BLAKE SERCYE			X
SAM TOIA	X		

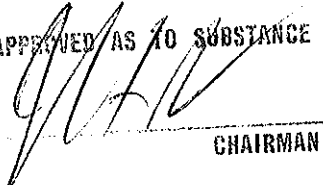
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 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 SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Andrew Niemirowski

**CAL NO.:** 403-15-S

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** George Blakemore

**PREMISES AFFECTED:** 4706-18 N. Racine Avenue

**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 of an existing , three-story, 44-unit building allowing for the addition of eight residential units to this property.

**ACTION OF BOARD-**  
**APPLICATION APPROVED**

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN

SOL FLORES

SHEILA O'GRADY

BLAKE SERCYE

SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

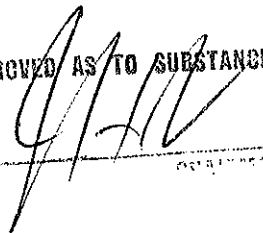
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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; George Blakemore testified in opposition to the application for special use; the applicant shall be permitted to establish residential use below the second floor of an existing, three-story 44 unit building; the applicant shall be adding 8 additional units the existing building; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The development is consistent with the design, layout and plans prepared by Sullivan Goulette & Wilson Architects and dated September 10, 2014.

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:**

John Morgan

**CAL NO.:** 404-15-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:**

3703 N. Greenview Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from 14.8' to 12' for a proposed terrace/patio pit/window well; to reduce the north side setback from 2' to 0.33'; to reduce the south side setback from 2' to 0.33'; to reduce the combined side setback from 5' to 0.66'; and, to reduce the rear setback from 34.5' to 2' for a proposed, three-story, single-family residence and a rear, detached, two-car garage with a roof deck which is accessed via an open stair exceeding 6' in height.

**ACTION OF BOARD.**

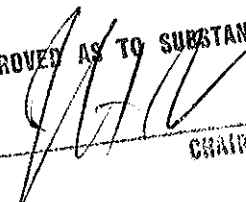
CASE CONTINUED TO DECEMBER 18, 2015

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

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:** Bridget K. Disandro **CAL NO.:** 405-15-Z  
**APPEARANCE FOR:** Same **MINUTES OF MEETING:**  
October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6234 N. Nordica Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear setback from 34.875' to 5.9' for a proposed, rear, one-story addition to an existing, two-story, two-unit building,, the existing, rear, two-car, detached garage will remain unchanged.

**ACTION OF BOARD.**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

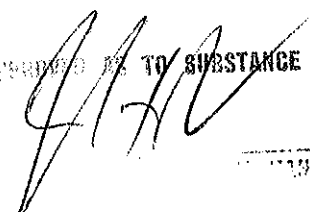
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear setback to 5.9' for a proposed, rear, one-story addition to an existing, two-story, two-unit building,, the existing, rear, two-car, detached garage will remain unchanged; an additional variation was granted in Cal. No. 406-15-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:** Bridget K. Disandro **CAL NO.:** 406-15-Z  
**APPEARANCE FOR:** Same **MINUTES OF MEETING:**  
October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6234 N. Nordica Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear yard open space from 450 square feet to 184.47 square feet for a proposed, rear, one-story addition to an existing, two-story, two-unit building; the existing, rear, two-car, detached garage will remain unchanged.

**ACTION OF BOARD:**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
SOL FLORES	X		
SHEILA O'GRADY			X
BLAKE SERCYE	X		
SAM TOIA	X		

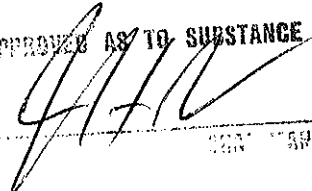
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear yard open space to 184.47 square feet for a proposed, rear, one-story addition to an existing, two-story, two-unit building; the existing, rear, two-car, detached garage will remain unchanged; an additional variation was granted in Cal. No. 405-15-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  
  
 OCT 17 2015

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

**APPLICANT:** Carla Knorowski and Nancy Horvat **CAL NO.:** 407-15-Z  
**APPEARANCE FOR:** Lawrence Lusk **MINUTES OF MEETING:** October 16, 2015  
**APPEARANCE AGAINST:** George Blakemore  
**PREMISES AFFECTED:** 3014 N. Seminary Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 34.8' to 0'; to reduce the north side setback from 2.5' to 0'; to reduce the south side setback from 2.5' to 0'; and, to relocate the 225 square feet of rear yard open space onto the rooftop deck of a rear, detached, two-car garage in order to legalize an existing, two-story, single-family residence and the aforementioned garage.

**ACTION OF BOARD:**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

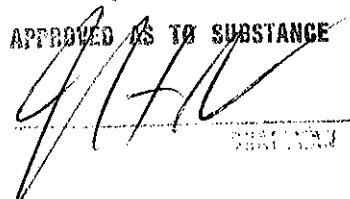
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 2015; and

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; George Blakemore testified in opposition to the application for variation; the applicant testified that she purchased the home in its existing condition and was unaware that the property was out of compliance with the zoning code; the applicant shall be permitted to reduce the rear setback from 34.8' to 0'; to reduce the north side setback to 0'; to reduce the south side setback to 0'; and, to relocate the 225 square feet of rear yard open space onto the rooftop deck of a rear, detached, two-car garage in order to legalize an existing, two-story, single-family residence and the aforementioned 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:**

National Wireless Ventures, LLC

**CAL NO.:** 408-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:**

7345 N. Washtenaw Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 100' -tall, free standing, wireless communications tower.

**ACTION OF BOARD.**

WITH DRAWN ON MOTION OF THE APPLICANT

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN

SOL FLORES

SHEILA O'GRADY

BLAKE SERCYE

SAM TOIA

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
SOL FLORES	X		
SHEILA O'GRADY			X
BLAKE SERCYE	X		
SAM TOIA	X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

**APPLICANT:** National Wireless Ventures, LLC

**CAL NO.:** 409-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 7930 W. Foster Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 100'-tall, free-standing, wireless communications tower.

