

**ZBA  
MINUTES  
AUGUST 18, 2017**

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

**APPLICANT:** Crossroads Ridge, LLC

**CAL NO.:** 457-17-S

**APPEARANCE FOR:** Rich Toth/Liz Butler

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5964-70 N. Ridge Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a one-lane drive through to serve a proposed fast-food restaurant at the subject site; a variation was also granted to subject property in Cal. No. 458-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of both the site and landscape plans dated August 14, 2017, prepared by Camburas & Theodore Ltd. In regards to the elevations for the double-tenant strip mall, the development should be consistent with the materials called out on the drawings, which include face brick, aluminum storefronts with clear glazing, anodized canopies to match the storefronts, and limestone banding and coping.

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:** Crossroads Ridge, LLC

**CAL NO.:** 458-17-Z

**APPEARANCE FOR:** Rich Toth/Liz Butler

**MINUTES OF MEETING:**  
August 18, 2017

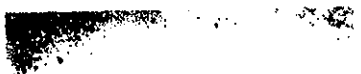
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5964-70 N. Ridge Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the landscape setback along N. Ridge Avenue from 7' to 3'-4" and adding a masonry screen wall which shall be 2'-6" high.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the landscape setback along N. Ridge Avenue to 3'-4" and adding a masonry screen wall which shall be 2'-6" high; a special use was granted to the subject property in Cal. No. 457-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

APPLICANT: Westside Health Authority

CAL NO.: 459-17-S

APPEARANCE FOR: Morris Reed

MINUTES OF MEETING:  
August 18, 2017

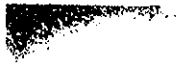
APPEARANCE AGAINST: None

PREMISES AFFECTED: 5422 W. Division Street

NATURE OF REQUEST: Application for a special use to establish a transitional residence in an existing two-story, mixed-use building.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

  
  
SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

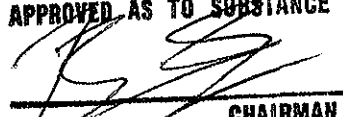
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the site plan and the floor plan, both dated June 7, 2017, prepared by RT Architect, Inc.

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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


**APPLICANT:** Tsersndori Davaasuren c/b/a Bliss Nails      **CAL NO.:** 460-17-S  
**APPEARANCE FOR:** Same as Applicant      **MINUTES OF MEETING:**  
**APPEARANCE AGAINST:** None      August 18, 2017  
**PREMISES AFFECTED:** 4245 N. Lincoln Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a nail salon.  
**ACTION OF BOARD-**  
**Continued to September 15, 2017 at 2 p.m.**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

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

**APPLICANT:** Louis Egwuenu

**CAL NO.:** 461-17-S

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4315 S. Ashland Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

**APPLICANT:** Marco Cozzini

**CAL NO.:** 462-17-Z

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6301 N. Keeler Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 25.1' to 19.95', north setback from 4' to 2.7', south setback from 4' to 1', combined side setback from 9.9' to 3.7' for a proposed single family residence with roof deck, rooftop penthouse stair and elevator enclosure, rear raised patio and a detached two car garage with roof deck and open access stair.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

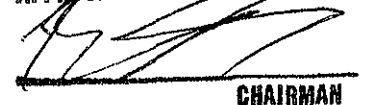
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 19.95', north setback to 2.7', south setback to 1', combined side setback to 3.7' for a proposed single family residence with roof deck, rooftop penthouse stair and elevator enclosure, rear raised patio and a detached two car garage with roof deck and open access stair; an additional variation was granted to the subject property in Cal. No. 463-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** Marco Cozzini

**CAL NO.:** 463-17-Z

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6301 N. Keeler Avenue

**NATURE OF REQUEST:** Application for a variation to increase the maximum floor area ratio from 0.65 to 0.75 (3032.76 square feet total proposed) for a proposed single family residence with roof deck, roof top penthouse stair and elevator enclosure, rear raised open patio and detached two car garage with roof deck and open access stair.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**



**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the maximum floor area ratio to 0.75 (3032.76 square feet total proposed) for a proposed single family residence with roof deck, roof top penthouse stair and elevator enclosure, rear raised open patio and detached two car garage with roof deck and open access stair; an additional variation was granted to the subject property in Cal. No. 462-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**



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

APPLICANT: Sara Kim

CAL NO.: 464-17-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2480 N. Orchard Street

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 37.73' to 2', south setback from 2' to zero (north to be 3.83') combined side setback from 5' to 3.83' for a proposed three-story covered porch with one parking stall at grade at the rear of the existing building.

ACTION OF BOARD-  
Continued to September 15, 2017 at 2 p.m.

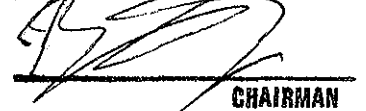
THE VOTE

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

  
CHAIRMAN

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

APPLICANT: Sara Kim

CAL NO.: 465-17-Z

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2480 N. Orchard Street

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 165.05 square feet to zero for a proposed rear three-story, covered porch with one parking stall carport at the rear of the existing building.

ACTION OF BOARD-  
Continued to September 15, 2017 at 2 p.m.



THE VOTE

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE

CHAIRMAN

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

APPLICANT: 3505 Clark, Inc. Deuces and Diamonds Club

CAL NO.: 466-17-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3505 N. Clark Street

NATURE OF REQUEST: Application for a special use to establish an outdoor patio on the roof of an existing two-story restaurant.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



SEP 18 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated May 17, 2017, including the elevations dated August 10, 2017, all prepared by Thomas Montgomery Architect.

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Christ Center of Hope: Assembly of God

**CAL NO.:** 467-17-S

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 18, 2017

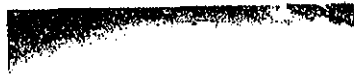
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5534 N. Kedzie Avenue

**NATURE OF REQUEST:** Application for a special use to establish a religious assembly with 112 seats in an existing building.

**ACTION OF BOARD-**  
Continued to September 15, 2017 at 2 p.m.

**THE VOTE**



**SEP 18 2017**

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

**CHAIRMAN**

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

APPLICANT: Christ Center of Hope: Assembly of God

CAL NO.: 468-17-S

APPEARANCE FOR: John Pikarski

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5530-58 N. Kedzie Avenue

NATURE OF REQUEST: Application for a special use to establish off-site parking to meet the parking requirement for the proposed religious assembly located at 5534 N. Kedzie Avenue.

ACTION OF BOARD-  
Continued to September 15, 2017 at 2 p.m.

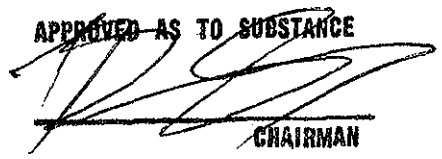
THE VOTE

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** Christ Center of Hope: Assembly of God

**CAL NO.:** 469-17-Z

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5530-58 N. Kedzie Avenue

**NATURE OF REQUEST:** Application for a variation to establish shared parking for a proposed religious assembly located at 5534 N. Kedzie and an existing school located at 5531 N. Kedzie Avenue.

**ACTION OF BOARD-**

Continued to September 15, 2017 at 2 p.m.

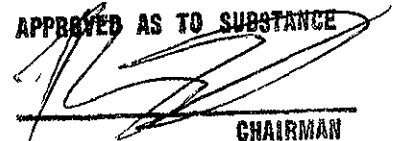
**THE VOTE**

**SEP 18 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Alexander Sandoval

**CAL NO.:** 470-17-Z

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3441 N. Springfield Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the north setback from the required 2' to 6", combined side setback from 5' to 4'-7" for a proposed two, story single family residence.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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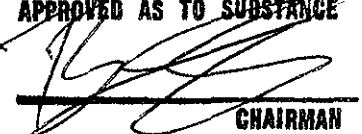
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north setback to 6", combined side setback to 4'-7" for a proposed two, story single family residence; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** Dung Thuy Le **CAL NO.:** 471-17-S  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3325 N. Milwaukee Avenue  
**NATURE OF REQUEST:** Application for a special use to establish a nail salon.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

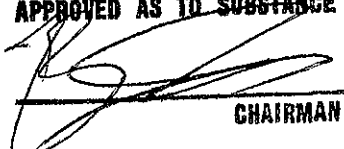
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

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



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

**APPLICANT:** VGS Diesel, Inc. & U Rol Express **CAL NO.:** 472-17-Z  
**APPEARANCE FOR:** Christopher Koczwarra **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 6100 S. New England Avenue  
**NATURE OF REQUEST:** Application for a special use to establish fifty, 10' x 50' container storage spaces.  
**ACTION OF BOARD-  
WITHDRAWN**

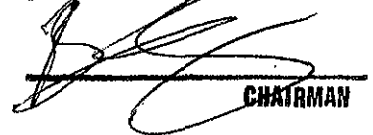
**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
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X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Wilfredo Ruiz **CAL NO.:** 473-17-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2856 S. Hamlin Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the south setback from the required 2' to zero (north to be 3.9') combined side setback from 5' to 3.9', front setback from 9'-4" to 8'-1" for a third floor addition for the existing three-story, three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the south setback to zero (north to be 3.9') combined side setback to 3.9', front setback to 8'-1" for a third floor addition for the existing three-story, three dwelling unit building; an additional variation was granted to subject property in Cal. No. 474-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

APPLICANT: Wilfredo Ruiz

CAL NO.: 474-17-Z

APPEARANCE FOR: Same as Applicant

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2856 S. Hamlin Avenue

NATURE OF REQUEST: Application for a variation to increase the maximum building height from 30' to 30'-9" for a third floor addition for the existing three-story, three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

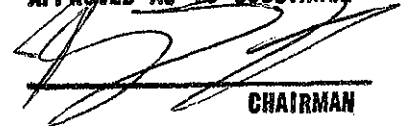
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the maximum building height to 30'-9" for a third floor addition for the existing three-story, three dwelling unit building; an additional variation was granted to the subject property in Cal. No. 473-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** Jason Strahan and Doyoung Yong **CAL NO.:** 475-17-Z  
**APPEARANCE FOR:** Rich Toth / Meg Georges **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3845 S. Lowe Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 35' to 5.75' for a proposed two-story, single family residence with an attached two car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 5.75' for a proposed two-story, single family residence with an attached two car garage; an additional variation was granted to the subject property in Cal. No. 476-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** Jason Strahan and Doyoung Yong **CAL NO.:** 476-17-Z  
**APPEARANCE FOR:** Rich Toth / Meg Georges **MINUTES OF MEETING:** August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3845 S. Lowe Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 406.25 square feet to 132.25 square feet for a proposed two story, single family residence with an attached two car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

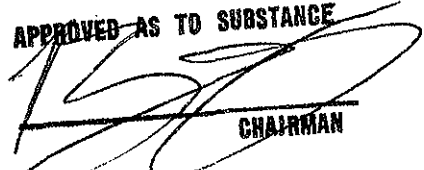
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear yard open space to 132.25 square feet for a proposed two story, single family residence with an attached two car garage; an additional variation was granted to the subject property in Cal. No. 475-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** Montrose Food & Liquors Inc.

**CAL NO.:** 477-17-S

**APPEARANCE FOR:** Timothy Stevens

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5615 W. Montrose Avenue

**NATURE OF REQUEST:** Application for a special use to establish a liquor store with packaged goods.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

**THE RESOLUTION:**

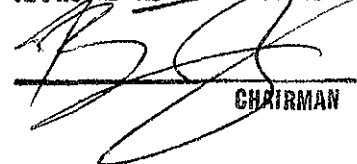
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**

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

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

**APPLICANT:** Kevin D. Smith  
**APPEARANCE FOR:** Same as Applicant  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 7854 S. Eberhart Avenue

**CAL NO.:** 478-17-S  
**MINUTES OF MEETING:**  
 August 18, 2017

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

**ACTION OF BOARD-  
 APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
 CITY OF CHICAGO  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

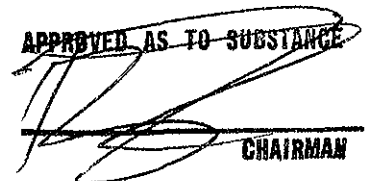
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

~~APPROVED AS TO SUBSTANCE~~  
  
 CHAIRMAN

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

**APPLICANT:** Mercedes Barroso d/b/a Mercy's Unisex Salon

**CAL NO.:** 479-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 18, 2017

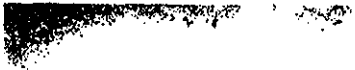
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 4806 W. Armitage Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**



**SEP 18 2017**

**CITY OF CHICAGO  
ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

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



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

**APPLICANT:** Constance Mack Latham

**CAL NO.:** 480-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 100 E. Walton Street, Suite 129

**NATURE OF REQUEST:** Application for a special use to establish a body art service (microblading).

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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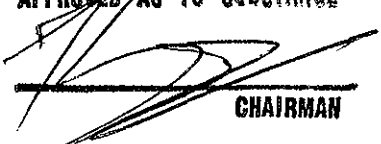
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

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

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

**APPLICANT:** 2731 Prindiville, LLC **CAL NO.:** 481-17-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2731 W. Prindiville Street

