**Charles Sanders** 

**APPLICANT:** 

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

**PREMISES AFFECTED:** 5944 W. Roosevelt Road

Application for a special use under Chapter 17 of the zoning ordinance for the NATURE OF REQUEST: approval of the location and the establishment of a barber shop within 1,000 linear feet of another barber shop, beauty salon, nail salon or similar use in a B3-2 Community Shopping District.

**ACTION OF BOARD---**CASE CONTINUED TO AUGUST 15, 2008

### THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	x		
GIGI McCABE-MIELE	x		
DEMETRI KONSTANTELOS	x		
REVEREND WILFREDO DEJESUS	x		
JONATHAN SWAIN			x

RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

MAIRMAN

### PAGE 1 OF 60 MINUTES

CAL NO.: 237-08-S

MAP NO.: 2-M

**MINUTES OF MEETING:** June 20, 2008

)

**APPLICANT:** 

Chicago Patrolmen's Federal Credit Union

PPEARANCE FOR: George Arnold

APPEARANCES AGAINST: None

**PREMISES AFFECTED:** 1407 W. Washington Boulevard

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed credit union with drive thru facility in a C1-3 Neighborhood Commercial District. Previously heard as case #223-06-S as a credit union.

### ACTION OF BOARD--APPLICATION APPROVED

## RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

### THE VOTE

	AFFIRMATIVE NEORIT	- ABŞI
BRIAN L. CROWE	х	
GIGI McCABE-MIELE	x	
DEMETRI KONSTANTELOS	x	
REVEREND WILFREDO DEJESUS	X	
JONATHAN SWAIN		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; this matter had been previously been heard (Cal. No. 223-06-S). The applicant shall be permitted to establish a credit union with a drive thru facility; the testimony of the appraiser was that the use is in character with the surrounding community and would not have a negative impact on the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through facility, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings, prepared by Macondo Corp., and dated June 20, 2008, and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

PAGE 2 OF 60 MINUTES

CHAIRMAN

CAL NO.: 238-08-S

MAP NO.: 1-G

MINUTES OF MEETING: June 20, 2008

AFFIRMATIVE NEGATIVE

**APPLICANT:** 

Jeffrey and Mirushe Worden

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 5450 W. Belmont Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

ACTION OF BOARD--WITHDRAWN ON MOTION OF THE APPLICANT

### THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
х		
х		
x		
x		
		х

RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

HAIRMAN

BRIAN L. CROWE GIGI M¢CABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS

JONATHAN SWAIN

CAL NO.: 239-08-S

MAP NO.: 9-L

Yong Yi

**PPEARANCE FOR:** Thomas Moore

**APPEARANCES AGAINST:** None

**APPLICANT:** 

PREMISES AFFECTED: 3822 N. Kedzie Avenue

Application for a special use under Chapter 17 of the zoning ordinance for the NATURE OF REQUEST: approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

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

### THE VOTE

DEMONSTRATE		AFFIRMATIVE	NEGATIVE	ABSENT
RECEIVED	BRIAN L. CROWE	x		
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	x		
JUL 2 2 2000	DEMETRI KONSTANTELOS	x		
CITY OF CHICAGO	REVEREND WILFREDO DEJESUS	x		
ZONING BOARD OF APPEALS	JONATHAN SWAIN			х

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE



PAGE 4 OF 60 MINUTES

CAL NO.: 240-08-S

MAP NO.: 9-J

**APPLICANT:** 

Shalonda Hilderbrand

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 6935 S. Halsted Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B1-2 Neighborhood Shopping District.

ACTION OF BOARD--CASE CONTINUED TO AUGUST 15, 2008

### THE VOTE

## RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

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BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

FFIRMATIVE	NEGATIVE	ABSENT
х		
х		
х		
х		
		x

APPROVED AS TO SUBSTANCE

CHAIRMAN

### CAL NO.: 241-08-S

**MAP NO.:** 16-F

MINUTES OF MEETING: June 20, 2008

### PAGE 5 OF 60 MINUTES

APPLICANT:	McDonald's Corporation, A Delaware Corporation	CAL NO.: 242-08-S
APPEARANCE FOR:	Amy Kurson	<b>MAP NO.:</b> 8-I
APPEARANCES AGAINST:	None	MINUTES OF MEETING: June 20, 2008
PREMISES AFFECTED:	3849 S. Archer Avenue	

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed fast food restaurant with drive thru facility in a C1-2 Neighborhood Commercial District.