**ACTION OF BOARD:**  
WITHDRAWN ON MOTION OF THE APPLICANT

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

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:** 2507 Greenview, LLC **CAL NO.:** 413-15-Z  
**APPEARANCE FOR:** Nick Ftikas **MINUTES OF MEETING:** October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2503 North Greenview Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from 20' to 12'; to reduce the east side setback from 2.49' to 0'; to reduce the combined side setback from 6.22' to 3'; and, to reduce the rear setback from 35' to 23' for a proposed, two-story single-family residence with a rear, detached, three-car garage with a rooftop deck accessed by an open stair.

**ACTION OF BOARD:**  
**VARIATION GRANTED**

**THE VOTE**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the front setback to 12'; the east side setback to 0'; to reduce the combined side setback to 3'; and, to reduce the rear setback to 23' for a proposed, two-story single-family residence with a rear, detached, three-car garage with a rooftop deck accessed by an open stair; 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:** 2507 Greenview, LLC

**CAL NO.:** 414-15-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1446 W. Altgeld Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 35' to 23' and to reduce the rear yard open space from 225 square feet to 0 square feet for a proposed, rear, detached, three-car garage with a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-story, single-family residence will remain unchanged.

**ACTION OF BOARD-**  
VARIATION GRANTED

**THE VOTE**

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear setback to 23' and to reduce the rear yard open space to 0 square feet for a proposed, rear, detached, three-car garage with a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-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.

  
 \_\_\_\_\_  
 CHAIRMAN



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

**APPLICANT:** 2507 Greenview, LLC

**CAL NO.:** 415-15-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1448 W. Altgeld Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 35' to 23' and to reduce the rear yard open space from 225 square feet to 0 square feet for a proposed, rear, detached, three-car garage with an exterior fireplace and a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-story, single-family residence will remain unchanged.

**ACTION OF BOARD.**  
VARIATION GRANTED

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN

SOL FLORES

SHEILA O'GRADY

BLAKE SERCYE

SAM TOIA

**THE VOTE**

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear setback to 23' and to reduce the rear yard open space to 0 square feet for a proposed, rear, detached, three-car garage with an exterior fireplace and a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-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:   
CHAIRMAN

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

**APPLICANT:** 2507 Greenveiw, LLC  
**APPEARANCE FOR:** Nick Ftikas  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1452 W. Altgeld Street

**CAL NO.:** 416-15-Z

**MINUTES OF MEETING:**  
 October 16, 2015

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 35' to 23.17'; to reduce the west side setback from 2' to 0.75' and to reduce the rear yard open space from 225 square feet to 0 square feet for a proposed, rear, detached, three-car garage with an exterior fireplace and a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-story, single-family residence will remain unchanged.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

**THE VOTE**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

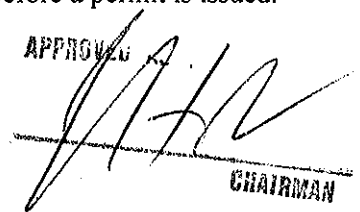
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear setback from 35' to 23.17'; to reduce the west side setback from 2' to 0.75' and to reduce the rear yard open space to 0 square feet for a proposed, rear, detached, three-car garage with an exterior fireplace and a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-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  
  
 CHAIRMAN

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

**APPLICANT:** 2507 Greenview, LLC

**CAL NO.:** 417-15-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1454 W. Altgeld Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 35' to 23' and to reduce the rear yard open space from 225 square feet to 0 square feet for a proposed, rear, detached, three-car garage with an exterior fireplace and a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-story, single-family residence will remain unchanged.

**ACTION OF BOARD-**  
VARIATION GRANTED

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the rear setback to 23' and to reduce the rear yard open space to 0 square feet for a proposed, rear, detached, three-car garage with an exterior fireplace and a roof deck which is accessed via an open stair exceeding 6' in height; the existing, two-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.

  
 \_\_\_\_\_  
 CHAIRMAN

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

**APPLICANT:** Noah Properties, LLC

**CAL NO.:** 418-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 7301 W. Belmont Avenue

**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, three-story, three-unit building with a rear, detached, six-car garage, accessed directly from North Octavia Avenue.

**ACTION OF BOARD**

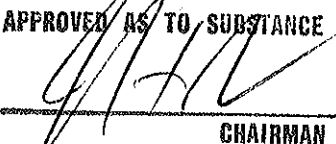
CASE CONTINUED TO JANUARY 15, 2016

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

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:** Noah Properties, LLC

**CAL NO.:** 419-15-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 7301 W. Belmont 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 front setback from 10.13' to 7'; to reduce the west side setback from 4.75' to 3'; and, to reduce the rear setback from 30' to 10.75' for a proposed, three-story, three-unit building with a rear, detached, six-car garage, accessed directly

**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 15, 2016

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPROVED BY THE BOARD



CHAIRMAN

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

**APPLICANT:** Noah Properties, LLC

**CAL NO.:** 420-15-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 7301 W. Belmont Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval of the establishment of to increase the area allowed for an accessory building from 1,085 square feet to 1,113 square feet for a proposed, three-story, three-unit building with a rear, detached, six-car garage, accessed directly from North Octavia Avenue.

**ACTION OF BOARD.**

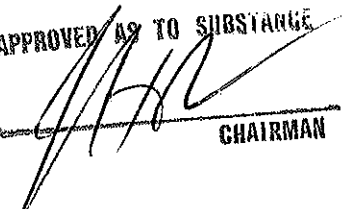
CASE CONTINUED TO JANUARY 15, 2016

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

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:** MRR 2020 N. Bissell, LLC **CAL NO.:** 421-15-Z  
**APPEARANCE FOR:** Nick Ftikas **MINUTES OF MEETING:** October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2020 North Bissell Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the south side setback from 2.4' to 0' for a proposed, side, three-story, open porch to be attached to an existing, three-story, six-unit building.