**NATURE OF REQUEST:** Application for a variation to reduce the front wall setback facing a public street from the required 10' to 3', rear wall setback to a side property line from 10' to zero for a proposed three-story, six dwelling unit townhouse building with four enclosed parking stalls and a garage roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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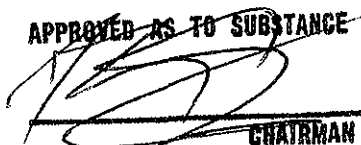
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front wall setback facing a public street to 3', rear wall setback to a side property line to zero for a proposed three-story, six dwelling unit townhouse building with four enclosed parking stalls and a garage roof deck; additional variations were granted to the subject property in Cal. Nos. 482-17-Z and 483-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** 2731 Prindiville, LLC **CAL NO.:** 482-17-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2731 W. Prindiville Street

**NATURE OF REQUEST:** Application for a variation to relocate one of the required private yard open space of 175 square feet to a proposed garage roof deck for a proposed three-story, six dwelling unit building with four enclosed parking stalls and a garage roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

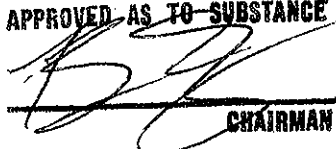
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to relocate one of the required private yard open space of 175 square feet to a proposed garage roof deck for a proposed three-story, six dwelling unit building with four enclosed parking stalls and a garage roof deck; additional variations were granted to the subject property in Cal. Nos. 481-17-Z and 483-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** 2731 Prindiville, LLC **CAL NO.:** 483-17-Z  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2731 W. Prindiville Street

**NATURE OF REQUEST:** Application for a variation to reduce the private yard open space of 175 square feet per unit to 164 square feet for four of the six proposed units of the proposed three-story, six dwelling unit townhouse building with four parking stalls and a garage roof deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

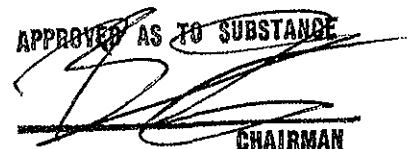
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the private yard open space of 175 square feet per unit to 164 square feet for four of the six proposed units of the proposed three-story, six dwelling unit townhouse building with four parking stalls and a garage roof deck; additional variations were granted to the subject property in Cal. Nos. 481-17-Z and 482-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** GW Fidelity Belmont, LLC

**CAL NO.:** 484-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 941 W. Belmont Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to zero for a proposed seven story retail and thirty-three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

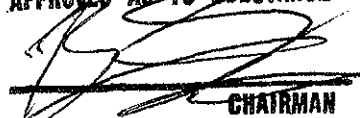
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero for a proposed seven story retail and thirty-three dwelling unit building; an additional variation was granted to the subject property in Cal. No. 485-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** GW Fidelity Belmont, LLC **CAL NO.:** 485-17-Z

**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 941 W. Belmont Avenue

**NATURE OF REQUEST:** Application for a variation to increase the height by no more than 10% from the maximum of 70' to 74'-11" for a proposed seven story retail and thirty-three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to increase the height by no more than 10% from the maximum of 70' to 74'-11" for a proposed seven story retail and thirty-three dwelling unit building; an additional variation was granted to the subject property in Cal. No. 484-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Yessenia Baez d/b/a Glam by Jessy

**CAL NO.:** 486-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3360 W. Peterson Avenue, Suite C & D

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

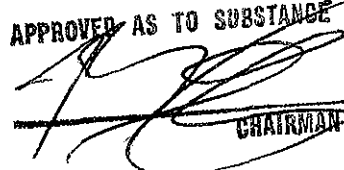
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

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

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

APPLICANT: Adam Laflin Place Land, LLC

CAL NO.: 487-17-S

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 128 S. Laflin Street

NATURE OF REQUEST: Application for a special use to establish residential use below the second floor for a proposed four-story, fifty-two dwelling unit building.

ACTION OF BOARD-  
APPLICATION APPROVED

THE VOTE

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed four-story, fifty-two dwelling unit building at the subject site; two variations were granted to the subject property in Cal. Nos. 488-17-Z and 489-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings dated August 11, 2017, prepared by Axios Architects and Consultants, Ltd.

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: Adam Laflin Place Land, LLC

CAL NO.: 488-17-Z

APPEARANCE FOR: Thomas Moore

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 128 S. Laflin Street

NATURE OF REQUEST: Application for a variation to eliminate the one required 10' x 25' loading berth for a proposed four-story, fifty two dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to eliminate the one required 10' x 25' loading berth for a proposed four-story, fifty two dwelling unit building; a special use in Cal. No. 487-17-S and an additional variation in Cal. No. 489-17-Z were granted to the subject 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): provided the development is consistent with the design and layout of the plans and drawings dated August 11, 2017, prepared by Axios Architects and Consultants, Ltd.

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:** Adam Laflin Place Land, LLC **CAL NO.:** 489-17-Z

**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 128 S. Laflin Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 15', for a proposed four-story, fifty two dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 15', for a proposed four-story, fifty two dwelling unit building; a special use in Cal. No. 487-17-S and an additional variation in Cal. No. 488-17-Z were granted to the subject 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): provided the development is consistent with the design and layout of the plans and drawings dated August 11, 2017, prepared by Axios Architects and Consultants, Ltd.

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



SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Marthette Muhammad**  
APPLICANT

**490-17-Z**  
CALENDAR NUMBER

**10537 S. Prairie Avenue**  
PREMISES AFFECTED

**August 18, 2017**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

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

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATION FOR 10537 S.  
PRAIRIE AVENUE BY MARTHETTE MUHAMMAD**

**I. BACKGROUND**

Marthette Muhammad (the "Applicant") submitted a variation application for 10537 S. Prairie Avenue (the "subject property"). The subject property is currently zoned RS-2 and is currently improved with a single family home. The Applicant had previously erected: (1) a wrought iron fence and gate located in the rear yard of the subject property and (2) a wrought iron fence and gate located on the west side of the single family home. Both wrought iron fences and gates exceeded 6' in height. Therefore, to permit said fences and gates, the Applicant sought a variation to reduce: (1) the rear yard setback from 35.10' to 5.13'; and (2) the side setback from 4' to 0'.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on August 18, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted her proposed Findings of Fact. The Applicant Ms. Marthette Muhammad was present at the hearing. Testifying in support of the application were Ms. Minnie Whitehead, of 10524 S. Prairie Avenue, and

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

Ms. Annette Collins, of 10536 S. Prairie Avenue. Testifying in opposition to the application was Ms. Angela Alexander, of 10541 S. Prairie Avenue. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant Ms. Marthette Muhammad testified that she had erected the wrought iron fences and gates ten years ago. She testified that she and her previous neighbor next west had erected the fences for security and safety reasons. She testified that she had twice been a victim of a break-in and had young grandchildren that lived with her. She testified that prior to installing the wrought iron fences and gates she had a 4' chain link fence. She testified that due to this 4' chain link fence, her yard was often used by burglars to evade police as the burglars would run from the scene of the crime, across her yard and into the alley at the rear of subject property. She testified that she had lived at the subject property for twenty years and planned to continue living there.

Ms. Annette Collins testified that fences over 6' in height were common in the neighborhood. She testified that no one she had spoken to had any objections to the Applicant's wrought iron gates and fences. She testified that said gates and fences added value to the neighborhood as they added to neighborhood safety.

Ms. Minnie Whitehead testified that she had seen people in the neighborhood jumping 4' fences. She testified that the block was made up of senior widows and widowers, and that they needed all the protection they could get.

In response to questions from the ZONING BOARD OF APPEALS, Ms. Muhammad further testified that as the fence was see through, it did not block an adequate supply of light and air.

Ms. Angela Alexander, the current neighbor next west to the subject property, testified in opposition to the application. She testified that she objected to the Applicant's fences and gates because the fences and gates encroached upon her property at 10541 S. Prairie. She testified that the Applicant's fences and gates were a nuisance and that she wanted them removed from her property at 10541 S. Prairie. She then testified to other issues she had with Ms. Muhammad.

The ZONING BOARD OF APPEALS stated that the Applicant was only before the ZONING BOARD OF APPEALS for legalization of her wrought iron fences and gates.

Ms. Alexander testified that she understood. In response to questions from the ZONING BOARD OF APPEALS, she further testified that she objected to the Applicant's fences and gates because they impeded her access to the side of her property. She testified she needed the Applicant's fences and gates off of her property so that she could tuck-point her home.

In response to Ms. Alexander's testimony, Ms. Muhammad again testified that she had been granted permission by the previous owner of 10541 S. Prairie to erect the fences and gates on that property.

#### B. Criteria for a Variation

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

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

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

### III. FINDINGS OF FACT.

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

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

**APPLICANT:** Ha Tran **CAL NO.:** 491-17-S

**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1710 W. 79<sup>th</sup> Street

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

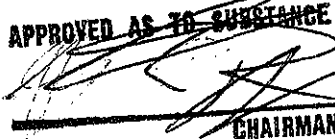
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

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


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

**APPLICANT:** Eileen and Martin Newell **CAL NO.:** 492-17-Z  
**APPEARANCE FOR:** Mark Kupiec **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3140 N. Kedzie Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 21' for a proposed three-story, six dwelling unit building with an attached garage and four on-site parking spaces.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

  
**SEP 18 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 21' for a proposed three-story, six dwelling unit building with an attached garage and four on-site 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**

  
**CHAIRMAN**

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

**APPLICANT:** Thomas Bulmer

**CAL NO.:** 493-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 13113 S. Green Bay Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the north setback from the required 8.02' to 4', south setback from 8.02' to 4.25', combined side setback from 24.08' to 8.25' for a proposed one-story single family residence with an attached two-car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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X		

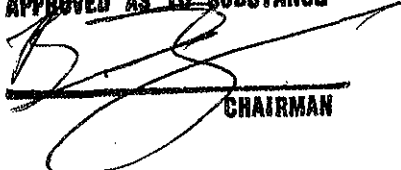
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the north setback to 4', south setback to 4.25', combined side setback to 8.25' for a proposed one-story single family residence with an attached two-car garage; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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



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

**APPLICANT:** 2028 North Fremont, LLC

**CAL NO.:** 494-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

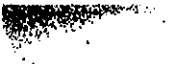
**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2028 N. Fremont Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 35' to 1.7', south setback from 4' to zero (north to be 0.36') combined side setback from 10' to 0.36' for a proposed one and two story rear addition, one car garage addition with roof deck, and screen walls and a masonry private fence on the existing three-story, single family residence.

**ACTION OF BOARD-**  
Continued to October 20, 2017 at 9:00 a.m.

**THE VOTE**




**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Salomon Properties LLC, Designated Series I

**CAL NO.:** 495-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1945 W. Wolfram Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 35' to 1.7', south setback from 4' to zero (north to be 0.36') combined side setback from 10' to 0.36' for a proposed one and two story rear addition, one car garage addition with roof deck, and screen walls and a masonry private fence on the existing three-story, single family residence.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

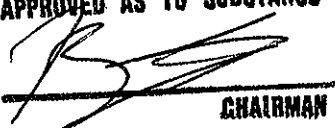
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to 1.7', south setback to zero (north to be 0.36') combined side setback to 0.36' for a proposed one and two story rear addition, one car garage addition with roof deck, and screen walls and a masonry private fence on the existing three-story, single family residence; an additional variation was granted to the subject property in Cal. No. 496-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** Salomon Properties LLC, Designated Series I

**CAL NO.:** 496-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1945 W. Wolfram Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 37.5' to zero, north from 2' to zero (south to be 0.52'), combined side setback from 5.01' to 0.52' for a proposed rear third floor addition and a conversion of the rear ground floor into a one car garage on to the existing three story, single family residence.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the rear setback to zero, north to zero (south to be 0.52'), combined side setback to 0.52' for a proposed rear third floor addition and a conversion of the rear ground floor into a one car garage on to the existing three story, single family residence; an additional variation was granted to the subject property in Cal.No. 495-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** Nathaneal Wickman Trust Lindsay Wickman Trust

**CAL NO.:** 497-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2648 N. Mildred Avenue

**NATURE OF REQUEST:** Application for a variation to increase the existing floor area ratio by no more than 1.06% from the existing 3,777.37 square feet to 3,817.37 square feet for a proposed first floor addition and a new privacy fence on the existing three-story building being deconverted from two dwelling unit building to a single family residence.

**ACTION OF BOARD-**  
**Continued to September 15, 2017 at 9:00 a.m.**

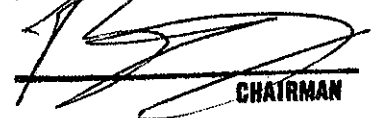
**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Nathaneal Wickman Trust Lindsay Wickman Trust

**CAL NO.:** 498-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2648 N. Mildred Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 15' to 0.42', north setback from 2' to 1.41' (south to be 2.51'), combined side setback from 5' to 3.92' for a proposed first floor front addition and a new privacy fence on the existing three-story building be being deconverted from two dwelling unit building to a single family residence.