ACTION OF BOARD---APPLICATION APPROVED

### THE VOTE

RECEIVED		AFFIRMATIVE	NEGATIVE	ABSENT	1
	BRIAN L. CROWE	x			
JUL <b>22</b> 2008	GIGI McCABE-MIELE	x			
	DEMETRI KONSTANTELOS	x			
CITY OF CHICAGO ZONING BOARD OF APPEALS	REVEREND WILFREDO DEJESUS	x			
201110 BOARD OF AFFEALS	JONATHAN SWAIN			x	ļ

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a fast food restaurant with a drive thru facility; the Board finds that this location may only be operated as a McDonald's restaurant; the testimony of the appraiser was that the use is in character with the community and would not have a negative impact on the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through, provided construction is consistent with the layout and design as illustrated on the site plan, dated June 19, 2008, and elevation drawings, dated February 8, 2008, prepared by Marchris Engineering, and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUCSIANCE

PAGE 6 OF 60 MINUTES

Bac

APPLICANT:	McDonald's Corporation, A Delaware Corporation	CAL NO.: 243-08-S
APPEARANCE FOR:	Amy Kurson	<b>MAP NO.:</b> 5-K
APPEARANCES AGAINST:	None	MINUTES OF MEETING: June 20, 2008
PREMISES AFFECTED:	4338 W. North Avenue	June 20, 2000

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed fast food restaurant with drive thru facility in a B3-1 Community Shopping District.

### ACTION OF BOARD---APPLICATION APPROVED

### THE VOTE

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ADSENT

RECEIVED			THE ADDENT
	BRIAN L. CROWE	x	
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE		x
	DEMETRI KONSTANTELOS	x	
CITY OF CHICAGO ZONING BOARD OF APPEALS	REVEREND WILFREDO DEJESUS	x	
ZOMING BOARD OF ATTENDS	JONATHAN SWAIN		x

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a fast food restaurant with a drive thru facility; the Board finds that this location may only be operated as a McDonald's restaurant; the testimony of the appraiser was that the use is in character with the community and would not have a negative impact on the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through, provided construction is consistent with the layout and design as illustrated on the site plan, prepared by Compass Engineering, dated June 19, 2008, and elevation drawings, prepared by Infinity Dzines, Inc., dated February 8, 2008; and provided the final landscape plan is approved by the Department of Planning )I Development.

That all applicable ordinances of the City of Chicago shall be complied with before APRENEDISASSTOdSUBSTA::CE

### PAGE 7 OF 60 MINUTES

CHAIRMAN

**APPLICANT:** 

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

**PREMISES AFFECTED:** 11101 S. Western Avenue

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in n B1-1 Neighborhood Shopping District, a proposed indoor miniature golf course (public place of amusement).

**ACTION OF BOARD--**CASE CONTINUED TO AUGUST 15, 2008

### THE VOTE

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
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х		
x		
x		
		x

## RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

HAIRMAN

### PAGE 8 OF 60 MINUTES

CAL NO.: 244-08-Z

**MAP NO.:** 28-H

**MINUTES OF MEETING:** June 20, 2008

Glow Putt Paradise LLC

**APPLICANT:** 

Robin Limited Partnership

Rolando Acosta

**PPEARANCE FOR:** 

APPEARANCES AGAINST: None

PREMISES AFFECTED: 7801 S. Halsted Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a restaurant with a drive thru facility and a drive thru ATM in a B1-3 Neighborhood Shopping District.

### ACTION OF BOARD--APPLICATION APPROVED

## RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
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Х		
Х		
Х		
		х

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an fast food restaurant with a drive thru facility; the applicant will also be permitted to operate an addition drive thru lane that will be used for an ATM. The Board finds that the restaurant will only be permitted to operate as a Dunkin Donuts; the testimony of the appraiser was that the use would not have a negative impact on the neighborhood and is in character with the surrounding community; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings prepared by Vari Architects and dated June 19, 2008, and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

PAGE 9 OF 60 MINUTES

CAL NO.: 245-08-S

MAP NO.: 18-F

APPLICANT:

**PEARANCE FOR:** Rolando Acosta

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4913 N. Lincoln Avenue

Lazarazar Co.

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

### ACTION OF BOARD--APPLICATION APPROVED

### THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	<u>x</u>		
GIGI McCABE-MIELE	x		
DEMETRI KONSTANTELOS	x		
REVEREND WILFREDO DEJESUS	x		
JONATHAN SWAIN	x		

JUL **2 2** 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

RECEIVED

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 10 OF 60 MINUTES

CAL NO.: 246-08-S

MAP NO.: 13-I

**APPLICANT:** 

Banco Popular North America

Alyssa Berman PPEARANCE FOR:

**APPEARANCES AGAINST:** None

**PREMISES AFFECTED:** 1201-09 N. California Avenue

Application for a special use under Chapter 17 of the zoning ordinance for the NATURE OF REQUEST: approval of the location and the establishment of a banking facility with drive-thru in a B1-1 Neighborhood Shopping District.