**ACTION OF BOARD-**  
**VARIATION GRANTED**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCYE  
 SAM TOIA

**THE VOTE**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

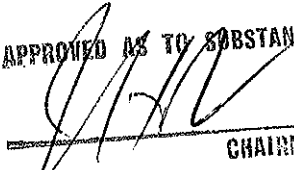
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the south side setback to 0' for a proposed, side, three-story, open porch to be attached to an existing, three-story, six-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:** 2325 W. Huron Condominium Association **CAL NO.:** 422-15-Z

**APPEARANCE FOR:** **MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2325 W. Huron 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 front setback from 7.42' to 1.54'; to reduce the east side setback from 2' to 0.68'; to reduce the west side setback from 3.62' to 0.75'; and, to reduce the rear setback from 30' to 25' for a proposed roof deck, to be added to an existing, r

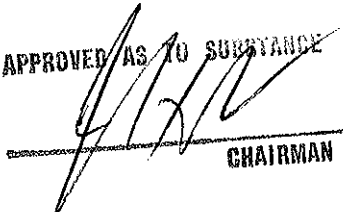
**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 15, 2016

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

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:** 2325 W. Huron Condominium Association

**CAL NO.:** 423-15-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 2325 West Huron 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 on-site, accessory, vehicular parking by not more than one space (from three to two) for a proposed roof deck, to be added to an existing, rear, detached, two-car garage, accessed via an open stair exceeding 6' in height; a roof deck and acc

**ACTION OF BOARD.**

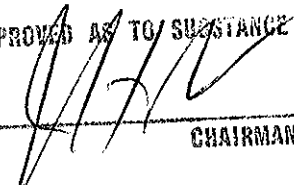
CASE CONTINUED TO JANUARY 15, 2016

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

**THE VOTE**

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:** Matthew and Holly Maloney

**CAL NO.:** 424-15-Z

**APPEARANCE FOR:** Nick Ftikas

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2112-14 North Sedgwick Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 34.79' to 22.74'; to reduce the north side setback from 4' to 0'; to reduce the south side setback from 4' to 0'; and, to reduce the combined side setback from 10' to 0' for a proposed, fourth floor addition and a four-story, rear addition to an existing, three-story, single-family residence; a surface parking space and a four-car, attached garage with a roof deck will be added to the rear of the property.

**ACTION OF BOARD-**  
VARIATION GRANTED

DEC 02 2015  
CITY OF CHICAGO

**THE VOTE**

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCYE  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

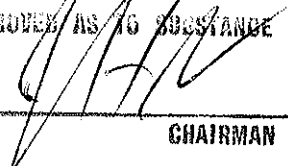
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on October 1, 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 reduce the north side setback to 0'; to reduce the south side setback to 0'; and, to reduce the combined side setback to 0' for a proposed, fourth floor addition and a four-story, rear addition to an existing, three-story, single-family residence; a surface parking space and a four-car, attached garage with a roof deck will be added to the rear of the property; 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:** Troy Leight **CAL NO.:** 133-15-Z  
**APPEARANCE FOR:** Rolando Acosta **MINUTES OF MEETING:**  
 October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 743 W. Bittersweet Place

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to reduce the rear setback from 33' to 5.99' and to reduce the rear yard open space from 357.5 square feet to 300 square feet for a proposed, three-story, rear addition, with an open, three-story, rear porch, to an existing three-story, three-unit building.

**ACTION OF BOARD-  
 VARIATION GRANTED**

**THE VOTE**

DEC 02 2015  
 CITY OF CHICAGO

JONATHAN SWAIN  
 SOL FLORES  
 SHEILA O'GRADY  
 BLAKE SERCEY  
 SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

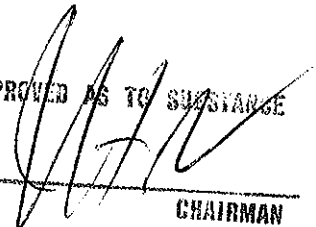
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 30, 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 reduce the rear setback to 5.99' and to reduce the rear yard open space to 300 square feet for a proposed, three-story, rear addition, with an open, three-story, rear porch, to an existing three-story, three-unit building; an additional variation was also granted in Cal. No. 134-15-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:** Troy Leight **CAL NO.:** 134-15-Z  
**APPEARANCE FOR:** Rolando Acosta **MINUTES OF MEETING:**  
October 16, 2015  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 743 W. Bittersweet Place

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the Zoning Ordinance for the approval to increase the pre-existing floor area of 6,431.4 square feet by no more than 15% (953.6 square feet) for a proposed, three-story, rear addition, with an open, three-story, rear porch, to an existing three-story, three-unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCEY  
SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

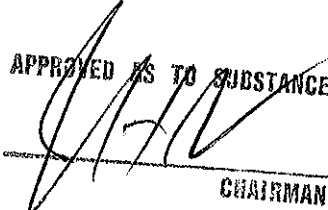
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 30, 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 increase the pre-existing floor area of 6,431.4 square feet by no more than 15% (953.6 square feet) for a proposed, three-story, rear addition, with an open, three-story, rear porch, to an existing three-story, three-unit building; an additional variation was granted in Cal. No. 133-15-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:** Philip Black

**CAL NO.:** 155-15-Z

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 3616 N. Harding 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 5' to 1.27' and to reduce the combined side setback from 15' to 8.42' for a proposed, rear, two-story addition, with a side, first floor porch/walkway and a second floor balcony, to an existing, two-story, single-family residence; the existing, rear detached , three- car garage will remain.