**ACTION OF BOARD-**  
**Continued to September 15, 2017 at 9:00 a.m.**

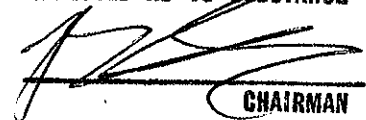
**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** KMW Communities, LLC **CAL NO.:** 499-17-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 720 N. Ada Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 12' to 6', south setback from 2' to 1.33' (north to be 3'), combined side setback from 4.8' to 4.33' for a proposed four and one half story, three-dwelling unit building with roof top feature.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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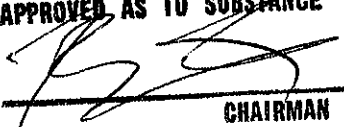
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to reduce the front setback to 6', south setback to 1.33' (north to be 3'), combined side setback to 4.33' for a proposed four and one half story, three-dwelling unit building with roof top feature; an additional variation was granted to the subject property in Cal. No. 500-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** KMW Communities, LLC

**CAL NO.:** 500-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017


**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 720 N. Ada Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 126 square feet to zero for a proposed four and one half story, three dwelling unit building with roof top feature.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

  
**SEP 18 2017**  
 CITY OF CHICAGO  
 ZONING BOARD OF APPEALS

BLAKE SERCYE  
 SHAINA DOAR  
 SOL FLORES  
 SAM TOIA  
 AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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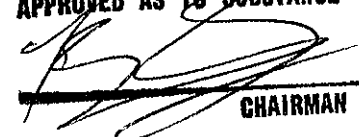
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to zero for a proposed four and one half story, three dwelling unit building with roof top feature; an additional variation was granted to the subject property in Cal. No. 499-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

**APPLICANT:** Will + Spence, LLC

**CAL NO.:** 501-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 721 N. Ada Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from 12' to 6', north setback from 2' to 1.33' (south to be 3') combined side setback from 4.8' to 4.3' for a proposed four and one-half, three dwelling unit building with roof top feature.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 6', north setback to 1.33' (south to be 3') combined side setback to 4.3' for a proposed four and one-half, three dwelling unit building with roof top feature; an additional variation was granted to the subject property in Cal. No. 502-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**



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

**APPLICANT:** Will + Spence, LLC

**CAL NO.:** 502-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 721 N. Ada Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 126 square feet to zero for a proposed four and one-half story, three dwelling unit building with a roof top feature.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		
X		

**THE RESOLUTION:**

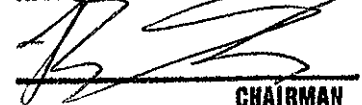
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to zero for a proposed four and one-half story, three dwelling unit building with a roof top feature; an additional variation was granted to the subject property in Cal. No. 501-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Robert Ontiveros **CAL NO.:** 503-17-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 5910 W. Estes Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the side setback from 4' to zero, combined side setback from 12' to zero and the rear setback from 34' to zero to allow for a 7' high wood fence (6' solid wood and the top 1' open lattice).

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the side setback to zero, combined side setback to zero and the rear setback to zero to allow for a 7' high wood fence (6' solid wood and the top 1' open lattice); the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Stephanie Bransfield**  
APPELLANT

**453-17-A**  
CALENDAR NUMBER

**2853 W. Leland Avenue**  
PREMISES AFFECTED

**July 21 & August 18, 2017**  
HEARING DATES

**ACTION OF BOARD**

**THE VOTE**

The decision of the Zoning Administrator is affirmed.

Blake Sercye  
Shaina Doar  
Sol Flores  
Sam Toia  
Amanda Williams

AFFIRMED	REVERSED	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE APPEAL OF A DECISION BY THE ZONING  
ADMINISTRATOR GRANTING AN ADMINISTRATIVE ADJUSTMENT AT  
2853 W. LELAND AVENUE BY STEPHANIE BRANSFIELD.**

**I. BACKGROUND**

Ms. Stephanie Bransfield (the "Appellant") appealed a decision of the Office of the Zoning Administrator (the "Zoning Administrator"). The Zoning Administrator granted an administrative adjustment to 2853 W. Leland (the "subject property") pursuant to Section 17-13-1003-I(1.5) of the Chicago Zoning Ordinance ("Zoning Ordinance"). Section 17-13-1003-I(1.5) states: "The Zoning Administrator is authorized to approve an administrative adjustment to permit an upper-story building addition that follows the existing setback of the exterior building wall directly beneath the proposed addition." As set forth in Section 17-13-1003-I(2) of the Zoning Ordinance, the administrative adjustment set forth in Section 17-13-1003-I(1.5) "may only be approved when the Zoning Administrator determines that the proposed setback reduction matches the general criteria of Section 17-13-1007-B" of the Zoning Ordinance.

**II. PUBLIC HEARING**

**APPROVED AS TO SUBSTANCE**

CHAIRMAN

### A. The Hearing

The ZONING BOARD OF APPEALS held public hearings on the Appellant's appeal at its regular meeting of July 21, 2017, after due notice thereof as provided under Section 17-13-1206 of the Zoning Ordinance, and as continued without further notice until August 18, 2017, as provided under Section 17-13-0108 of the Zoning Ordinance. The Appellant Ms. Stephanie Bransfield and her husband Mr. Frederick Bransfield were present at both the July 21 and August 18, 2017 hearings. One of the owners of the subject property Mr. John Patrick Straky was present at both the July 21 and August 18, 2017 hearings. Mr. Straky's architect Mr. Scott Rappe was present at the July 21, 2017 hearing. The Assistant Zoning Administrator Mr. Steven Valenziano was present at the August 18, 2017 hearing. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

At the opening of the July 21, 2017 hearing, the ZONING BOARD OF APPEALS reminded that under the Zoning Ordinance, the Zoning Administrator's decision was presumed correct, and that the burden of persuasion of error was on the Appellant.

The Appellant Ms. Stephanie Bransfield testified that she was appealing the decision of the Zoning Administrator to grant Mr. and Mrs. John Patrick Straky an administrative adjustment for the subject property. She testified she had made a request under the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, for the Zoning Administrator's file on said administrative adjustment. She testified that based on her review of the file she did not believe that there was any evidence that the Zoning Administrator considered the criteria set forth in Section 17-13-1007-B in granting the administrative adjustment. She testified that there was no work product or notes in the file showing any analysis on the part of the Zoning Administrator. She further testified that she did not believe there was any evidence in the file that supported the Zoning Administrator's decision in this matter. She testified that it was her belief that based on the evidence in the file, namely her letters in objection to the proposed administrative adjustment, the Zoning Administrator should have denied the Strakys' request for an administrative adjustment. Consequently, she prayed that the ZONING BOARD OF APPEALS: (1) determine the Zoning Administrator erred in granting the administrative adjustment; and (2) reverse the Zoning Administrator's decision.

Mr. Straky's architect Mr. Scott Rappe testified that he had provided truthful, accurate and complete information to the Zoning Administrator. He testified that he and Mr. Straky relied on the Zoning Administrator's expertise to evaluate said information. He testified that he believed the Zoning Administrator had evaluated the information in an appropriate and complete manner. Consequently, he prayed that the ZONING BOARD OF APPEALS affirm the Zoning Administrator's decision in this matter.

In response to questions from the ZONING BOARD OF APPEALS, Mr. Rappe testified that he had submitted to the Zoning Administrator a set of drawings that were initially not approved. He testified that the Zoning Administrator had requested

additional information and clarification. He testified that he made a subsequent submission to the Zoning Administrator with such additional information and clarification. He testified that this submission was also in the form of drawings, and that this submission was subsequently approved. He testified as to his recollection of what the Zoning Administrator had requested additional information and clarification on.

The ZONING BOARD OF APPEALS then stated that it may be that the Zoning Administrator had no need for work product in this instance. The ZONING BOARD OF APPEALS stated it may well be possible that the Zoning Administrator reviewed what was in the file and then rendered a decision.

The Appellant testified that she disagreed with this. She testified that if nothing was written down, how could anyone say that a determination was made.

The ZONING BOARD OF APPEALS stated that it seemed that the Appellant was making two separate arguments. Her first argument was that if there were no notes and no work product in the Zoning Administrator's file, the Zoning Administrator did not conduct an analysis with respect to the administrative adjustment. Her second argument was that there was not enough information put into the file by the Strakys to justify the Zoning Administrator granting an administrative adjustment in their favor. The ZONING BOARD OF APPEALS stated that with respect to the Appellant's first argument, it did not necessarily follow that because there were no notes and no work product in the file that the Zoning Administrator had not conducted an analysis. By way of analogy, the ZONING BOARD OF APPEALS stated that it itself had factual records it assessed and rendered decisions upon without extensive notes. It then asked the Appellant to return to her second argument.

The Appellant again testified that it was her belief there was no information in the Zoning Administrator's file to support the Zoning Administrator's decision in this matter.

In response to the Appellant's testimony, Mr. Straky testified that Mr. Rappe prepared drawings with all the details requested by the Zoning Administrator. He testified that he provided the Zoning Administrator with pictures of all his neighbors' houses. He testified that this was done at the Zoning Administrator's request so that the Zoning Administrator could review what the subject property would look like relative to the neighbors' properties. He further testified that he had to meet with the alderman so that the alderman could fully understand the nature of the project and could make a decision, based on the thoughts of the community, as to whether the alderman would support the administrative adjustment. He testified that it was his belief that the alderman shared her decision with the Zoning Administrator.

The ZONING BOARD OF APPEALS stated that it seemed possible for a person to look at architectural drawings and determine whether or not the criteria set forth in Section 17-13-1007-B had been met.

The Appellant conceded that architectural drawings could show whether or not a requested administrative adjustment met the requirements of Section 17-13-1007(B)(2). She testified that she did not believe that architectural drawings could show whether or not a requested administrative adjustment met the requirements of Section 17-13-1007(B)(3). She further testified she did not believe architectural drawings could show whether or not a requested administrative adjustment met the requirements of Section 17-13-1007(B)(1), especially those standards set forth in Section 17-1-0509, relating to light, air and privacy.

The ZONING BOARD OF APPEALS then asked the Appellant if she had received the pictures taken by Mr. Straky as part of her Freedom of Information Request.

The Appellant testified that she had received these pictures as part of her Freedom of Information Request.

The ZONING BOARD OF APPEALS stated that from the way the Appellant had previously explained the Zoning Administrator's file, it sounded as if only her letters in opposition to the Strakys' request for administrative adjustment were in said file. However, there were architectural drawings in the file as well as pictures of surrounding property.

The Appellant conceded that there were other items in the Zoning Administrator's file.

The ZONING BOARD OF APPEALS stated that architects can read architectural drawings and determine impact of light and air. The ZONING BOARD OF APPEALS stated that impact of light and air could also be determined from photographs. The ZONING BOARD OF APPEALS stated that it thought it was difficult to argue that only a specific document could be considered evidence. The ZONING BOARD OF APPEALS stated that it understood the Appellant's argument to be that the Zoning Administrator's file was missing interpretive documents. It then asked the Appellant what the Appellant thought was missing from the Zoning Administrator's file.

The Appellant testified that she believed there should be some document in the file to evaluate the impact of the Strakys' requested administrative adjustment to her home. She testified that she had wanted to present the Zoning Administrator with such a document. She requested an opportunity to present it to the ZONING BOARD OF APPEALS.

The ZONING BOARD OF APPEALS denied her request, reminding her that on appeals only evidence previously submitted to the Zoning Administrator could be considered.

The ZONING BOARD OF APPEALS took the matter under advisement. However, after deliberating, it voted to continue the matter until August 18, 2017, so that a representative of the Office of the Zoning Administrator could appear before the ZONING BOARD OF APPEALS and explain to the ZONING BOARD OF APPEALS:

(1) the Zoning Administrator's decision making process with respect to administrative adjustments in general; and (2) the Zoning Administrator's decision making process with respect to the Strakys' administrative adjustment in particular.

On August 18, 2017, the Assistant Zoning Administrator Mr. Steven Valenziano appeared before the ZONING BOARD OF APPEALS.

The Appellant objected to Mr. Valenziano's appearance. She stated that she considered Mr. Valenziano's testimony to be new evidence and that under the ZONING BOARD OF APPEALS Rules of Procedure evidence not previously submitted to the Zoning Administrator was not to be admitted at an appeal hearing.

The ZONING BOARD OF APPEALS overruled the Appellant's objection.

Mr. Valenziano testified that the purpose of an administrative adjustment is to provide a streamlined procedure for certain adjustments under the Zoning Ordinance. He testified that for an administrative adjustment, an applicant has to notify adjoining property owners and his or her alderman. He testified that an applicant's plans have already been submitted to the Zoning Administrator at this point, and after notice had been sent out, the Zoning Administrator would wait a minimum of ten days for any neighbor or alderman to come and look at the plans. If any neighbor or the alderman had objections, the Zoning Administrator would take those objections into account when it rendered its decision. If there were no objections, the Zoning Administrator would have nothing additional to take into account, and continue straight on to considering the criteria set forth for each administrative adjustment.

He testified that other than the submitted plans, most of the communication between the Zoning Administrator and an applicant is verbal and face-to-face. He testified that the information the Zoning Administrator considers when rendering its decision depends on the nature of the administrative adjustment. He testified that the most prevalent administrative adjustments involved setback relief, and in those cases, if the setback relief were not being reduced to build off of an existing wall, the Zoning Administrator would require an applicant to provide the setbacks of every property on the block so that the Zoning Administrator could establish the block's predominate setback. He testified that in this specific case other than a general look at an aerial photograph on either the City's GIS system or Google Earth, no additional materials than what was in the Zoning Administrator's file had been reviewed.