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

### THE VOTE

RECEIVED		AFFIRMATIVE	NEGATIVE	ADSENT
	BRIAN L. CROWE	x		
jul <b>22</b> 2008	GIGI McCABE-MIELE	x		
	DEMETRI KONSTANTELOS	x		
CITY OF CHICAGO ZONING BOARD OF APPEALS	<b>REVEREND WILFREDO DEJESUS</b>	x		
	JONATHAN SWAIN	x		

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings prepared by JTS Architects, dated April 7, 2008, and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

59.0

PAGE 11 OF 60 MINUTES

CHAIRMAN

CAL NO.: 247-08-S

MAP NO.: 3-I

**APPLICANT:** 

City of Chicago, Dept. of Consumer Services CAL NO.: 248-08-S

Patricia Moser **PPEARANCE FOR:** 

**MAP NO.:** 2-F

**APPEARANCES AGAINST:** None

701-13 W. Polk Street/800-48 S. DesPlaines Street PREMISES AFFECTED:

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a flea market (Maxwell Street market) and a non-accessory (public) parking lot for 84 parking spaces in a DS-5 Downtown Service District in a DS-5 Downtown Service District.

### **ACTION OF BOARD--**APPLICATIONS APPROVED

### THE VOTE

		AFFIRMATIVE NEG	ATIVE ABSENT
RECEIVED	BRIAN L. CROWE	х	
	GIGI McCABE-MIELE	x	
JUL <b>2 2</b> 2008	DEMETRI KONSTANTELOS	x	
CITY OF CHICAGO	REVEREND WILFREDO DEJESUS	x	
CITY OF CHICAGO ZONING BOARD OF APPEALS	JONATHAN SWAIN	<u>x</u>	

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a flea market and a non accessory (public) parking lot that will accommodate 84 vehicles. Testimony was offered that both uses would not have a negative impact on the community and that both uses are in character with the neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed flea market and non accessory parking lot, provided the applicant installs the fencing and landscaping in compliance with the Chicago Landscape Ordinance.

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

APPROVED AS TO SUBSTANCE

1520

PAGE 12 OF 60 MINUTES

CHAIRMAN

MB Financial Bank, N. A.

**APPLICANT:** 

PPEARANCE FOR: Mariah Digrino

APPEARANCES AGAINST: None

PREMISES AFFECTED: 6422 W. Archer Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed bank with drive thru facility in a B3-1 Community Shopping District.

### ACTION OF BOARD--APPLICATION APPROVED

### THE VOTE

		AFFIRMATIVE NEGAT	IVE ABSENT
RECEIVED	BRIAN L. CROWE	x	
JUL 2 2 2008	GIGI McCABE-MIELE	x	
	DEMETRI KONSTANTELOS	x	
CITY OF CHICAGO	REVEREND WILFREDO DEJESUS	x	
ZONING BOARD OF APPEALS	JONATHAN SWAIN	x	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):The Department of Planning and Development recommends approval of the proposed drive-through facility, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings, prepared by Hezner Corp., and dated February 25, 2008, and provided the final landscape plan is approved by the Department of Planning and Development.

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

PAGE 13 OF 60 MINUTES

CAL NO.: 249-08-S

MAP NO.: 12-N

MINUTES OF MEETING: June 20, 2008

APPROVED AS TO SUBSTANCE

DIC

**APPLICANT:** 

5K Construction, LLC

Paul Kolpak PEARANCE FOR:

**APPEARANCES AGAINST:** None

PREMISES AFFECTED: 2139 W. 18th Place

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3-story 3 dwelling unit building whose minium lot area shall be 2,978 sq. ft. instead of 3,000 sq. ft.

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

### THE VOTE

RECEIVED		AFFIRMATIVE NEGATIVE ABSE		BSENT	
RECHIVED	BRIAN L. CROWE	x		-	
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	x		-	
	DEMETRI KONSTANTELOS	x		-	
CITY OF CHICAGO ZONING BOARD OF APPEALS	REVEREND WILFREDO DEJESUS	x			
ZONING BOARD OF ALL DALLS	JONATHAN SWAIN	x			

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 3-story 3 dwelling unit building whose minium lot area shall be 2,978 sq. ft.; 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

M20 CHAIRMAN

### PAGE 14 OF 60 MINUTES

CAL NO.: 250-08-Z

MAP NO.: 4-H

**APPLICANT:** 

5K Construction, LLC

 PPEARANCE FOR:
 Paul Kolpak

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2139 W. 18th Place

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow three parking spaces to be established on a lot which measures 23.96' across and is recorded as 24 feet. Three parking spaces require 24' in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

### ACTION OF BOARD--THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

### THE VOTE

AFFIRMATIVE NEGATIVE ABSENT RECEIVED BRIAN L. CROWE Х JUL 2 2 2008 х GIGI McCABE-MIELE х DEMETRI KONSTANTELOS CITY OF CHICAGO х **REVEREND WILFREDO DEJESUS** ZONING BOARD OF APPEALS х JONATHAN SWAIN

### THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008; and

WHEREAS, the district maps show that the premises is located in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The Appellant in this matter would like to establish 3 parking spaces at this location. There is a 24 foot requirement to accommodate three parking spaces. This lot only measures 23.96'. The Board finds that .04 is diminimus and would not have a negative impact on the Appellant establishing three parking spaces. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

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CHAIRMAN

### PAGE 15 OF 60 MINUTES

CAL NO.: 251-08-A

**MAP NO.:** 4-H

**APPLICANT:** Lois Howe

PPEARANCE FOR: Gary Wigoda

**APPEARANCES AGAINST:** None

PREMISES AFFECTED: 126 W. Delaware Place

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the applicant to build a roof top structure (pergola) to the height of 61'-9". The height limit in an RM5 is 47' and the Board may grant 10% increase of 47' (51.7' maximum) in an RM-5 Residential Multi-Unit District.

### **ACTION OF BOARD--**THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

### THE VOTE

RECEIVED		AFFIRMATIVE NEGAT	IVE ABSENT
uu <b>9.9</b> . 2008	BRIAN L. CROWE	x	
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	X	
CITY OF CHICAGO	DEMETRI KONSTANTELOS	x	
ZONING BOARD OF APPEALS	REVEREND WILFREDO DEJESUS	x	
	JONATHAN SWAIN	x	

### THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008; and

WHEREAS, the district maps show that the premises is located in an RM-5 Residential Multi-Unit District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The appellant in this matter stated that she wishes to add a rooftop structure. The appellant stated that the existing building already exceeds the permitted height. She only wishes to add a deck and a pergola. The Board will permit the appellant to add the rooftop structure which shall not exceed 61'-9" in height. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

/JAC CHAIRMAN

### PAGE 16 OF 60 MINUTES

CAL NO.: 252-08-A

**MAP NO.:** 3-F

AFFIRMATIVE	NEGATIVE	ABSENT
x		
х		
x		
x		

APPLICANT:

PPEARANCE FOR:

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4919 S. Cicero Avenue

- Adam Velarde

Jessica Boudreau

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed fast food restaurant with drive thru facility in a B3-1 Community Shopping District.

### ACTION OF BOARD--APPLICATION APPROVED

## RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

### THE VOTE

BRIAN L. CROWE	
GIGI McCABE-MIELE	x
DEMETRI KONSTANTELOS	x
REVEREND WILFREDO DEJESUS	<u>x</u>
JONATHAN SWAIN	x

AFFIRMATIVE	NEGATIVE	ABSENT
		Х
x		
x		
x		
x		

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a fast food restaurant with a drive thru facility; the testimony of the appraiser was that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; the Board finds that this facility should may be operated as an El Pollo Loco only; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through facility, provided construction is consistent with the layout and design as illustrated on the site plan, dated April 24, 2008, and elevation drawings, dated February 26, 2008, prepared by Sarfatty Associates, Ltd., and provided the final landscape plan is approved by the Department of Planning and Development

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

APPROVED AS TO SUBSTANCE

1220

### PAGE 17 OF 60 MINUTES

CHAIRMAN

CAL NO.: 253-08-S

MAP NO.: 12-K

### **APPLICANT:**

**APPEARANCES AGAINST:** 

4449 S. Richmond Street **PREMISES AFFECTED:** 

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a 1-story open front porch and an 1-story rear addition whose rear yard shall be 12'-8" instead of 35', the combined side yards shall be 4' (1' on the north and 3' on the south) instead of 5'.

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

### THE VOTE

BRIAN L. CROWE	x	
GIGI McCABE-MIELE	x	
DEMETRI KONSTANTELOS	<u>x</u>	
REVEREND WILFREDO DEJESUS	x	
JONATHAN SWAIN	x	

### APPROVED AS TO SUNSTANCE

ろン

CHAIRMAN

### PAGE 18 OF 60 MINUTES

CAL NO.: 254-08-Z

MAP NO.: 10-I

**MINUTES OF MEETING:** June 20, 2008

AFFIRMATIVE NEGATIVE

ABSENT

**Yolanda** Rosiles

PPEARANCE FOR:

**CITY OF CHICAGO** ZONING BOARD OF APPEALS

JUL 2 2 2008

RECEIVED

**APPLICANT:** 

Christ Life Church Chicago

**PPEARANCE FOR:** Frederick Agustin

APPEARANCES AGAINST: None

**PREMISES AFFECTED:** 8932-38 S. Baltimore Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed off-site accessory parking lot for 28 private passenger vehicles to serve th religious facility at 8927-29 S. Houston in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit in a District.