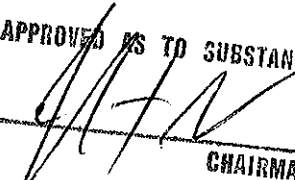
**ACTION OF BOARD-**  
CASE CONTINUED TO JANUARY 15, 2016

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCEY  
SAM TOIA

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:** Paradise Nail Corporation

**CAL NO.:** 174-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 3141 S. Halsted Street

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

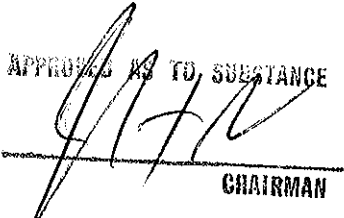
**ACTION OF BOARD-**  
DISMISSED FOR WANT OF PROSECUTION

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCEY  
SAM TOIA

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:** House Corporation, Board of Directors, Chi Upsilon Alumni **CAL NO.:** 242-15-A

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 5615 S. University Avenue

**NATURE OF REQUEST:** Application for a appeal under Chapter 17 of the Zoning Ordinance from the decision of the Zoning Administrator in refusing to allow the increase in the existing building height of 30' by no more than 10% (2.17') for a proposed, three-story, rear enclose porch and two-story, rear addition to an existing legal non-

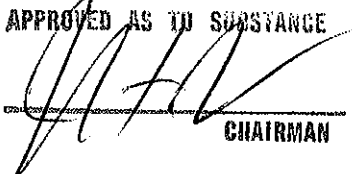
**ACTION OF BOARD-**  
WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCEY  
SAM TOIA

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:** HSC Realty, LLC

**CAL NO.:** 263-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**  
October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:** 1308 N. LaSalle Street, Unit 1

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one vacation rental unit on the first floor of an existing, four-story, four-unit building.

**ACTION OF BOARD-**  
WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCEY  
SAM TOIA

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:**

HSC Realty, LLC

**CAL NO.:** 264-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:**

1308 N. LaSalle Street, Unit 2

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one vacation rental unit on the second floor of an existing, four-story, four-unit building.

**ACTION OF BOARD-**

WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN

SOL FLORES

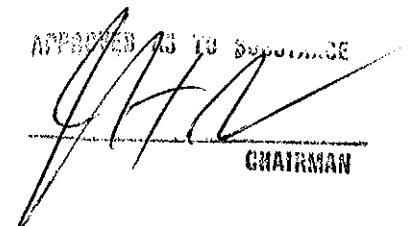
SHEILA O'GRADY

BLAKE SERCEY

SAM TOIA

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:**

HSC Realty, LLC

**CAL NO.:** 265-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:**

1308 N. LaSalle Street, Unit 3

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one vacation rental unit on the third floor of an existing, four-story, four-unit building.

**ACTION OF BOARD-**

WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN


SOL FLORES

SHEILA O'GRADY

BLAKE SERCEY

SAM TOIA

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:**

HSC Realty, LLC

**CAL NO.:** 266-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:**

1308 N. LaSalle Street, Unit 4

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of one vacation rental unit on the fourth floor of an existing, four-story, four-unit building.

**ACTION OF BOARD-**

WITHDRAWN ON MOTION OF THE APPLICANT

**THE VOTE**

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN

SOL FLORES

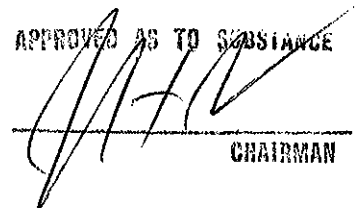
SHEILA O'GRADY

BLAKE SERCEY

SAM TOIA

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:**

Gricel Gonzalez

**CAL NO.:** 269-15-S

**APPEARANCE FOR:**

**MINUTES OF MEETING:**

October 16, 2015

**APPEARANCE AGAINST:**

**PREMISES AFFECTED:**

4457 S. Archer Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a day labor employment agency.

**ACTION OF BOARD-**

**DISMISSED FOR WANT OF PROSECUTION**

**THE VOTE**

DEC 02 2015

CITY OF CHICAGO

JONATHAN SWAIN

SOL FLORES

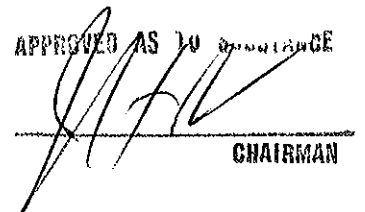
SHEILA O'GRADY

BLAKE SERCEY

SAM TOIA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPROVED AS TO ACCURACY



CHAIRMAN

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



DEC 02 2015  
CITY OF CHICAGO

**Chicago Title Land Trust, No. 8002366263**

APPLICANT

**313-15-Z & 314-15-Z**

CALENDAR NUMBERS

**3528 N. Janssen Ave.**

PREMISES AFFECTED

**October 16, 2015**

HEARING DATE

**Patrick Turner**

APPEARANCE FOR APPLICANT

**G.A. Finch**

APPEARANCE FOR OBJECTORS

**NATURE OF REQUESTS**

Application for a variation to reduce the front setback from 14.85' to 12.44'; to reduce the rear setback from 34.65' to 2.14'; to reduce the south side setback from 4' to 0.48'; to reduce the north side setback from 4' to 2.05'; and to reduce the combined side setback from 10' to 2.53' for a proposed three-story rear addition to an existing two-story single-family residence to which will also be added a covered open front porch, an unenclosed surface parking space and a raised rear patio; said single-family residence will be connected to a proposed rear two-car garage.

Application for a variation to increase the preexisting height of 35' by no more than 10% (3.39') feet for a proposed three-story rear addition to an existing two-story single-family residence to which will also be added a covered open porch front porch, and unenclosed surface parking space and a raised rear patio; said single-family residence will be connected to a proposed rear two-car garage.

**ACTION OF BOARD**

**THE VOTE**

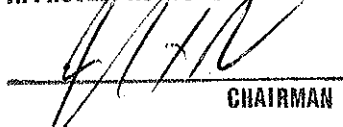
The applications for the variations are approved.