He testified that with respect to the subject property, the Strakys requested an administrative adjustment to build a second floor addition above their existing, legal nonconforming walls. He testified that the relevant provision of the Zoning Ordinance was Section 17-13-1003-I(1.5) and therefore no predominate setback for the block was required to be reviewed by the Zoning Administrator.<sup>1</sup> Instead, the Zoning Administrator looked to see what the proposed administrative adjustment's impact would be on the block. He testified that the Strakys had previously submitted an application for an

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<sup>1</sup> In contrast to Section 17-13-1003-I(1) of the Zoning Ordinance.

administrative adjustment for the subject property that was denied. This first application had plans showing a very large garage and a small setback between the rear wall of the existing building and the garage. He testified that he and other staff of the Zoning Administrator determined that an upper level setback would have more impact on the block because of the narrowness between the garage and the existing building. He testified that this first application was therefore denied.

He testified that subsequently, the Strakys submitted a new application for the same relief. He testified that in this second application, the plans showed a smaller garage and so there was 3' more in the setback or space between the existing house and the garage. He testified that he and other staff of the Zoning Administrator determined that this additional 3' was sufficient to mitigate the impact of the upper level setback. He testified that otherwise the Strakys' second application met the general criteria set forth in Section 17-13-1007-B of the Zoning Ordinance, and therefore the second application was approved.

The ZONING BOARD OF APPEALS then allowed the Appellant an opportunity to respond to Mr. Valenziano's testimony.

In response to questions from the Appellant, Mr. Valenziano further testified that as the Strakys had requested setback relief for the entire second floor, he and other staff of the Zoning Administrator determined that the original application submitted by the Strakys – with less space between the garage and the existing house – would have a greater impact on the neighborhood. He testified that this greater impact would not necessarily be on the Appellant's home but rather up and down the block. He testified that the Zoning Ordinance requires the Zoning Administrator to either approve the administrative adjustment, or if the adjustment is going to have an impact on the neighboring properties or the block in general, the Zoning Administrator can place a condition on its approval which would mitigate the impact. He testified that in the original application, the Strakys did not move the garage or make the garage smaller. Therefore, the Zoning Administrator denied the administrative adjustment. Subsequently, the Strakys made the garage smaller and there was 3' more in the rear setback between the garage and the main building.

He testified that while aesthetics can be considered, aesthetics were not considered in this matter. He testified that while privacy and sunlight are part of the purpose and intent of the Zoning Ordinance<sup>2</sup>, the purpose and intent of the Zoning Ordinance is also to promote reuses and rehabilitation of older buildings<sup>3</sup>, and with respect to administrative adjustments in particular, promoting rehabilitation and reuse of such buildings in accordance with Section 17-13-1001-B (i.e., the purpose of administrative adjustments is to provide flexibility to promote rehabilitation and reuse of buildings when such flexibility will not adversely affect nearby property owners). He testified that with respect to the Strakys' second application for administrative adjustment, it was his

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<sup>2</sup> Section 17-1-0509 of the Zoning Ordinance.

<sup>3</sup> Section 17-1-0511 of the Zoning Ordinance.



estimation that said administrative adjustment would not adversely affect nearby property owners.

The ZONING BOARD OF APPEALS then asked the Appellant how the Zoning Administrator erred. The ZONING BOARD OF APPEALS stated that as it understood the Appellant's argument, the Appellant's position was that there was nothing in the Zoning Administrator's file to support the Zoning Administrator's decision. The ZONING BOARD OF APPEALS stated that Mr. Valenziano testified that in addition to the written materials in the file, the staff from the Zoning Administrator looked at aerial photographs from the City's GIS system or Google Earth. The ZONING BOARD OF APPEALS further stated that there were conversations between staff members of the Zoning Administrator when it came time to render its decision. The ZONING BOARD OF APPEALS stated that while the Appellant may disagree with the Zoning Administrator's decision, the question before the ZONING BOARD OF APPEALS was how the Zoning Administrator erred.

The Appellant again testified that it was her belief the Zoning Administrator erred because there was no evidence in the file. She renewed her objection to Mr. Valenziano's testimony as she considered said testimony to be new evidence.

The ZONING BOARD OF APPEALS stated that the issue on appeal was the Zoning Administrator's decision making process. The ZONING BOARD OF APPEALS stated that this process was what the Appellant had previously attacked. The ZONING BOARD OF APPEALS stated that everything it was currently considering is solely an explanation of events that had happened in the past. The ZONING BOARD OF APPEALS stated that Mr. Valenziano's testimony was not new evidence; instead, due to the Appellant's concern that the Zoning Administrator's decision making process seemed entirely bankrupt of evidence with which to support its decision, the ZONING BOARD OF APPEALS has requested a representative from the Zoning Administrator appear and address those concerns.

The ZONING BOARD OF APPEALS stated that not only were there the documents in the Zoning Administrator's file but also testimony from Mr. Valenziano about what else the Zoning Administrator looked at as well as communications the Zoning Administrator had with respect to the administrative adjustment. The ZONING BOARD OF APPEALS then asked, based on all this information, that the Appellant present her argument as to how the Zoning Administrator erred.

The Appellant then asked Mr. Valenziano if Mr. Valenziano always considered the general criteria set forth in Section 17-13-1007-B of the Zoning Ordinance when making determinations with respect to administrative adjustments.

Mr. Valenziano testified that when he was directly involved with determining an administrative adjustments, he always considered the general criteria. He testified that he instructed his supervising plan examiners and his chief planning examiners to do the

same. He testified that the Zoning Ordinance sets forth that the Zoning Administrator consider the general criteria, and so the Zoning Administrator does.

The Appellant then asked if the general criteria were always considered then why did the Zoning Administrator not write down that the general criteria had been considered prior to granting the administrative adjustment.

The ZONING BOARD OF APPEALS inquired if this was something required by statute.

The Appellant then read a portion of the Zoning Ordinance that did not appear to be related to administrative adjustments.<sup>4</sup>

The ZONING BOARD OF APPEALS then asked the Appellant where the Zoning Ordinance stated that the Zoning Administrator's decision needed to be written.

The Appellant testified that it was her belief such decision needed to be written so that it could be reviewable.

The ZONING BOARD OF APPEALS, as the body charged with reviewing all decisions, orders and determinations of the Zoning Administrator in which there is an alleged error, stated that it reviewed decisions by the Zoning Administrator by asking a representative of the Zoning Administrator to appear and explain its decisions. The ZONING BOARD OF APPEALS stated that the Assistant Zoning Administrator Mr. Valenziano had appeared before the ZONING BOARD OF APPEALS in this instance and had testified under oath as to the process of the Zoning Administrator's decision in this matter.

The Appellant testified that she did not believe Mr. Valenziano had made a decision in this matter.

Mr. Valenziano objected to the Appellant's testimony. He testified that he was consulted by his plan examiner on this matter, and he asked his plan examiner what the difference was between the Strakys' original application that was denied and the Strakys' second application (and subject of this appeal) that was granted. He testified that if the original plan had been submitted in the second application, he would have denied the second application. He testified that the plans had changed and there was a greater separation between the garage and the rear existing wall. He testified that he determined this mitigated the impact of the requested administrative adjustment. He testified that he told his plan examiner to go ahead and give approval for the administrative adjustment. He testified that he has seen thousands of other cases similar to this case, and minor changes like the change in this case mitigate the impact of additions.

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<sup>4</sup> In fact, the relevant provision of the Zoning Ordinance is Section 17-14-0202-I which states that the Zoning Administrator powers and duties include "receiving, considering and deciding all request for administrative adjustments."

The Appellant then testified that based on this, she believed that moving the garage back 3' had no effect on the impact of the side setback, and as a result, the Zoning Administrator erred.

#### B. Criteria

Pursuant to Section 17-13-1201 of the Zoning Ordinance, the ZONING BOARD OF APPEALS is granted authority to hear and decide appeals when it is alleged there is an error in any order, requirement, decision or determination by the Zoning Administrator in the administration or enforcement of the Zoning Ordinance.

Pursuant to Section 17-13-1208 of the Zoning Ordinance, an appeal may only be sustained if the ZONING BOARD OF APPEALS finds that the Zoning Administrator erred. Pursuant to Section 17-13-1207 of the Zoning Ordinance, the Zoning Administrator's decision must be granted a presumption of correctness by THE ZONING BOARD OF APPEALS, placing the burden of persuasion of error on the Appellant.

### III. FINDINGS OF FACT.

After careful consideration of the evidence, testimony and the entire record, the ZONING BOARD OF APPEALS hereby makes the following findings with respect to the Appellant's appeal:

1. As with any appeal, appeals to the ZONING BOARD OF APPEALS are limited in scope. The question before the ZONING BOARD OF APPEALS is not what the ZONING BOARD OF APPEALS would decide if it heard the matter but is instead limited to the inquiry: did the Zoning Administrator err? This limited scope the ZONING BOARD OF APPEALS therefore limits any evidence put before the ZONING BOARD OF APPEALS to evidence previously presented to the Zoning Administrator. This is why the ZONING BOARD OF APPEALS' Rules of Procedure state that no new evidence (i.e., evidence not previously submitted to the Zoning Administrator) may be presented at the hearing. However, testimony by Mr. Valenziano is not new evidence. As the appellee in this matter, representatives of the Zoning Administrator can – and often do – put forth their arguments as to why the Zoning Administrator's decision should be affirmed – just as the Appellant may put forward her arguments as to why the decision should be reversed or modified. Further, representatives of the Zoning Administrator may be questioned by the ZONING BOARD OF APPEALS just as the Appellant may be questioned by the ZONING BOARD OF APPEALS. In this instance, after hearing testimony from the Appellant, the ZONING BOARD OF APPEALS had questions for the Zoning Administrator. It therefore requested that a representative of the Zoning Administrator appear to testify as to its decision making process with respect to administrative adjustments in general and this administrative adjustment in particular. Assistant Zoning Administrator Steven Valenziano duly appeared and testified.

2. The Zoning Administrator's file in this matter combined with Mr. Valenziano's testimony of the Zoning Administrator's decision making process leaves no doubt that the Zoning Administrator followed the mandate set forth in the Zoning Ordinance and approved the administrative adjustment only after determining that all criteria of Section 17-13-1007-B of the Zoning Ordinance had been met. Contrary to the Appellant's assertions, the Zoning Administrator had ample evidence in the file upon which to base its decision. As shown by the architectural plans, the Strakys are building a second story addition above legal nonconforming walls. The Zoning Administrator determined that this was in accordance with the stated purpose and intent of the Zoning Ordinance because it promoted rehabilitation and reuse of older buildings as set forth in Section 17-1-0511 – as modified by Section 17-13-1001-B of the Zoning Ordinance.<sup>5</sup> The Zoning Administrator further determined that allowing the Strakys to build off of the existing legal nonconforming walls of their home would eliminate an unnecessary inconvenience. The only issues left, as Mr. Valenziano testified, were: (1) whether or not allowing the administrative adjustment would have an appreciable adverse impact on the health, safety or general welfare of the surrounding property owners or the general public; and (2) to minimize any adverse impacts to the maximum extent feasible. To that end, Mr. Straky was instructed by the Zoning Administrator to provide pictures of the rest of the block, which pictures are properly in the Zoning Administrator's file. Mr. Valenziano then testified that he had determined that the plans showing an additional 3' between the garage and the rear existing building wall mitigated any adverse impact the administrative adjustment would have to said block. Consequently, he instructed his plan examiner to grant the administrative adjustment.

#### IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Appellant has not met its burden of persuasion that the Zoning Administrator has erred as required by Section 17-13-1208 of the Zoning Ordinance.

The ZONING BOARD OF APPEALS hereby affirms the decision of the Zoning Administrator, and the Appellant's appeal is denied.

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

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<sup>5</sup> The provisions of the Zoning Ordinance are cumulative. Section 17-1-1200 of the Zoning Ordinance.

**ZONING BOARD OF APPEALS  
CITY OF CHICAGO**

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



SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Lincoln Park Community Services**  
APPLICANT

**504-17-S**  
CALENDAR NUMBER

**1521 N. Sedgwick Street**  
PREMISES AFFECTED

**August 18, 2017**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

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

Blake Sercye  
Shaina Doar  
Sol Flores  
Sam Toia  
Amanda Williams

AFFIRMATIVE	NEGATIVE	ABSENT
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE SPECIAL USE APPLICATION FOR 1521 N.  
SEDGWICK STREET BY LINCOLN PARK COMMUNITY SERVICES**

**I. BACKGROUND**

Lincoln Park Community Services (the "Applicant") submitted a special use application for 1521 N. Sedgwick Street (the "subject property"). The subject property is currently zoned C1-3 and is improved with two buildings. The Applicant proposed to retain the rear five-story building but raze the front two-story building. The Applicant proposed to establish permanent supportive housing in said rear building. The Applicant proposed to erect a new front building on the subject property. In the new front building, the Applicant proposed to establish a transitional residence. To establish said transitional residence, the Applicant sought a special use for the subject property. Such transitional residence would have forty-eight (48) beds. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development ("Department") recommended approval of the proposed transitional residence for the Applicant provided that the development was consistent with the design and layout of the plans and drawings dated August 17, 2017, including the landscape plan also dated August 17, 2017, all of which were prepared by McBride Kelley Baurer Architects and Planners.