### ACTION OF BOARD---

DECETTORS

APPLICATION APPROVED

### THE VOTE

NECEIVED		AFFIRMATIVE	NEGATIVE	ABSENT	1
	BRIAN L. CROWE	x			
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	x			
CITY OF CHICAGO	DEMETRI KONSTANTELOS	x			
ZONING BOARD OF APPEALS	<b>REVEREND WILFREDO DEJESUS</b>	x			
	JONATHAN SWAIN	x			

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an off-site accessory parking lot for 28 private passenger vehicles to serve th religious facility at 8927-29 S. Houston; the testimony of the appraiser was that the use would not have a negative impact on the community and is in character with the surrounding neighborhood; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed off-site, accessory parking, provided the applicant installs the fencing and landscaping in compliance with the Chicago Landscape Ordinance.

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

APPROVED AS TO Summinue

120

### PAGE 19 OF 60 MINUTES

CHAIRMAN

CAL NO.: 255-08-S

MAP NO.: 22-B

**APPLICANT:** 

Christ Life Church Chicago

"PEARANCE FOR: Frederick Agustin

APPEARANCES AGAINST: None

**PREMISES AFFECTED:** 8932-38 S. Baltimore Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed accessory 28 space parking lot whose front yard shall be 2' instead of 15', the combined side yards shall be 12'-4" and the north and south side yard shall be 6'-2" each.

### **ACTION OF BOARD--**

VARIATION GRANTED

RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

### THE VOTE

	AFFIRMATIVE NEGATIVE	ABSENT
BRIAN L. CROWE	x	
GIGI McCABE-MIELE	x	-
DEMETRI KONSTANTELOS	x	
REVEREND WILFREDO DEJESUS	x	
JONATHAN SWAIN	x	_

# THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an accessory 28 space parking lot whose front yard shall be 2', the combined side yards shall be 12'-4" and the north and south side yard shall be 6'-2" each; 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

**3**30 CHAIRMAN

PAGE 20 OF 60 MINUTES

CAL NO.: 256-08-Z

MAP NO.: 22-B

**APPLICANT:** 

Bruce and Michele Gelman

James J. Banks **PPEARANCE FOR:** 

**APPEARANCES AGAINST:** None

**PREMISES AFFECTED:** 924-26 N. Clark Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B2-2 Neighborhood Mixed-Use District, a proposed 4th floor addition, with roof top structure, whose height shall be increase to 49'-6" instead of 45' and whose rear yard shall be 15' instead of 30'.

**ACTION OF BOARD--**VARIATION GRANTED

### THE VOTE

DEICITI		AFFIRMATIVE	NEGATIVE	ABSENT
RECEIVED	BRIAN L. CROWE	x		
111 99 2000	GIGI McCABE-MIELE	x		
JUL 2222008	DEMETRI KONSTANTELOS	x		
CITY OF CHICAGO	REVEREND WILFREDO DEJESUS	x		
ZONING BOARD OF APPEALS	JONATHAN SWAIN	x		

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 4th floor addition, with roof top structure, whose height shall be increased to 49'-6" and whose rear yard shall be 15'; 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

1220 CHAIRMAN

PAGE 21 OF 60 MINUTES

CAL NO.: 257-08-Z

MAP NO.: 3-F

**APPLICANT:** 

DeJurs Enterprise, Inc.

Jessica Boudreau **PEARANCE FOR:** 

**APPEARANCES AGAINST:** None

**PREMISES AFFECTED:** 3310 W. Addison Street

Application for a special use under Chapter 17 of the zoning ordinance for the NATURE OF REQUEST: approval of the location and the establishment of a proposed fast food restaurant with drive thru facility in a M1-1 Limited Manufacturing/Business Park District.

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

### THE VOTE

,		AFFIRMATIVE	NEGATIVE	ABSENT	_
RECEIVED	BRIAN L. CROWE	x			
	GIGI McCABE-MIELE	x			
JUL <b>2 2</b> 2008	DEMETRI KONSTANTELOS	x			
CITY OF CHICAGO	REVEREND WILFREDO DEJESUS	x		<b></b>	
ZONING BOARD OF APPEALS	JONATHAN SWAIN	x			
JUL <b>2 2</b> 2008 CITY OF CHICAGO ZONING BOARD OF APPEALS	DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS	X			

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a fast food restaurant with a drive thru facility; the testimony of the appraiser was that the use would not have a negative impact on the community and is in character with the surrounding neighborhood; the Board also fins that the site may only be operated as a Dunkin' Donuts; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through facility, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings, prepared by Warren Johnson Architects, Inc., and June 12, 2008, and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBLIANCE

14C

### PAGE 22 OF 60 MINUTES

CAL NO.: 258-08-S

**MAP NO.:** 9-J

**MINUTES OF MEETING:** June 20, 2008

CHAIRMAN

**APPLICANT:** 

Haitian-American Community Association

PPEARANCE FOR:

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 1637 W. Morse Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed community center in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

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

### THE VOTE

BRIAN L. CROWE GIGI M¢CABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

FFIRMATIVE	NEGATIVE	ABSENT
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х		
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x		

# RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUDSIANCE

A2C

CHAIRMAN

### PAGE 23 OF 60 MINUTES

CAL NO.: 259-08-S

**MAP NO.:** 17-H

**APPLICANT:** 

Vicky Guebarra

PEARANCE FOR:

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 2300 S. Leavitt Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

ACTION OF BOARD--DISMISSED FOR WANT OF PROSECUTION

### THE VOTE

**REVEREND WILFREDO DEJESUS** 

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS

JONATHAN SWAIN

AFFIRMATIV	E NEGATIVE	ABSENT
x		
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		x
x		
x		

## RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

382

CHAIRMAN

### PAGE 24 OF 60 MINUTES

CAL NO.: 260-08-S

**MAP NO.:** 6-H

Excell T. Berry Jr.

**APPLICANT:** 

PEARANCE FOR: Same

APPEARANCES AGAINST: None

PREMISES AFFECTED: 10943 S. Esmond Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 1-story addition to a single family residence whose south side yard shall be 4.33' instead of 5', the north side yard shall remain 33.44' and the rear yard shall be 19.25' instead of 42'.

## ACTION OF BOARD--

VARIATION GRANTED

### THE VOTE

BRIAN L. CROWE	x	
GIGI McCABE-MIELE	x	
DEMETRI KONSTANTELOS		X
<b>REVEREND WILFREDO DEJESUS</b>	x	
JONATHAN SWAIN	x	
	GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS	GIGI McCABE-MIELE X DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to construct a 1-story addition to a single family residence whose south side yard shall be 4.33', the north side yard shall remain 33.44' and the rear yard shall be 19.25'; 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

020

### PAGE 25 OF 60 MINUTES

CHAIRMAN

CAL NO.: 261-08-Z

**MAP NO.:** 26-H

MINUTES OF MEETING: June 20, 2008

AFFIRMATIVE NEGATIVE

ABSENT

Burger King Corporation

**APPLICANT:** 

**PPEARANCE FOR:** Jessica Boudreau

APPEARANCES AGAINST: None

PREMISES AFFECTED: 11525 S. Halsted Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed fast food restaurant with drive thru facility in a C1-1 Neighborhood Commercial District.

### ACTION OF BOARD--APPLICATION APPROVED

### THE VOTE

AFFIRMATIVE NEGATIVE ABSENT RECEIVED BRIAN L. CROWE Х х GIGI McCABE-MIELE JUL 2 2 2008 DEMETRI KONSTANTELOS х REVEREND WILFREDO DEJESUS х **CITY OF CHICAGO** ZONING BOARD OF APPEALS JONATHAN SWAIN х

)

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a fast food restaurant with a drive thru facility; the testimony of the appraiser was that the use would not have a negative impact on the community and is in character with the neighborhood; the Board finds that the establishment may only be operated as a Burger King; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through facility, provided construction is consistent with the layout and design as illustrated on the site plan, dated February 28, 2008, and elevation drawings April 28, 2008, prepared by Warren Johnson Architects, Inc., and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 26 OF 60 MINUTES

CAL NO.: 262-08-S

MAP NO.: 28-F

**APPLICANT:** 

Halsted 2646 LLC

**PEARANCE FOR:** 

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 2642-46 N. Halsted Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B3-3 Community Shopping District, a proposed 5-story 9 dwelling unit and commercial building whose rear yard (at floors containing dwelling units) shall be 18'-7" instead of 30'.

ACTION OF BOARD--WITHDRAWN ON MOTION OF THE APPLICANT

### THE VOTE

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

## RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

11 CHAIRMAN

### PAGE 27 OF 60 MINUTES

CAL NO.: 263-08-Z

MAP NO.: 7-G

**APPLICANT:** 

**PEARANCE FOR:** Same

None **APPEARANCES AGAINST:** 

3331W. Fulton Boulevard **PREMISES AFFECTED:** 

Appeal from the decision of the Office of the Zoning Administrator in refusing NATURE OF REQUEST: to allow the applicant to re-configure dwelling units. The City previously certificated 2 dwelling units in a front building and 2 dwelling units in a rear building. The applicant wants to have 3 dwelling units in the front building and 1 dwelling unit in the rear building in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District.