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

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on these applications by the Zoning Board of Appeals ("Board") at its regular meeting held on October 16, 2015, after due notice thereof as provided under Sections 17-13-017-B and 17-13-0108-A of the Chicago

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

Zoning Ordinance (“Zoning Ordinance”) and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Patrick Turner, counsel for the Applicant, explained the history of the property and the underlying basis for the relief sought; that the subject property is currently improved with a 100-plus year old single-family residence (“residence”); that the subject property is located in a RT-4 zoning district and the residence has an orange-rated historic designation; that requested variations will allow the Applicant to preserve a historic home while allowing modern improvements; that revisions to the plans have been made to accommodate some of the requests of the neighbors; and

WHEREAS, Mr. Patrick Murphy, the Applicant’s architect, testified on behalf of the applications; that his firm became involved with the project when the Applicant’s beneficiaries stated that while they loved the existing residence on the site, the residence was in bad shape and would need help to be saved; that his firm believes it has come up with a program of development that meets the beneficiaries’ goals, helps accommodate the neighbors’ desires and most importantly saves the existing residence and look of the building; and

WHEREAS, Mr. Tim Barton testified on behalf of the application; that he has physically inspected the subject property and its surrounding area; that his credentials as an expert in land use and planning were acknowledged by the Board; 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: (1) that the hardship with respect to the front and side yard setback requirements is due to the residence having been built long before this Zoning Ordinance was enacted with many setback encroachments that do not comply with the current setback requirements; (2) that the residence is a legal non-conforming structure; (3) any renovations done on the residence would need a variation for the front and side yard setbacks prior to any permits being issued; (4) that the hardship with respect to the rear yard setback is a combination of the structures on either side of the subject property creating a canyon effect, the substantial 100 year old oak tree that the community would like saved, and the need for privacy screening from the neighbors on either side of the subject property; (5) that the hardship with respect to increase in height is again due to the challenges of complying with this current Zoning Ordinance when renovating a 100 year old home; and

WHEREAS, Mr. Barton further testified that the variations requested would not alter the essential character of the neighborhood; that the Applicant is going to great lengths to enhance and maintain the current residence, thereby enhancing the neighborhood; that the requested variations will help preserve the residence and its front porch, allow the driveway to stay in place, and allow the reconstruction of the original side yard garage; that the subject property’s preexisting conditions upon which the applications are based are not applicable to other property within a RT-4 zoning district; that the practical difficulties or particular hardships with respect to the subject property were not created by a person presently having an interest in the subject property as the house and tree are over 100 years old and as the structures on either side of the subject property were done

within the last five (5) years, well before the Applicant's interest in the subject property; that the granting of variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood because the variations will enhance the property; and

WHEREAS, Mr. Barton further testified that the proposed variations will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the neighborhood because: (1) the south side of the subject property will be developed with a garage and wall that will match the adjacent neighbor's wall and therefore there will be no impact to the adjacent neighbor south; (2) the neighbor to the north will benefit from the open space in the north half of the subject property as the addition is configured all to the south side of the subject property, up against the wall that is already existing on the property on the south; and

WHEREAS, Mr. Barton further testified that the requested variations are consistent with the stated purpose and intent of this Zoning Ordinance because this Zoning Ordinance calls out a number of standards for maintaining historic structures, specifically: (1) Section 17-1-0502 which calls for preserving overall quality of life for residences and visitors; (2) Section 17-1-0503 which calls for protecting the character of established residential neighborhoods; and (3) Section 17-1-0511 which calls for promoting the rehabilitation and reuse of older buildings; and

WHEREAS, Mr. Carson Kyle, one of the Applicant's beneficiaries, testified on behalf of the application; that the acquisition price for the subject property was \$1.6 million; that the cost of construction is estimated at \$3 million; that his goal is not to make money on the subject property; that instead his main goal is to preserve the historic features of the residence and provide a home for his family; that this is a labor of love; and

WHEREAS, Mr. Murphy again testified on behalf of the applications; that with respect to the hardship for the increase in building height, the hardship is caused by the existing first floor being 6.5' above grade; that to salvage the building, the existing first floor and second floor height need to be maintained so that the windows continue to stay relative to the floors as they are now; that as a result, if the third floor is to be habitable, the Applicant will require a few extra feet above the 35' requirement to make use of the space; that his firm has done a number of things to really try and minimize the massing, such as allowing the roof lines to spring from a low point on all sides of the house; that his firm has tried to compromise so that the attic space itself is as minimal as possible; that the Applicant is staying within its Floor Area Ratio ("FAR") allowances for area; that therefore the Applicant is not looking for 12' ceilings in the attic or something very large; that again the hardship results from the existing height of the first floor as the first floor is significantly above grade when compared to other homes and new construction; that in a new construction home it is unlikely a first floor would be set so high above

grade because of the restrictions under this Zoning Ordinance; that the main goal is to preserve the historic features of the face of the residence; and

WHEREAS, Mr. G.A. Finch, counsel for the Leonard Loventhal family, was granted leave to cross-examine Mr. Barton; and

WHEREAS, Mr. Barton further testified that the subject property has an orange-color code or historic ranking on the Chicago Historic Research Survey ("orange-rated"); that he did not survey the other orange-rated houses on this block of North Janssen for individual historical or architectural significance; that he did not know if the other orange-rated houses on this block of North Janssen had setbacks along their south property line; that he did survey the houses on either side of the subject property; that most of the houses on the block are single-family, older houses and have more or less consistent front setbacks; that he would estimate that an upwards of 10,000 properties are orange-rated; that not all of these orange-rated properties automatically qualify for variations; that with respect to the canyon effect, he did not conduct a study to ascertain shadow and light on the subject property; that he did walk around the site and observed; that in order to do any work on the front porch of the residence, a variation is required; that building a storage space above the garage is not a hardship; and

WHEREAS, Mr. G.A. Finch, counsel for the Leonard Loventhal family, began his case-in-chief; that the Leonard Loventhal family owns the property next south of the subject property at 3522 N. Janssen; that he then explained the nature of the Loventhals' objections; that the Applicant's requests for setbacks and height increases are excessive and out of character for the street; that the Applicant's desire to maximize the use of the subject property would diminish light, air, views, the privacy of the Loventhals, and impair the overall aesthetics with adjoining properties; that the Applicant has manufactured its own hardship by buying the historic home and not wanting to comply with the existing regulations and standards under this Zoning Ordinance; and