**II. PUBLIC HEARING**

A. The Hearing

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

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's special use application at its regular meeting held on August 18, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The vice president of the Applicant's board Ms. Lydia Murray and its attorney Mr. Thomas S. Moore were present. The Applicant's executive director Mr. Dan Hula, its architect Mr. Jack Kelley and its MAI certified real estate appraiser Mr. Joseph M. Ryan were also present. Testifying in support of the application were Ms. Sara Greene, Ms. Robin Hammond, Mr. Neil Brown, Mr. Ian Tobin, and Ms. Mary Lopez. Testifying in opposition to the application were Mr. Mitchell Newman, Mr. Charles Witte, Mr. Tim Amundson, Mr. Mark Michalak, Mr. Sean Moody, Ms. Martha Lewis, Mr. Aaron Esta, Mr. Christian Dunn, and Ms. Lauren Turney. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

The Applicant presented the testimony of the vice president of its board Ms. Lydia Murray. Ms. Murray testified as to the Applicant's background in addressing housing stability, including its current transitional residence located at 600 W. Fullerton which it has operated for the last twelve (12) years. Ms. Murray testified that the Applicant rented its current location at 600 W. Fullerton. She testified the Applicant had received funding from the Illinois Housing Development Authority as well as the City of Chicago ("City") to purchase the subject property and erect a new facility. She testified that the Applicant would also be obtaining a mortgage for the new facility.

The Applicant presented the testimony of its executive director Mr. Dan Hula. Mr. Hula testified as to his background in social work in general as well as his background with the Applicant in particular. He testified as to the Applicant's operations at its current transitional residence at 600 W. Fullerton as well as its rules and requirements for those individuals seeking transitional residence services. He testified that the Applicant proposed to house twenty-four (24) men and twenty-four (24) women in its transitional residence at the new facility. He testified that the Applicant would also operate twenty (20) permanent supportive housing units on the subject property.

The Applicant presented the testimony of its architect Mr. Jack Kelley. Mr. Kelley testified to his plan of development for the subject property.

The Applicant presented the testimony of its expert witness MAI certified real estate appraiser Mr. Joseph M. Ryan. Mr. Ryan testified as to how the Applicant's proposed transitional residence met all criteria for a special use.

The Applicant presented the testimony of its supporter Ms. Sara Greene. Ms. Greene testified that she was a former participant in the Applicant's transitional housing program. She testified as to her experience as a former participant.

The Applicant presented the testimony of its supporter Ms. Robin Hammond. Ms. Hammond testified that she was a member of the Lincoln Park Chamber of Commerce. She testified as to her experience with the Applicant.

The Applicant presented the testimony of its supporter Mr. Ian Tobin. Mr. Tobin testified that he was the executive director of the Old Town Merchants and Residents Association ("Association"). He testified that the Association was in support of the Applicant's application provided the Applicant agreed to certain conditions. He then testified to those certain conditions.

The ZONING BOARD OF APPEALS stated that in the event the ZONING BOARD OF APPEALS granted the Applicant's application, said conditions would not be part of the ZONING BOARD OF APPEALS' approval.

The Applicant presented the testimony of Ms. Mary Lopez. Ms. Lopez testified that she was with Alderman Burnett's office. She testified that Alderman Burnett was in support of the Applicant's application.

Mr. Mitchell Newman, of 1520 N. Sedgwick, testified in opposition to the application. His opposition stemmed from his belief that if the Applicant's special use were granted, it would substantially negatively affect the value of his property. To that end, he submitted to the ZONING BOARD OF APPEALS a copy of an appraisal report for his property.

The ZONING BOARD OF APPEALS accepted the copy of the appraisal report over Mr. Moore's objections. However, the ZONING BOARD OF APPEALS noted that there were many reasons why Mr. Newman's property did not appraise as high as Mr. Newman may have wished. The ZONING BOARD OF APPEALS further noted that without the appraiser who had appraised Mr. Newman's property, there was no way of knowing why Mr. Newman's property did not appraise as high as Mr. Newman wished.

Mr. Newman further testified that the appraiser who did the report refused to explain the valuation said appraiser arrived at for Mr. Newman's property.

Mr. Charles Witte, of 1520 N. Sedgwick, testified in opposition to the application. His opposition stemmed from his belief that he was not adequately informed of the Applicant's application. In particular, he testified that he felt the notices put out by the Association for its community meeting regarding the Applicant's proposed development of the subject property were insufficient as said notices discussed a transit oriented development not a transitional residence.

The ZONING BOARD OF APPEALS stated that it agreed that such notice put out by the Association for its community meeting did not adequately reflect the Applicant's proposed development of the subject property. However, the notices sent out by the ZONING BOARD OF APPEALS pursuant to Section 17-13-107-A9 did state that the

Applicant's application was for a transitional residence, and it was such notice that was relevant for ZONING BOARD OF APPEALS' hearing on the Applicant's application.

Mr. Witte testified that these ZONING BOARD OF APPEALS notices were received after the Association's community meeting and therefore requested a continuance of the ZONING BOARD OF APPEALS' hearing.

The ZONING BOARD OF APPEALS stated that whatever community meeting the Association held was separate and apart from the ZONING BOARD OF APPEALS. The ZONING BOARD OF APPEALS stated it had followed all notice provisions set forth by the Zoning Ordinance and that due to this, many people – including Mr. Witte – were in attendance at the ZONING BOARD OF APPEALS' hearing. The ZONING BOARD OF APPEALS therefore denied Mr. Witte's request for a continuance.

Mr. Tim Amundson, of 1518 N. Sedgwick, testified in opposition to the application. His opposition stemmed from his belief that the Applicant's proposed transitional residence would increase crime in the area.

Mr. Mark Michalak, of 1520 N. Sedgwick, testified in opposition to the application. His opposition stemmed from his belief that the neighborhood was at capacity with respect to its resources and that adding the Applicant's special use would not be conducive to the residents of the proposed transitional residence.

Mr. Sean Moody, of 1515 N. Hudson, testified in opposition to the application. His opposition stemmed from concerns over violent crime in the area and the mental health of the residents of the transitional residence.

Ms. Martha Lewis, of 1444 N. Orleans, testified in opposition to the application. Her opposition stemmed from her concerns over safety.

Mr. Aaron Esta, of 1508 N. Sedgwick, testified in opposition to the application. His opposition stemmed from his belief that there were extensive drug sales occurring in the area.

The ZONING BOARD OF APPEALS stated that it understood how drug sales in the area would be a concern for area residences but stated it did not understand how drug sales in the area were related to the Applicant's application. The ZONING BOARD OF APPEALS stated it understood why area residents were concerned about safety and crime. It further stated that it would not place a use on the subject property that would increase danger and crime and decrease quality of life for area residents. However, the ZONING BOARD OF APPEALS had not heard any evidence as to how the Applicant's application would increase crime and decrease safety in the area.

The ZONING BOARD OF APPEALS further stated that the subject property was next to a Chicago Transit Authority ("CTA") train station and that CTA train stations throughout the City had issues with drug sales and crime.



Mr. Christian Dunn, of 1506 N. Sedgwick, testified in opposition to the application. His opposition stemmed from his belief that there were already enough transitional living uses in the area and that the area could benefit more from commercial use or more permanent residential use at the subject property.

Ms. Lauren Turney, of 1439 N. Cleveland, testified in opposition to the application. Her opposition stemmed from the nearness of the low-income housing programs located at Marshall Field Garden Apartments and Evergreen Tower and her belief that residents from said housing programs were involved in gang-related activities.

The ZONING BOARD OF APPEALS asked Ms. Turney where her concerns fit within the criteria for the Applicant's request for a special use as set forth in Section 17-13-0905-A.

Ms. Turney provided no answer.

In rebuttal to concerns raised by those testifying in objection to the application, Mr. Moore recalled Mr. Kelley. Mr. Kelley testified as to how his program of development for the subject property put "more eyes on the street" to attempt to quell any illegality.

Mr. Moore then recalled Mr. Ryan. Mr. Ryan testified that he had reviewed the appraisal report submitted by Mr. Newman. He testified that the appraiser who had authored said report was a residential appraiser that did not have a MAI certification and therefore was not qualified to appraise mixed use areas. He further testified that nothing in the report related to the Applicant's application.

Mr. Moore then recalled Mr. Hula. Mr. Hula testified as to the percentage of the Applicant's residents in transitional housing that moved into permanent housing.

#### B. Criteria for a Special Use

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZONING BOARD OF APPEALS finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

### III. FINDINGS OF FACT

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

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

As stated by Mr. Ryan in his report, should the special use be granted, the Applicant's proposed transitional residence meets all applicable standards of the Chicago Zoning Ordinance.

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

The proposed special use is in the interest of the public convenience. The Applicant has been operating a transitional residence at 600 W. Fullerton for the last twelve (12) years. The Applicant's waiting list for its transitional residence program is always full. The Applicant intends to relocate its transitional residence to the subject property. The Applicant will invest over \$13 million into the subject property which is currently improved with vacant buildings. Further, as Mr. Ryan very credibly testified, the Applicant's proposed special use is compatible with other uses in the neighborhood and will not have a negative impact on neighborhood property values. In fact, the property values have gone up near the Applicant's current transitional residence at 600 W. Fullerton.

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

As Mr. Ryan very credibly testified, the subject property is located on a primarily residential street. If the Applicant were putting in condominium buildings at the subject property, it would be before the ZONING BOARD OF APPEALS seeking a special use to establish residential use on the ground floor because retail use would be incompatible with the surrounding uses. Mr. Kelley's plan of development for the subject property is likewise compatible with the area as his plan calls for linking the two buildings on the subject property by a courtyard, enhancing the community feel of the subject property. Further, his plan of development calls for transparent glass on the first floors of the buildings which creates "eyes on the street" that were not previously on the subject property.

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

Mr. Hula very credibly testified as to the Applicant's current operations at its current transitional residence at 600 W. Fullerton, including its 7:00 PM curfew for its residents as well as its anti-loitering rules for its residents. As noted by Mr. Ryan in his report, the operations of the Applicant's transitional residence at the subject property will, therefore, be more limited than those of the surrounding residential area. Further, the Applicant has an extensive pre-screening for residents, and the Applicant does not allow those with felonies for violent, sexual or burglary offenses admittance into its program. As a result, police calls to the Applicant's current facility at 600 W. Fullerton are few and limited to either medical emergencies or to ensure that those dismissed from the program leave the premises. Mr. Ryan very credibly testified as to the lack of impact the Applicant's proposed special use will have on traffic in the area, and as the use will be a residential use in a primarily residential area, any outdoor lighting would not be incompatible with the area.

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

As Mr. Ryan very credibly testified, the Applicant's proposed special use will not have an impact on traffic. Further, as Mr. Kelley very credibly testified, his plan of development for the subject property calls for transparent first floors. This leads to more "eyes on the street." The Applicant does not allow loitering by its residents, and residents must be in the transitional residence by 7:00 PM. All of this will promote pedestrian safety and comfort.

#### IV. CONCLUSION

For all of these reasons, the ZONING BOARD OF APPEALS finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Sections 17-13-0905-A Chicago Zoning Ordinance.

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

1. The special use shall be developed consistently with the design and layout of the plans and drawings dated August 17, 2017, including the landscape plan also dated August 17, 2017, all of which were prepared by McBride Kelley Baurer Architects and Planners.

2. The special use shall be nontransferable and limited solely to Lincoln Park Community Services. In the event that another entity seeks to operate a transitional residence on the subject property, a new special use shall be needed.

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:** Jazeh Beuty Boutique

**CAL NO.:** 505-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 6430 N. Central Avenue

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

**ACTION OF BOARD-**  
**Continued to September 15, 2017 at 2:00 p.m.**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Raina 55<sup>th</sup> Ryan, LLC

**CAL NO.:** 506-17-S

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 255-57 W. Garfield Boulevard

**NATURE OF REQUEST:** Application for a special use to establish a gas station which shall have a mini-mart and a drive-through to serve a proposed retail food use.

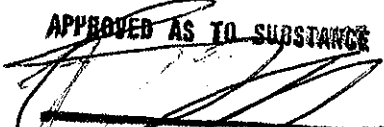
**ACTION OF BOARD-**  
**Continued to October 20, 2017 at 2:00 p.m.**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Raina 55<sup>th</sup> Ryan, LLC

**CAL NO.:** 507-17-S

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 255-57 W. Garfield Boulevard

**NATURE OF REQUEST:** Application for a special use to establish a one lane drive-through to serve a proposed one-story gas station with a mini-mart and retail food use.

**ACTION OF BOARD-**  
**Continued to October 20, 2017 at 2:00 p.m.**

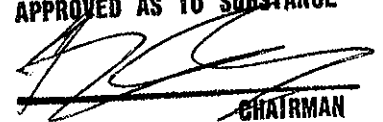
**THE VOTE**

**SEP 18 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Raina 55<sup>th</sup> Ryan, LLC

**CAL NO.:** 508-17-Z

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 255-57 W. Garfield Boulevard

**NATURE OF REQUEST:** Application for a variation to reduce the minimum lot area from the required 20,000 square feet to 15,537 square feet for a proposed gas station with minimart and a one lane drive-through to serve a retail food use.