### **ACTION OF BOARD---**

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED THE VOTE

Gail Thompson

RECEIVED

JUL 2222008

**CITY OF CHICAGO** ZONING BOARD OF APPEALS

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200 ." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008; and

WHEREAS, the district maps show that the premises is located in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District: and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The Appellant in this matter stated that she wishes to establish three dwelling units in the front building and one dwelling unit in the rear building. She stated that she purchased the building as a four unit building. She stated that she would like to duplex the coach house and leave it as one unit, and add an additional unit in the front building for a total of three units in the front. The Board will permit the Appellant to establish 3 units in the front building and will have one unit in the rear coach house. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize the Board's decision.

APPROVED AS TO SUBSTANCE

332-CHAIRMAN

PAGE 28 OF 60 MINUTES

CAL NO.: 264-08-A

**MAP NO.:** 1-J

**MINUTES OF MEETING:** June 20, 2008

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS **REVEREND WILFREDO DEJESUS** JONATHAN SWAIN

FFIRMATIVE	NEGATIVE	ABSENT
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х		
		х
х		
х		

**APPLICANT:** 

Park Community Church

PPEARANCE FOR: Joseph Gattuso

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1001-45 N. Crosby Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of the expansion of a religious facility in a C1-3 Neighborhood Commercial District. The Board previously granted (147-05-S) a 850 seat church. This expansion will bring the seating to 1,051.

### ACTION OF BOARD---APPLICATION APPROVED

### THE VOTE RECEIVED AFFIRMATIVE NEGATIVE ABSENT RECUSED BRIAN L. CROWE JUL 22 2008 GIGI McCABE-MIELE х **CITY OF CHICAGO** DEMETRI KONSTANTELOS Х **ZONING BOARD OF APPEALS REVEREND WILFREDO DEJESUS** Х JONATHAN SWAIN х

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the Board has previously granted the establishment of an 850 seat religious facility in Calendar Number 147-05-S. The applicant stated that it will have additional parking available but not on a permanent basis. The applicant now wishes to expand the church to 1,051 seats. The Board will permit the church to expand its seating, the testimony of the appraiser was that the use is not out of character with the community and would not have a negative impact on the neighborhood. 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

DZU CHAIRMAN

PAGE 29 OF 60 MINUTES

CAL NO.: 265-08-S

**MAP NO.:** 3-F

**APPLICANT:** 

Park Community Church

PPEARANCE FOR: Joseph Gattuso

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1001-45 N. Crosby Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in a C1-3 Neighborhood Commercial District, the expansion of a church to 1,051 seats. This seating requires 131 parking spaces but only 105 spaces will be provided at this time. The applicant requests the Board to waive 26 required spaces. The church plans on providing these spaces sometime in the future.

### **ACTION OF BOARD--**

VARIATION GRANTED

### THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
BRIAN L. CROWE	I	RECUSED	
GIGI McCABE-MIELE	x		
DEMETRI KONSTANTELOS			х
REVEREND WILFREDO DEJESUS	x		
JONATHAN SWAIN	x		

# RECEIVED

JUL 2222008

CITY OF CHICAGO ZONING BOARD OF APPEALS

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to expand an existing religious facility to 1, 051 seats (Cal. No. 266-08-Z). The Board will permit the applicant to reduce the required parking from 131 parking spaces to 105 spaces. The applicant stated that they will provide the required parking in the near future. The applicant also testified that they have secured additional spaces for their members in a near by garage. The Board finds that the applicant must pay for the parking for their members that utilize the parking spaces that are located in the garage. The Board will permit the applicant to reduce the required parking; 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 ereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with befor provenias the SUBSTANCE

### PAGE 30 OF 60 MINUTES

CAL NO.: 266-08-Z

MAP NO.: 3-F

MINUTES OF MEETING: June 20, 2008

ASL

. . . .

**APPLICANT:** 

MES Property Development LLC

PPEARANCE FOR: Thomas Moore

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1644 W. 21st Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow 6 dwelling units without proof of the number or the location of this units in a C1-2 Neighborhood Commercial District. The applicant claims the 1st floor has been used as a dwelling unit since 1943 with voting records which do not designate units to voters.

### **ACTION OF BOARD--**

RECEIVED

### THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

### THE VOTE

			-	
JUL 2 2 2008	BRIAN L. CROWE	x		
	GIGI McCABE-MIELE	x		
CITY OF CHICAGO	DEMETRI KONSTANTELOS			<u>X</u>
ZONING BOARD OF APPEALS	REVEREND WILFREDO DEJESUS	x		
	IONATHAN SWAIN	x		

)

### THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008; and

WHEREAS, the district maps show that the premises is located in an C1-2 Neighborhood Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The Appellant in this matter stated that he has owned the building since 1973. He stated that to his knowledge the ground floor has been used as an apartment. The Appellant wishes to renovate the building and would like to have 6 dwelling units. The Appellant stated that there was a bakery that was located on the floor and that the bakery closed in the 1930's. He stated that since that time there has always been a dwelling unit where the bakery once existed. The Appellant shall be permitted to establish 6 dwelling units. A permit shall be obtained to memorialize this decision. The decision of the Zoning Administrator is reversed.