WHEREAS, Mr. Leonard Loventhal, of 3522 N. Janssen, testified in objection to the application; that he purchased the property in 1999 and built a brick home on the property; that he purchased the property because he loved the feel of the neighborhood and the character of the street; that although he could have built a bigger home, he wanted to respect the character of the street and his neighbors; that the proposed renovations to the residence will create a massive, overbearing structure not in character with the rest of the street; that the roof of the proposed residence peaks at 44'; that with the additional height-mass, extended footprint and housing addition, he and his neighbors will have much of their light, air and views blocked; that with respect to the south side yard setback, the Applicant's residence will be the only home on the street that has a curb cut with parked cars in the area and will be the only house with no plants or landscaping in the side yard; that the rear yard setback reduction is also out of character as it obliterates privacy, lighting and views for the neighbors; that the variations are not being sought out of necessity but rather due to a desire to have a massive home; and

WHEREAS, Mr. Turner was granted leave to cross-examine Mr. Loventhal; and



WHEREAS, Mr. Loventhal further testified that he obtained rear yard zoning relief when he built his home; and

WHEREAS, Ms. Marguerite Thompson testified in objection to the application; that she has been asked to appear by a group of her neighbors; that thirteen of her neighbors collectively sent a letter to Alderman Tunney to express their concerns about the project; that the majority of the thirteen reside in homes more than 100 years old; that most of their homes have not been expanded beyond their original footprint; that the neighborhood is increasingly surrounded by oversized homes that threaten to fundamentally alter the quality of the neighborhood; that the setback requirements and light restrictions always ensured that homes gracefully sat among their neighbors; that now older homes are being dwarfed by new construction creating a canyon effect that the Applicant itself is complaining of; that the Applicant's combined three-story addition plus a carriage garage house is too much building even for a double lot; that a 50' x 125' lot offers sufficient space to build a very large home within the parameters of the existing ordinances; that denial of luxury is not a hardship; that this Zoning Ordinance protects all and the public should be able to rely upon its enforcement; and

WHEREAS, Mr. George Kisiel testified on behalf of Mr. Loventhal; that he has physically inspected the subject property and its surrounding area; that his credentials as an expert in land use and planning were acknowledged by the Board; 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 there are two basic criteria for evaluating variations: (1) whether strict compliance with the regulations of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; and (2) whether the requested variation is consistent with the stated purpose of this Zoning Ordinance; that with respect to the subject property, the variations requested are for a bulk and area variation not a use variation; that therefore in this case, there is need to find a practical difficulty rather than a particular hardship; that to satisfy this criteria, the Applicant would need to show that there is something unique or different about the physical site configuration rather than the existing improvements on the site; that the subject property is 55' x 124.75'; that this is consistent with the adjacent lots and similar to a great many lots in the City; that there is nothing unique about the configuration of the lot that would prohibit redevelopment of the subject property that would be consistent with the general character of the neighborhood; and

WHEREAS, Mr. Kisiel then testified that this block of North Janssen has two-story single family homes ranging from 2,500 square feet to 4,500 square feet with an average of 3,200 square feet; that there is a generous space between structures achieved by the historical pattern of setbacks with larger setbacks on the south property line and smaller setbacks on the north property lines; that granting the south side yard setback reduction would produce conditions out of character with the historically established development pattern; that the requested variations are also not consistent with the stated purpose and intent of the Zoning Ordinance as the overall quality of life is not served by allowing the construction of significant mass of 20' brick within 6" of the property line adjacent to a

single family home; that the light, air and privacy of Mr. Loventhal will be impeded by the south side setback reduction; and

WHEREAS, Mr. Turner was given leave to cross-examine Mr. Kisiel; and

WHEREAS, Mr. Kisiel further testified that there is only one driveway on the west stretch of Janssen; that this driveway is on the subject property; that said driveway is not a unique characteristic of the subject property; that it is also not unique to the area although it is out of the ordinary; that there is currently a 0' setback on the south side property line of the subject property; that the Loventhal home is a mixed, vernacular two-flat style that can be found throughout the City; that the Loventhal home fits into the character of the neighborhood; that there is no hardship despite the nonconforming structure on the lot because the existing nonconforming attributes are being demolished, a new foundation is being poured, and new structures will be built; that the variations will impede light and air to the Mr. Loventhal's property because there will be a structure that varies between 24' and 14' in height on the subject property that will be placed in close proximity to Mr. Loventhal's property; that one needs a variation to expand the front porch; that he does not believe you need a variation solely to do work on the front porch provided one is not expanding the existing nonconforming characteristic of the property; and

WHEREAS, Mr. Turner was given leave to examine Mr. Stuart Rose; and

WHEREAS, Mr. Stuart Rose testified he was the builder of Mr. Loventhal's home; that he believes he obtained side yard relief in the form of an administrative adjustment, which was then called an exception; that the side yard relief was on the north side yard of Mr. Loventhal's lot, that is to say the south side yard of the Applicant; that he believes he also obtained some relief for the rear yard; and

WHEREAS, Mr. Turner stated that according to the Freedom of Information Act request he conducted, no zoning relief was granted for the rear yard; and

WHEREAS, Mr. Rose testified that everything was properly permitted; and

WHEREAS, Mr. Kisiel testified that when Mr. Loventhal's home was built it was built under the old zoning districts and was subject to a different set of zoning regulations, prior to the adoption of this current Zoning Ordinance; and

WHEREAS, the Board inquired what would happen if the Board did not grant the Applicant's rear setback request; and

WHEREAS, Mr. Murphy testified that the garage would not be attached to the residence; that however the height of the garage is an independent issue; that the garage's current look is due to accommodating the Loventhals and has gone through many designs and revisions; that part of the problem is the existing footprint of the garage; and