**ACTION OF BOARD-**  
Continued to October 20, 2017 at 2:00 p.m.

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

APPROVED AS TO SUBSTANCE



CHAIRMAN



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

**APPLICANT:** LG Development Group, LLC **CAL NO.:** 509-17-Z  
**APPEARANCE FOR:** Michael Ezgur **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1665-67 N. Milwaukee Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 30' to 2' at the ground level and 9.66' at the residential level above for a proposed six-story building with retail and thirty-two efficiency units.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 2' at the ground level and 9.66' at the residential level above for a proposed six-story building with retail and thirty-two efficiency units; an additional variation was granted to the subject property in Cal. No. 510-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** LG Development Group, LLC **CAL NO.:** 510-17-Z

**APPEARANCE FOR:** Michael Ezgur **MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1665-67 N. Milwaukee Avenue

**NATURE OF REQUEST:** Application for a variation to increase the maximum height by no more than 10% from 55' to 60.5' for a proposed six story building with retail and thirty-two efficiency units.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the maximum height by no more than 10% to 60.5' for a proposed six story building with retail and thirty-two efficiency units; an additional variation was granted to the subject property in Cal. No. 509-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** 65 Oak Street Owner, LLC

**CAL NO.:** 511-17-Z

**APPEARANCE FOR:** Meg George

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 57 E. Oak Street

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

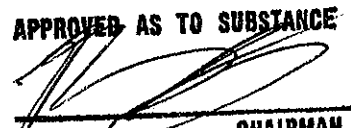
**ACTION OF BOARD-**  
**Continued to September 15, 2017 at 2:00 p.m.**

**THE VOTE**

**SEP 18 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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**APPROVED AS TO SUBSTANCE**  
  
**CHAIRMAN**

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

**APPLICANT:** Lakeshore Outdoor Advertising, Inc.

**CAL NO.:** 512-17-S

**APPEARANCE FOR:** Nicholas Ftikas

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1800 S. Canal Street

**NATURE OF REQUEST:** Application for a special use to establish an off-premise advertising sign.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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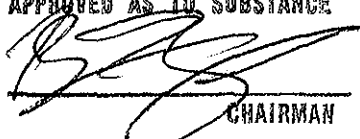
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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:** Alex Abell **CAL NO.:** 513-17-Z  
**APPEARANCE FOR:** Thomas Moore **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2120 N. Dayton Street

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 35' to 2', north and south setback from 2' each to zero each, combined side setback from 5' to zero for a proposed detached garage with an open roof deck with a pergola with partial screening and an attached chimney with an overall height of 23.92'.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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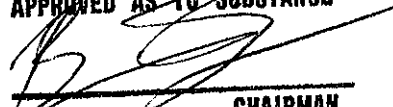
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 2', north and south setback to zero each, combined side setback to zero for a proposed detached garage with an open roof deck with a pergola with partial screening and an attached chimney with an overall height of 23.92'; 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:** Ivette Rosado

**CAL NO.:** 514-17-Z

**APPEARANCE FOR:** John Pikarski

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3011 W. Lyndale Street

**NATURE OF REQUEST:** Application for a variation to reduce the west setback from the required 2' to 0.3' (east to be 3.92') combined side setback from 5' to 4.22' for the subdivision of a lot into two zoning lots. The building at 3011 W. Lyndale shall remain. A two story, two dwelling unit building is proposed for 3013 W. Lyndale Street.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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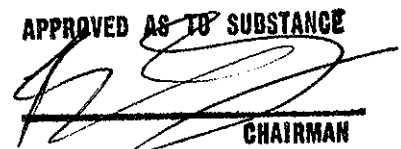
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the west setback to 0.3' (east to be 3.92') combined side setback to 4.22' for the subdivision of a lot into two zoning lots. The building at 3011 W. Lyndale shall remain. A two story, two dwelling unit building is proposed for 3013 W. Lyndale Street; 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:** Andre Williams

**CAL NO.:** 515-17-Z

**APPEARANCE FOR:** Shawn Bolger

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5333 W. Race Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 25.43' to 13.15', east setback from 2.2' to 0.02' (west setback to be at 0.63'), combined side setback from 5.5' to 0.65' for a proposed attic addition, front covered porch and a rear open porch for the existing three-story, two dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

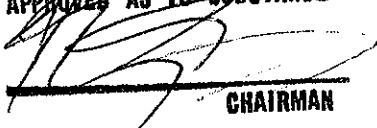
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 13.15', east setback 0.02' (west setback to be at 0.63'), combined side setback to 0.65' for a proposed attic addition, front covered porch and a rear open porch for the existing three-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. No. 516-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Andre Williams

**CAL NO.:** 516-17-Z

**APPEARANCE FOR:** Shawn Bolger

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5333 W. Race Street

**NATURE OF REQUEST:** Application for a variation to increase the height of the existing building by no more than 10% from the existing 30' to 30.33' for a proposed attic addition, covered front porch and a rear open porch on the existing three-story, two dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

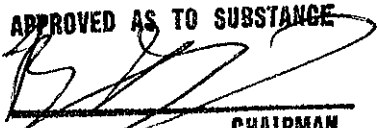
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the height of the existing building by no more than 10% to 30.33' for a proposed attic addition, covered front porch and a rear open porch on the existing three-story, two dwelling unit building; an additional variation was granted to the subject property in Cal. No. 515-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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



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

**APPLICANT:** Young Israel Chicago

**CAL NO.:** 517-17-S

**APPEARANCE FOR:** Elizabeth Santis

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2912-14 W. Devon Avenue

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a religious assembly facility at the subject site; a variation was granted to the subject property in Cal. No. 518-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans dated August 18, 2017, prepared by A+C Architects.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Young Israel Chicago

**CAL NO.:** 518-17-Z

**APPEARANCE FOR:** Elizabeth Santis

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2912-14 W. Devon Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the required parking for a religious assembly facility from three parking spaces to two parking spaces.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the required parking for a religious assembly facility to two parking spaces; a special use was granted to the subject property in Cal. No. 517-17-S; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s): provided the development is consistent with the design and layout of the plans dated August 18, 2017, prepared by A+C Architects.

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

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

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

**APPLICANT:** 32<sup>nd</sup> & Green, LLC **CAL NO.:** 519-17-Z  
**APPEARANCE FOR:** Paul Kolpak **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3243 S. Green Street

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 6.61' to 4.17', rear from 16.85' to zero, north and south from 4' to 3' each, combined side setback from 10' to 6' for a proposed two-story, two dwelling unit building with an attached four-car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front setback to 4.17', rear to zero, north and south to 3' each, combined side setback to 6' for a proposed two-story, two dwelling unit building with an attached four-car garage; an additional variation was granted to the subject property in Cal. No. 520-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** 32<sup>nd</sup> & Green, LLC

**CAL NO.:** 520-17-Z

**APPEARANCE FOR:** Paul Kolpak

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3243 S. Green Street

**NATURE OF REQUEST:** Application for a variation to relocate the required rear yard open space of 182.54 square feet to the garage roof deck for the proposed two-story, two dwelling unit building with an attached four car garage.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate the required rear yard open space of 182.54 square feet to the garage roof deck for the proposed two-story, two dwelling unit building with an attached four car garage; an additional variation was granted to the subject property in Cal. No. 519-17-Z; the Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would create practical difficulties or particular hardships for the subject property; 2) the requested variation is consistent with the stated purpose and intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return if permitted to be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties or particular hardships are due to unique circumstances and are not generally applicable to other similarly situated property; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

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

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

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

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

APPLICANT: 3856 W. Diversey, LLC

CAL NO.: 521-17-Z

APPEARANCE FOR: Larry Lusk

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 3856 W. Diversey Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear yard open space from the required 211.44 square feet to zero for the proposed conversion of an existing six dwelling unit building to an eight dwelling unit building in an existing two-story building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

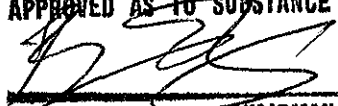
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard open space to zero for the proposed conversion of an existing six dwelling unit building to an eight dwelling unit building in an existing two-story building; an additional variation was granted to the subject property in Cal. No. 522-17-Z 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 100**

**APPLICANT:** 3856 W. Diversey, LLC **CAL NO.:** 521-1000

**APPEARANCE FOR:** Larry Lusk **MINUTES:** 08/18/2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3856 W. Diversey Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the required off street parking required two spaces to zero for the proposed conversion of an existing six dwelling unit building to a dwelling unit building in an existing two-story building.

**ACTION OF BOARD- VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE
X	
X	
X	
X	
X	

**THE RESOLUTION:**

**WHEREAS**, a public hearing was held on this application by the Zoning Board of Appeals meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107 in the Chicago Sun-Times on August 4, 2017; and

**WHEREAS**, the Zoning Board of Appeals, having reviewed the proposed finding of fact fully heard the testimony and arguments of the parties and being fully advised in the premises, following the testimony and arguments of the parties and being fully advised in the premises, proposed two-story conversion of an existing six dwelling unit building to an eight dwelling unit building or part compliance with the regulations and standards of this Zoning Ordinance would create particular hardships for the subject property; 2) the requested variation is consistent with the strict intent of this Zoning Ordinance; 3) the property in question cannot yield a reasonable return and be used only in accordance with the standards of this Zoning Ordinance; 4) the practical difficulties and hardships are due to unique circumstances and are not generally applicable to other similarly situated properties; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is

**RESOLVED**, that the Zoning Board of Appeals, by virtue of the authority conferred hereby make a variation in the application of the district regulations of the zoning ordinance and that said 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

**APPROVED**  


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

**APPLICANT:** Red & White Wine, LLC **CAL NO.:** 523-17-S  
**APPEARANCE FOR:** Sara Barnes **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1845 N. Oakley Avenue

**NATURE OF REQUEST:** Application for a special use to establish a proposed restaurant, with the service of liquor, in conjunction with the expansion of an existing liquor store.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

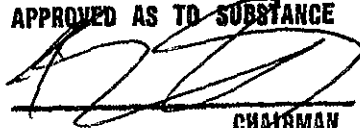
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

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

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

**APPLICANT:** Audrey Ciecka d/b/a The Bevy Salon **CAL NO.:** 524-17-S

**APPEARANCE FOR:** Lema Korshid **MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 2055 W. Irving Park Road

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**



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

**APPLICANT:** Jessica Shahbaz **CAL NO.:** 525-17-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 1415 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from 30' to zero on floors containing dwelling units for a proposed second floor rear addition for the existing two-story building which contains one, second floor dwelling unit and a first floor small venue with retail sales.

**ACTION OF BOARD-**  
Continued to September 15, 2017 at 2:00 p.m.

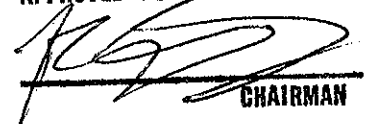
**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** Steven Molo and Mary Molo

**CAL NO.:** 526-17-Z

**APPEARANCE FOR:** Joseph Gattuso

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 341 W. Wellington Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 39.29' to zero, east setback from 5' to zero for a proposed 8' high privacy fence for the existing three-story, single family residence.

**ACTION OF BOARD-**  
Continued to September 15, 2017 at 2:00 p.m.

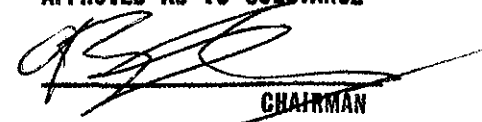
**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Kathy McKillop **CAL NO.:** 527-17-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3261 W. 109<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a variation to reduce the west setback from the required 4' to 3' (east to be 4.17'), combined side setback from 8.852' to 7.17' for a proposed two-story, single family residence with an attached two car garage and a rear deck.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

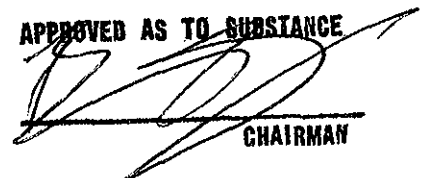
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the west setback to 3' (east to be 4.17'), combined side setback to 7.17' for a proposed two-story, single family residence with an attached two car garage and a rear deck; 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:** Rush Ontario, LLC

**CAL NO.:** 528-17-S

**APPEARANCE FOR:** Richard Keating

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 630 N. Rush Street

**NATURE OF REQUEST:** Application for a special use to establish a non-accessory parking (public garage) with one hundred, twenty-seven spaces located on the third and fourth floor of an existing building.

**ACTION OF BOARD-**

**Continued to September 15, 2017 at 2:00 p.m.**

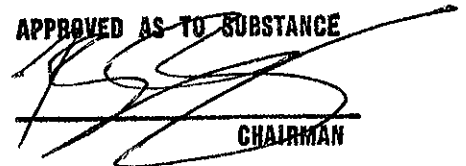
**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Rush Ontario, LLC

**CAL NO.:** 529-17-S

**APPEARANCE FOR:** Richard Keating

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 630 N. Rush Street

**NATURE OF REQUEST:** Application for a special use to establish a packaged good license for a proposed liquor store on the first floor on an existing three-story, mixed use building.

**ACTION OF BOARD-**

**Continued to September 15, 2017 at 2:00 p.m.**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Irving Sacramento, Inc. d/b/a Leader Bar **CAL NO.:** 530-17-Z

**APPEARANCE FOR:** Gary Wigoda **MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3000-04 W. Irving Park Road

**NATURE OF REQUEST:** Application for a variation to establish a public place of amusement for an existing tavern which is located within 125' of a residential district, to provide DJ/ dancing, live music and charging at the door.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
RECUSED		
X		

**THE RESOLUTION:**

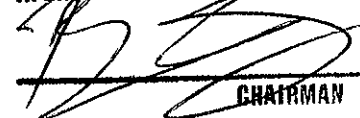
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to establish a public place of amusement for an existing tavern which is located within 125' of a residential district, to provide DJ/ dancing, live music and charging at the door; 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:** Paul S. Garklavs **CAL NO.:** 531-17-Z  
**APPEARANCE FOR:** Same as Applicant **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 3024 W. Cortland Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard setback from the required 22.8' to zero for a proposed 6' high metal fence with a 10' sliding gate.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

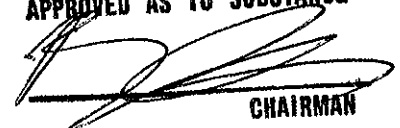
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear yard setback to zero for a proposed 6' high metal fence with a 10' sliding gate; 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:** Nisei Lounge, Ltd.

**CAL NO.:** 532-17-S

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3439 N. Sheffield Avenue

**NATURE OF REQUEST:** Application for a special use to expand an existing tavern to the outdoor patio.

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

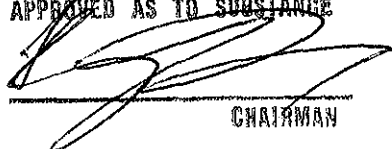
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

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

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN



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

**APPLICANT:** Epic Catering Inc.

**CAL NO.:** 533-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 13191 S. Brainard Avenue

**NATURE OF REQUEST:** Application for a variation to establish a public place of amusement license to provide an event space which is located within 125' of a residential zoning district.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

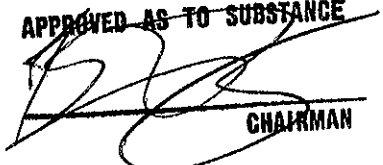
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on August 4, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to establish a public place of amusement license to provide an event space which is located within 125' of a residential zoning district; 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:** Sky Real Estate, LLC – Series 2430 N. Albany

**CAL NO.:** 259-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

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

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

**ACTION OF BOARD-  
VARIATION WITHDRAWN**

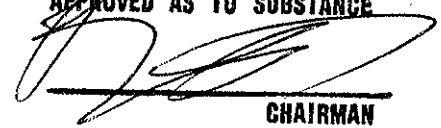
**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Sky Real Estate, LLC – Series 2340 N. Albany

**CAL NO.:** 260-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

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

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

**ACTION OF BOARD-  
VARIATION WITHDRAWN**

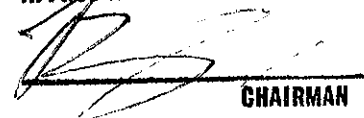
**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** Sky Real Estate, LLC – Series 2340 N. Albany

**CAL NO.:** 261-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

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

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

**ACTION OF BOARD-  
VARIATION WITHDRAWN**

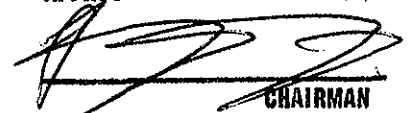
**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Sky Real Estate, LLC – Series 2340 N. Albany

**CAL NO.:** 262-17-Z

**APPEARANCE FOR:** Mark Kupiec

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

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

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

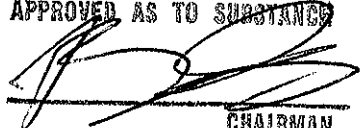
**ACTION OF BOARD-  
VARIATION WITHDRAWN**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Sam Sanchez

**CAL NO.:** 346-17-S

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 3524 N. Clark Street

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

**ACTION OF BOARD-**  
Continued to October 20, 2017 at 2:00 p.m.

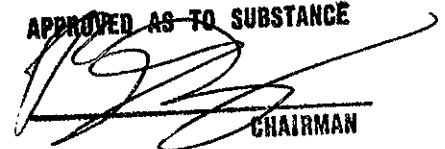
**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Claudia Marchon

**CAL NO.:** 386-17-Z

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5749 W. Fullerton Avenue

**NATURE OF REQUEST:** Application for a variation to establish a public place of amusement license for a proposed banquet hall which shall be located within 125' of a residential zoning district.

**ACTION OF BOARD-**

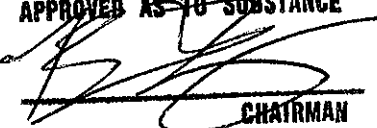
**Continued to October 20, 2017 at 2:00 p.m.**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

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

**APPLICANT:** Claudia Marchon

**CAL NO.:** 387-17-S

**APPEARANCE FOR:** Same as Applicant

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 5717 W. Fullerton Avenue

**NATURE OF REQUEST:** Application for a special use to establish six required off-site parking spaces to serve a proposed banquet hall located at 5749 W. Fullerton Avenue.

**ACTION OF BOARD-**  
Continued to October 20, 2017 at 2:00 p.m.

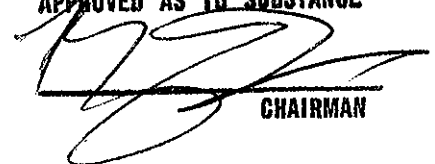
**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**



ZONING BOARD OF APPEALS  
CITY OF CHICAGO

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



SEP 18 2017

CITY OF CHICAGO  
ZONING BOARD OF APPEALS

**Dynaprop XXXI: 1254 W. Winnemac, LLC**  
APPLICANT

**394-17-Z & 395-17-Z**  
CALENDAR NUMBERS

**1254 W. Winnemac Avenue**  
PREMISES AFFECTED

**August 18, 2017**  
HEARING DATE

**ACTION OF BOARD**

**THE VOTE**

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

Blake Sercye  
Shaina Doar  
Sol Flores  
Sam Toia  
Amanda Williams

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

**FINDINGS OF THE ZONING BOARD OF APPEALS  
IN THE MATTER OF THE VARIATION APPLICATIONS FOR 1254 W.  
WINNEMAC AVENUE BY DYNAPROP XXXI: 1254 W. WINNEMAC, LLC**

**I. BACKGROUND**

Dynaprop XXXI: 1254 W. Winnemac, LLC (the "Applicant") submitted two variation applications for 1254 W. Winnemac Avenue (the "subject property"). The subject property is currently zoned RT-4 and is currently improved with a two-story, two-dwelling unit building. The Applicant proposed to convert said building into a three-story, five-dwelling unit building. To permit said conversion, the Applicant sought variations to: (1) reduce the rear yard setback from 40.8' to 28.71'; and (2) reduce the rear yard open space from 353.6 square feet to 300.67 square feet.

**II. PUBLIC HEARING**

**A. The Hearing**

The ZONING BOARD OF APPEALS held a public hearing on the Applicant's variation application at its regular meeting held on August 18, 2017, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*, and as continued without further notice as provided under Section 17-13-0108-A of the Chicago Zoning Ordinance. In accordance with the ZONING BOARD OF APPEALS' Rules of Procedure, the Applicant had submitted its proposed Findings of Fact. The Applicant's managing member Mr. Howard Adelstein and its attorney Mr. Nick Ftikas were present at the hearing. The Applicant's

**APPROVED AS TO SUBSTANCE**

architect Ms. Sara (Bestsy) Gensburg was also present. Testifying in opposition to the applications were Mr. Randy Heite, of 1441 W. Winnemac Avenue, and Mr. Paul Jay, of 1246 W. Winnemac Avenue. The statements and testimony given during the public hearing were given in accordance with the ZONING BOARD OF APPEALS' Rules of Procedure.

Mr. Randy Heite, of 1441 W. Winnemac Avenue testified in opposition to the applications. He testified that he was the president of the Winoma, Foster, Carmen, Winnemac Block Club ("Block Club") and had a letter of opposition from the Block Club that he would like to submit. He testified that he also had a letter of opposition from Alderman Pawar that he would like to submit.

The ZONING BOARD OF APPEALS accepted both letters into the record and then asked Mr. Heite the nature of his own opposition.

Mr. Heite testified that his opposition stemmed from his belief that developers – by reducing setbacks and adding additions to greystones such as this particular greystone – created a wall in the neighborhood and blocked sightlines of neighbors.

Mr. Paul Jay, of 1246 W. Winnemac, testified in opposition to the applications. He testified that he had letters of opposition from other members of the neighborhood.

The ZONING BOARD OF APPEALS accepted such letters into the record.

Mr. Jay then testified that his opposition stemmed from his concern with respect to the removal of the green space at the back of the subject property as it was his understanding the garage was to be torn down and then paved over with five parking pads. He testified that this would exacerbate flooding in the alley. He testified that the proposed variations would increase congestion in the neighborhood in terms of outdoor parking. He testified that he was concerned about the degradation of the greystone on the subject property.

The Applicant's attorney Mr. Nick Ftikas explained that the subject property contained 5400 square feet of total area and is zoned RT-4. He explained that the Applicant's proposed unit count and parking count were permitted. He explained that, in consequence, congestion was not an issue as the Applicant was not asking for any relief with respect to minimum lot area. He explained that the Applicant's proposed rear addition to the existing building was what triggered the Applicant's request for variations. He explained that the proposed rear addition would follow the west line of the existing building straight back. He explained that the front setback would remain the same as would the east side setback. He explained that the requested variations would only change the rear of the subject property. He explained that with respect to the concern for flooding, the Applicant's plan of redevelopment of the subject property called for a new drainage system in the parking area. He explained that the Applicant was willing to install permeable pavers in the parking area and was willing for said installation of permeable pavers to be a condition to the ZONING BOARD OF

APPEALS' approval of its applications. He further explained that contrary to the assertions of Mr. Jay, the Applicant was not taking away green space by tearing down the existing garage. He explained that the garage was a structure in the rear yard and that when said structure was torn down, it would be replaced by a paved parking area.

The Applicant presented the testimony of its managing member Mr. Howard Adelstein. Mr. Adelstein testified that the Applicant owned the subject property. He testified that the subject property measured 40' wide by 136' deep and was improved with a 100 year old greystone. He testified that the Applicant proposed to construct an addition to said building and convert said building from a two-flat to a five-dwelling unit building. He testified that the design for said proposed addition followed the existing greystone's west wall straight back. He testified that this west setback was compliant with the Chicago Zoning Ordinance. He further testified the 21' front setback and 11' east side setback would remain as is on the subject property. He testified that the Applicant would be providing 5 surface parking spaces at the rear of the lot.

The Applicant presented the testimony of its architect Ms. Sara (Betsy) Gensburg. Ms. Gensburg testified she designed the proposed addition to the subject property. She testified that the Applicant's intent to preserve the front and side setbacks became the practical difficulty or particular hardship necessitating the Applicant's requests before the ZONING BOARD OF APPEALS. She testified that her design generally follows the existing building lines and will maintain the 21' front setback, the 4'9" west side setback and the 11' east side setback. She testified that her proposed design would also leave a rear setback of over 28'. She testified that the proposed addition is compatible with other improvements in the immediate area, especially as the immediate neighboring properties to the subject property are improved with deeper buildings.

Mr. Jay testified that he disagreed with the Applicant's analysis. He testified that the proposed changes to the existing building would impact the visual look of the building from the front. He testified that it was his belief that all the light to the east of the greystone would disappear due to the proposed rear addition. He testified that the additional floor added to the greystone would further impact the light of those living in the building east of the greystone.

In response to questions by the ZONING BOARD OF APPEALS, Ms. Gensburg further testified that the existing building was 54' long, not including the bay window at the front. She testified that the rear addition to the building as well as the third-floor addition to the front of the building would be made of brick material rather than stone. She testified that one would definitely be able to tell the older portion of the building from the newer portions. She testified that this would preserve the integrity of the building.

Mr. Jay testified that this was not preserving the integrity of the building.

The ZONING BOARD OF APPEALS stated that Ms. Gensburg and Mr. Jay had differing opinions as to what preserved the integrity of the building. The ZONING

BOARD OF APPEALS stated that it was not sure that the proposed addition would impede light and air to existing buildings and noted that the building next east appeared to have a solid west wall.

In conclusion, Mr. Ftikas stated that with respect to light and air the Applicant was exceeding the minimum side setback requirement. Mr. Ftikas stated that the Applicant's plan of redevelopment of the subject property was done in an attempt to keep the building in substantially the same condition. He stated that the alternative would be to provide any addition to the east side of the subject property and this would disrupt the Applicant's attempt to preserve the greystone. Further, he stated that the Applicant had a right to add floor area to the building.

#### B. Criteria for a Variation

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

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

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

the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

### III. FINDINGS OF FACT.

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

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

As Ms. Gensburg very credibly testified, the Applicant's desire to preserve the front and side setbacks of the existing greystone creates practical difficulties or particular hardships for the subject property. As the subject property contains 5400 square feet of total area and is zoned RT-4, the Applicant can have five (5) dwelling units as of right.