WHEREAS, in closing, Mr. Turner stated that the particular hardships with respect to the subject property are unique; that the residence is a legal nonconforming structure; that this is a hardship because no one can expand the use and therefore only cosmetic changes can be made to the residence; that this hardship is not self-imposed because this is a 100 year old home; that the Applicant purchased the residence as-is and is trying to make the home a modern home with modern amenities while preserving many of the historical characteristics of this home; and

WHEREAS, Alderman Tunney testified; that he believed there was hardship and that the residence is a beautiful home that will enhance the values of the neighbors; that he certainly does not have an objection to the application; and

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

WHEREAS, Sections 17-13-1000-L and 17-13-1101-B grant the Zoning Board of Appeals authority to grant a variation to approve an increase of up to 10% in height of a building that does not comply with applicable zoning district height limits; 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 applications for variations:

1. The Board finds that pursuant to 17-13-1107-A the Applicant has proved its case by testimony and other evidence that a practical difficulty and particular hardship exists regarding the proposed use of the subject property should the requirements of the Zoning Ordinance be strictly complied with due to the preservation of a 100 year old orange-rated residence and 100 year old oak tree as well as the alleviation of a canyon effect created by structures on the adjacent lots. Further, the requested variations are consistent with the stated purpose and intent of the Zoning Ordinance, particularly Sections 17-1-0502, 17-1-0503, and 17-1-0511.
2. The Board finds that pursuant to 17-13-1107-B that the Applicant has proved by testimony and other evidence that: (1) the question of reasonable rate of return is not applicable as the Applicant currently owns and will continue to own the subject property; (2) the practical difficulty or particular hardship of the property is due to the unique circumstances of the preservation of a 100 year old orange-rated residence and 100 year old oak tree as well as the alleviation of a canyon effect created by structures on the adjacent lots and not generally applicable to similarly situated properties; and (3) the variations, if granted, will not alter the essential character of the neighborhood as the

residence has existed on the subject property for over 100 years and the renovations proposed will enhance and continue the character of the neighborhood.

3. The Board, in making its determination pursuant to 17-13-1107-C that a practical difficulty or particular hardship exists, took into account that evidence was presented that: (1) the preservation of a 100 year old orange-rated residence and 100 year old oak tree as well as the alleviation of a canyon effect created by structures on the adjacent lots results in practical difficulty or particular hardship to the Applicant if the strict letter of the Zoning Ordinance were carried out; (2) the preservation of a 100 year old orange-rated residence and 100 year old oak tree as well as the alleviation of a canyon effect created by structures on the adjacent lots is not a condition generally applicable to other properties in a RT-4 zoning district; (3) profit is not the sole motive for the Applicant as the Applicant purchased the property with the intent that its beneficiaries create a home; (4) the Applicant did not create the hardship in question as it bought the property with the residence, oak tree and structures on the adjoining properties already in existence; (5) the variations being granted will not be detrimental to the public welfare or injurious to other property but will instead enhance the historic character of the neighborhood by preserving an orange-rated home and 100 year old oak tree; and (6) the variations will not impair an adequate supply of light or air to the neighboring properties as the south side of the subject property will be developed by a garage and wall that will match the adjacent neighbor's wall and therefore there will be no impact to the adjacent neighbor south while the north side of the property will be open space, nor will the variations 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 but will instead enhance property values.

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

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

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

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

**APPLICANT:** Castles and Kings, LLC

**CAL NO.:** 327-15-S

**APPEARANCE FOR:** Richard Toth

**MINUTES OF MEETING:**  
September 18, 2015

**APPEARANCE AGAINST:** George Blakemore

**PREMISES AFFECTED:** 2845-47 W. Arthington Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a 24-space, off-site, accessory, parking lot to serve a proposed, indoor, sports facility to be located at 2824 W. Taylor Street.

**ACTION OF BOARD-**  
APPLICATION APPROVED

**THE VOTE**

DEC 02 2015  
CITY OF CHICAGO

JONATHAN SWAIN  
SOL FLORES  
SHEILA O'GRADY  
BLAKE SERCEY  
SAM TOIA

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 October 16, 2015, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on September 3, 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; George Blakemore testified in opposition to the application for special use at the subject site; the applicant testified that the request for special use was previously approved in Cal. No. 378-12-15; the applicant was unable to move forward at that time with the project and is again re-appearing to seek approval of the special use; the applicant shall be permitted to establish a 24-space, off-site, accessory, parking lot to serve a proposed, indoor, sports facility to be located at 2824 W. Taylor Street ;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 and plans prepared by Arch Chicago Architects and dated September 12, 2015.

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

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



DEC 02 2015  
CITY OF CHICAGO

**410-15-S & 411-15-S**  
CALENDAR NUMBERS

**Reliable Asphalt Corporation**  
APPLICANT

**October 16, 2015**  
HEARING DATE

**4604 and 4613 W. Grand Avenue**  
PREMISES AFFECTED

**Amy Kurson**  
APPEARANCE FOR APPLICANT

No Objectors

**NATURE OF REQUESTS**

Application for a special use to expand an existing special use to allow for the proposed outdoor storage of materials (4604) produced by the adjacent Class V recycling facility (4613).

Application for a special use to expand an existing special use to allow for the proposed outdoor storage of materials (4604) produced by the adjacent Reprocessable Construction and Demolition Material recycling facility (4613).

**ACTION OF BOARD**

**THE VOTE**

The applications for the special uses are approved.