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

The requested variations protect the character of established residential neighborhoods pursuant to Section 17-1-503 of the Chicago Zoning Ordinance, promote the rehabilitation and reuse of older buildings pursuant to Section 17-1-0511 of the Chicago Zoning Ordinance, and maintain a range of housing choices and options pursuant to Section 17-1-0512 of the Chicago Zoning Ordinance.

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

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

The subject property contains 5400 square feet of total area and is zoned RT-4 and thus is allowed five (5) dwelling units as of right. However, due to the Applicant's desire to preserve the front and side setbacks of the existing greystone on the subject property, the property in question cannot yield a reasonable rate of return if permitted to be used only in accordance with the standards of the Chicago Zoning Ordinance as such use would be limited to two (2) dwelling units.

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

As noted above, the practical difficulties or particular hardships are due to the Applicant's desire to preserve the front and side setbacks of the existing greystone. These are unique circumstances and are not generally applicable to other residential property.

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

As Ms. Gensburg very credibly testified, the variations are compatible with the neighborhood as the front and side setbacks of the existing greystone will be maintained. Further, the rear addition is in line with the deeper buildings of the subject property's immediate neighboring properties.

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

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

The existing topographical condition of the subject property – that is to say, the front and side setbacks of the existing greystone – would result in particular hardship upon the Applicant as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out. As Mr. Ftikas explained, if the variations were not granted, the Applicant would be forced to build its addition on the east side of the subject property. This would disrupt the greystone the Applicant is attempting to preserve.

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

As noted above, the practical difficulties or particular hardships are due to the Applicant's desire to preserve the front and side setbacks of the existing greystone. These are conditions not applicable, generally, to other property within the RT-4 zoning classification.

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

The purpose of the variations are to preserve the front and side setbacks of the existing greystone while allowing the Applicant to build to the density it is entitled to as of right.

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

The Applicant did not create the condition of the front and side setbacks of the existing greystone.

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

Due to the condition imposed by the ZONING BOARD OF APPEALS, the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located because said condition will help alleviate the flooding concerns raised by Mr. Jay.

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

The Applicant will maintain the front and side setbacks of the existing greystone. These side setbacks exceed the minimum setback requirements, and in fact the east side setback is 11'. The variations will not increase congestion in the public streets because the Applicant will be providing five (5) parking spaces on-site. Further, the variations will not increase the danger of fire or endanger the public safety as the addition will be of brick material. As noted above, due to the condition imposed by the ZONING BOARD OF APPEALS, the proposed variations will not substantially diminish or impair property values within the neighborhood because said condition will help alleviate flooding concerns raised by Mr. Jay.

#### IV. CONCLUSION

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

The ZONING BOARD OF APPEALS hereby approves the Applicant's applications for variations, and pursuant to the authority granted to the ZONING BOARD OF

APPEALS by Section 17-13-1105 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said variations subject to the following conditions:

1. The Applicant shall use permeable pavers as the paving material for its five (5) on-site parking spaces.

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:** Bissell Partners, LLC **CAL NO.:** 402-17-Z  
**PEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2042 N. Bissell Street

**NATURE OF REQUEST:** Application for a variation to reduce the north setback from the required 2' to zero, (south to be 2.81') combined side setback from 4.4' to 2.81' for a proposed fourth story addition to an existing three- story, three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

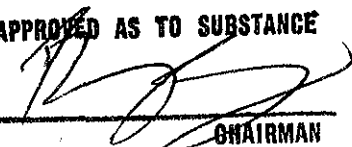
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the north setback to zero, (south to be 2.81') combined side setback to 2.81' for a proposed fourth story addition to an existing three- story, three dwelling unit building; two additional variations were granted to the subject property in Cal. Nos. 403-17-Z and 404-17-Z; 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: Bissell Partners, LLC

CAL NO.: 403-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 2042 N. Bissell Street

NATURE OF REQUEST: Application for a variation to increase the existing floor area by no more than 15% from 2,674.29 square feet to 3,007.67 square feet for a proposed fourth story addition to the existing three-story, three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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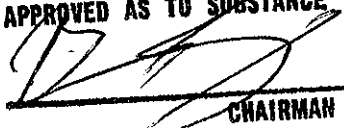
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the existing floor area by no more than 15% to 3,007.67 square feet for a proposed fourth story addition to the existing three-story, three dwelling unit building; additional variations were granted to the subject property in Cal. Nos. 402-17-Z and 404-17-Z; 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:** Bissell Partners, LLC **CAL NO.:** 404-17-Z  
**APPEARANCE FOR:** Nicholas Ftikas **MINUTES OF MEETING:**  
August 18, 2017  
**APPEARANCE AGAINST:** None  
**PREMISES AFFECTED:** 2042 N. Bissell Street

**NATURE OF REQUEST:** Application for a variation to increase the existing height by no more than 10% from 38' to 41.67' for a proposed fourth story addition to the existing three-story, three dwelling unit building.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to increase the existing height by no more than 10% to 41.67' for a proposed fourth story addition to the existing three-story, three dwelling unit building; additional variations were granted in Cal. Nos. 402-17-Z and 403-17-Z; 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:** 744 Buckingham Place, LLC

**CAL NO.:** 415-17-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 742 W. Buckingham Place

**NATURE OF REQUEST:** Application for a variation to reduce the front setback from the required 8' to 3', combined side setback from 6.4' to 5.8', rear setback from 39.10' to zero for a proposed four-story, four dwelling unit building with a detached garage and one parking space carport.

**ACTION OF BOARD-**  
**Continued to October 20, 2017 at 2:00 p.m.**

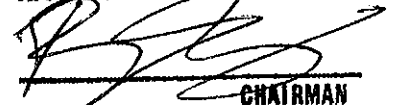
**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
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X		
X		

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** 744 Buckingham Place, LLC

**CAL NO.:** 416-17-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 742 W. Buckingham Place

**NATURE OF REQUEST:** Application for a variation to reduce the rear setback from the required 39.10' to zero, east setback from 2.6' to zero for a proposed detached four car garage and a one parking space carport.

**ACTION OF BOARD-**  
**Continued to October 20, 2017 at 2:00 p.m.**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** 744 Buckingham Place, LLC

**CAL NO.:** 417-17-Z

**APPEARANCE FOR:** Thomas Moore

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 742 W. Buckingham Place

**NATURE OF REQUEST:** Application for a variation to reduce the rear yard open space from the required 276.26 square feet to zero for a proposed four car garage and a one parking space carport.

**ACTION OF BOARD-**  
**Continued to October 20, 2017 at 2:00 p.m.**

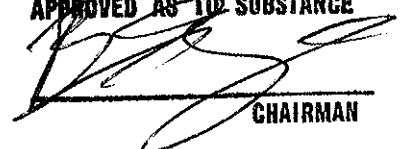
**THE VOTE**

**SEP 18 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
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X		

**APPROVED AS TO SUBSTANCE**



**CHAIRMAN**

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

**APPLICANT:** Tri City Foods, Inc.

**CAL NO.:** 420-17-S

**APPEARANCE FOR:** Katrina McGuire

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 7538-58 S. Ashland Avenue / 1606 W. 76<sup>th</sup> Street

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

**ACTION OF BOARD-  
APPLICATION APPROVED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
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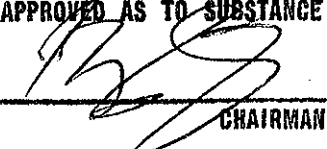
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): provided the development is consistent with the design and layout of the plans and drawings, including the landscape plan and elevations, dated August 14, 2017, all prepared by MRV Architects, Inc.

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

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

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

APPLICANT: Natalie Boitchouk

CAL NO.: 438-17-Z

APPEARANCE FOR: Nicholas Ftikas

MINUTES OF MEETING:  
August 18, 2017

APPEARANCE AGAINST: None

PREMISES AFFECTED: 1620 W. Pierce Avenue

NATURE OF REQUEST: Application for a variation to reduce the rear setback from the required 28' to 21.33', east and west setback from 2' each to zero, combined side setback from 4.8' to zero for a proposed rear two story addition connecting to an existing detached garage with a roof deck which shall also contain the relocated rear yard open space.

ACTION OF BOARD-  
VARIATION GRANTED

THE VOTE

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the rear setback to 21.33', east and west setback to zero, combined side setback to zero for a proposed rear two story addition connecting to an existing detached garage with a roof deck which shall also contain the relocated rear yard open space; 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:** 1220NBA, LLC

**CAL NO.:** 446-17-S

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1220 N. Bosworth Avenue

**NATURE OF REQUEST:** Application for a special use to establish residential use below the second floor for a proposed three-story, townhouse building with twenty-three dwelling units and twenty three attached garages, side open stairway and roof decks.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		


**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish residential use below the second floor for a proposed three-story, townhouse building with twenty-three dwelling units and twenty three attached garages, side open stairway and roof decks at the subject site; variations were also granted to the subject property in Cal. Nos. 447-17-Z, 448-17-Z, 449-17-Z, and 450-17-Z; expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject site; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** 1220NBA, LLC

**CAL NO.:** 447-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1220 N. Bosworth Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the front wall setback facing a public street from the required 12' to zero, front wall setback facing an alley from 3' to 1.67' for a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roof decks.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

SEP 18 2017  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

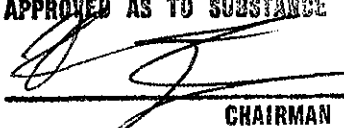
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the front wall setback facing a public street to zero, front wall setback facing an alley to 1.67' for a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roof decks; a special use in Cal. No.446-17-S and additional variations in Cal. Nos. 448-17-Z, 449-17-Z, and 450-17-Z were granted to the subject property; 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): provided the development is consistent with the design and layout of the plans and drawings dated May 16, 2017, prepared by Wheeler Kearns Architects.

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

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

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

**APPLICANT:** 1220NBA, LLC

**CAL NO.:** 448-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1220 N. Bosworth Avenue

**NATURE OF REQUEST:** Application for a variation to reduce the private yard area per unit from the required 200 square feet to 174 square feet for a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roofdecks.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

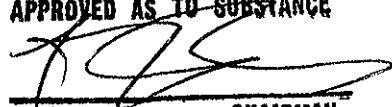
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to reduce the private yard area per unit to 174 square feet for a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roofdecks; a special use in Cal. No. 446-17-S and additional variations in Cal. Nos. 447-17-Z, 449-17-Z, and 450-17-Z were granted to the subject property; 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): provided the development is consistent with the design and layout of the plans and drawings dated May 16, 2017, prepared by Wheeler Kearns Architects.

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

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

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

**APPLICANT:** 1220NBA, LLC

**CAL NO.:** 449-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1220 N. Bosworth Avenue

**NATURE OF REQUEST:** Application for a variation to relocate all of the required private yard areas on the second floor roof deck of a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roof decks.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**  
CITY OF CHICAGO  
ZONING BOARD OF APPEALS

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

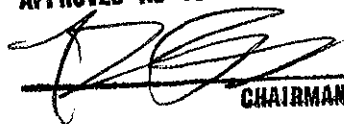
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to relocate all of the required private yard areas on the second floor roof deck of a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roof decks; a special use in Cal. No. 446-17-S and additional variations in Cal. Nos. 447-17-Z, 448-17-Z, and 450-17-Z were granted to the subject property; 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): provided the development is consistent with the design and layout of the plans and drawings dated May 16, 2017, prepared by Wheeler Kearns Architects.

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

**APPROVED AS TO SUBSTANCE**

  
**CHAIRMAN**

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

**APPLICANT:** 1220NBA, LLC

**CAL NO.:** 450-17-Z

**APPEARANCE FOR:** Sara Barnes

**MINUTES OF MEETING:**  
August 18, 2017

**APPEARANCE AGAINST:** None

**PREMISES AFFECTED:** 1220 N. Bosworth Avenue

**NATURE OF REQUEST:** Application for a variation to eliminate the one required loading berth for a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roof decks.

**ACTION OF BOARD-  
VARIATION GRANTED**

**THE VOTE**

**SEP 18 2017**  
**CITY OF CHICAGO**  
**ZONING BOARD OF APPEALS**

BLAKE SERCYE  
SHAINA DOAR  
SOL FLORES  
SAM TOIA  
AMANDA WILLIAMS

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

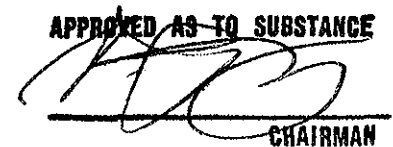
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 2017 after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on July 3, 2017; and

WHEREAS, the Zoning Board of Appeals, having reviewed the proposed finding of fact and having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted variation to eliminate the one required loading berth for a proposed three-story, twenty-three dwelling unit town house building with twenty-three attached garages, side open stairway and roof decks; a special use in Cal. No. 446-17-S and additional variations in Cal. No. 447-17-Z, 448-17-Z, and 449-17-Z were granted to the subject property; 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): provided the development is consistent with the design and layout of the plans and drawings dated May 16, 2017, prepared by Wheeler Kearns Architects.

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

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