Jonathan Swain, Chair  
Sol Flores  
Sheila O'Grady  
Blake Sercye  
Sam Toia

APPROVE	DENY	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**THE RESOLUTION OF THE BOARD**

WHEREAS, a public hearing was held on these applications by the Zoning Board of Appeals ("Board") at its regular meeting held on October 16, 2015, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance ("Zoning Ordinance") and by publication in the *Chicago Sun-Times*; and

WHEREAS, Ms. Amy Kurson, counsel for the Applicant, explained the history of the property and the underlying basis for the relief sought; that the Applicant is before the

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

Board to request a change to two existing special uses; that one existing special use is for the Class V recycling facility; that the other existing special use is for reprocessible construction and demolition facilities; that the special uses will be expanded by adding new land on the north side of Grand Avenue, adding a driveway, and restricting the driveways to "right in" and "right out"; and

WHEREAS, the Board inquired if the Applicant would be doing rock crushing at the subject property; and

WHEREAS, Ms. Kurson stated that the Applicant would be doing rock crushing at the subject property; that accordingly, there are two special use permits, each of which is being expanded; and

WHEREAS, Mr. Paul Etter, employee of the Applicant, testified on behalf of the Applicant; that the purpose of the proposed changes to the existing special uses was for additional storage and traffic pattern enhancement to the Applicant's existing recycling facility; that he then explained the traffic pattern enhancement to the Board; that as a result of the proposed changes to the existing special uses, there will no additional trips in and out of the existing recycling facility; that the proposed changes will improve traffic patterns on Grand Avenue and internally on the site; and

WHEREAS, Mr. Diego Nunez, employee of the Applicant, testified on behalf of the Applicant; that the recycling facility will comply with all applicable standards of this Zoning Ordinance; that the proposed changes have been designed, located and proposed to be operated to protect the public health, safety and welfare; and

WHEREAS, Mr. Hugh Edfors testified on behalf the Applicant; that his credentials as an expert in real estate appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that 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 expansion of the special uses: (1) will not have an adverse effect on the existing manufacturing activities in PMD-9; (2) will not have an adverse effect on the marketability of other PMD-9 industrial properties; (3) will not cause land use conflicts or nuisances complaints in the surrounding area; (4) will be compatible with surrounding uses; (5) will have no adverse effect on the economic development potential of the area and that of surrounding properties as the area is primarily industrial land uses or auto recycling facilities and as site is uniquely situated for the use; and

WHEREAS, Mr. Brian Mihelich testified on behalf of the Applicant; that he is the Applicant's environmental consultant; 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 expansion of the special uses: (1) has been designed to be operated in such a manner as to minimize adverse impacts on air, land and water quality; (2) has been designed, located and proposed to be operated so that the public health, safety and welfare will be protected; (3) will utilize the best commercially available

pollution control technology; (4) is located outside of the boundary of the 100 year flood plan; (5) is designed to minimize danger to the surrounding area from fires, spills or operational accidents; (6) will have no environmental impact on the area; and

WHEREAS, Mr. Luay Aboona testified on behalf of the Applicant; that he is the Applicant's traffic consultant; that he orally testified as follows: (1) that the new proposed right-in/right-out restrictions on Grand Avenue and the additional driveway will improve traffic flow on Grand Avenue; (2) that the traffic from the proposed expansion of the special uses will be compatible with the traffic from the surrounding area; (3) that the adjusted trip pattern will not have an adverse effect on traffic safety on Grand Avenue and will instead improve traffic safety; (4) that truck traffic will not be crossing Grand Avenue but will instead be going over Grand Avenue via a viaduct; (5) that this new design protects pedestrian safety; and

WHEREAS, Ms. Kurson requested that the record from the previous hearings for subject property be incorporated into the current hearing so that all standards that were met for the original special uses be included in the expanded special uses; and

WHEREAS, the Board granted such request; and

WHEREAS, Ms. Kurson stated that the Applicant understood that should the expanded special uses be granted, they would be tied to the site plans submitted; that, however, the Applicant may desire to move equipment from one side of the site to another; that the Applicant would therefore request that either an administrative person from the Board or the Zoning Administrator have the authority to allow those changes; and

WHEREAS, the Board stated it did not believe the Board had such power; that the Board then suggested the Applicant pose that question to the Department of Law and the Department of Planning and Development ("Department"); and

WHEREAS, the staff of the Department recommended approval to expand an existing special use to allow for the proposed outdoor storage of materials produced by the adjacent Class 5 recycling facility and a reprocessible construction and demolition material recycling facility, provided the development is consistent with the design, layout and plans prepared by Reliable Materials and dated September 11, 2015; and

WHEREAS, the Applicant has presented evidence that the proposed application meets all of the criteria established in Section 17-13-0905-A for the granting of a special use; now, therefore,

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



1. The proposed special uses comply with all applicable standards of this Zoning Ordinance.
2. The proposed special uses are in the interest of the public convenience as they allow for the expansion of an existing business. Further, the proposed special uses will not have a significant adverse impact in the area as demonstrated by the very credible testimony of Mr. Edfors, Mr. Mihelich, and Mr. Aboona.
3. The proposed special uses are compatible with the character of the surrounding area in terms of site planning and building scale and project design because it is an industrial use of property located within a PMD.
4. The proposed special uses are compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation as the proposed special uses are consistent with the primarily industrial and auto recycling land uses of the area.
5. The proposed special uses will promote pedestrian safety and comfort as testified to by Mr. Aboona.

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.

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

- (a) are necessary to accommodate the waste removal needs of the area they are intended to serve;
- (b) are located outside the boundary of the 100-year flood plain as determined by the Illinois Department of Transportation;
- (c) are designed to minimize the danger to the surrounding area from fire, spills or other operational accidents;
- (d) are so designed and located as to minimize the impact on existing traffic flow in the surrounding area;
- (e) are so designed and proposed to be operated so as to minimize adverse impacts on air, land and water quality by using the best commercially available pollution control technology;
- (f) are located and operated so as to minimize adverse affects on the economic

development potential of the area, and on the value of surrounding property; and

- (g) are so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

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

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-C of the Chicago Zoning Ordinance:

1. The proposed special use will not have a significant adverse impact on the existing manufacturing activities within PMD No. 9, including the potential for land use conflicts and nuisance conflicts.
2. The proposed special use will not affect efforts to market other property within the planned manufacturing district for industrial use.

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

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

1. The special uses shall be developed consistent with the design, layout and plans prepared by Reliable Materials and dated September 11, 2015.

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