APPROVED AS TO SUBSTANCE

PAGE 31 OF 60 MINUTES

CAL NO.: 267-08-A

**MAP NO.:** 1-H

MINUTES OF MEETING: June 20, 2008

AFFIRMATIVE NEGATIVE

ABSENT

**APPLICANT:** 

MES Property Development LLC

PEARANCE FOR: Thomas Moore

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1644 W. 21st Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a 6-dwelling unit building which will expand the residential use below the 2nd floor in a C1-2 Neighborhood Commercial District.

### ACTION OF BOARD--APPLICATION APPROVED

### THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
	BRIAN L. CROWE	x		
	GIGI McCABE-MIELE	x		
,	DEMETRI KONSTANTELOS			х
3	REVEREND WILFREDO DEJESUS	x		
	JONATHAN SWAIN	x		

## RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

)

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; an appeal for this location was granted in cal. No. 267-08-A. The applicant was permitted to establish a dwelling unit on the 1<sup>st</sup> floor; the applicant shall be permitted to expand the residential use below the 2<sup>nd</sup> floor; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed ground-floor residential use.

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

APPROVED AS TO SUBSTANCE

725

PAGE 32 OF 60 MINUTES

CAL NO.: 268-08-S

**MAP NO.:** 1-H

**APPLICANT:** 

Congregation Khal Chasidim

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 6756 N. Richmond Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a religious facility whose east side yard shall be 2.97' instead of 15'-0" to allow construction of a 10'-10" x 50'-4" 1 story addition.

ACTION OF BOARD--CASE CONTINUED TO AUGUST 15, 2008

### THE VOTE

	AFFIRMATIVE NE	GATIVE ABSENT
BRIAN L. CROWE	x	
GIGI McCABE-MIELE	x	
DEMETRI KONSTANTELOS		x
REVEREND WILFREDO DEJESUS	x	
JONATHAN SWAIN	x	

# RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

Bac

CHAIRMAN

### PAGE 33 OF 60 MINUTES

CAL NO.: 269-08-Z

**MAP NO.:** 17-I

**APPLICANT:** 

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 1825 N. Orchard Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a non-conforming use. There are 2 buildings on this lot. The rear building is being expanded with 1 dwelling unit in an RM-4.5 Residential Multi-Unit District.

ACTION OF BOARD--CASE CONTINUED TO AUGUST 15, 2008

### THE VOTE

BRJAN L. CROWE
GIGI McCABE-MIELE
DEMETRI KONSTANTELOS
REVEREND WILFREDO DEJESUS
JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
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х		
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RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

APPROVED AS TO SUBSTANCE

Ma (

### PAGE 34 OF 60 MINUTES

CAL NO.: 270-08-A

**MAP NO.:** 5-F

MINUTES OF MEETING: June 20, 2008

### J. Brian Schaer

**APPLICANT:** 

### J. Brian Schaer

PPEARANCE FOR:

**APPEARANCES AGAINST:** 

1825 N. Orchard Street **PREMISES AFFECTED:** 

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-4.5 Residential Multi-Unit District, the establishment of a rear 3-story 1 dwelling unit building whose rear yard shall be zero instead of 37.2', the south side yard shall be zero, the north side yard shall be 2'-10 1/4" instead of a combined side yards of 6.6'.

**ACTION OF BOARD--**CASE CONTINUED TO AUGUST 15, 2008

### THE VOTE

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS **REVEREND WILFREDO DEJESUS** JONATHAN SWAIN

FFIRMATIVE	NEGATIVE	ABSENT
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х		
		х
x		
х		

## RECEIVED

JUL 22 2008

**CITY OF CHICAGO ZONING BOARD OF APPEALS** 

APPROVED AS TO SUBSTANCE

726 CHAIRMAN

PAGE 35 OF 60 MINUTES

CAL NO.: 271-08-Z

**MINUTES OF MEETING:** June 20, 2008

MAP NO.: 5-F

APPLICANT: David Kroeger

**PEARANCE FOR:** John Fritchey

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1801 N. Wolcott Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the legalization of the 3rd floor. in an RS-3 Residential Single-Unit (Detached House) District. The 3rd floor was built contrary to the 2001building permit. The building now exceeds the allowed area by 448 sq. ft. and the building's is 5.8' over the height limit.

### **ACTION OF BOARD--**

### THE DECISION OF THE ZONING ADMINISTRATOR IS AFFIRMED THE VOTE

## RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

FFIRMATIVE	NEGATIVE	ADSENT
х		
х		
		х
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х		

### THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008; and

WHEREAS, the district maps show that the premises is located in an District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The Appellant in this matter stated that he purchased the building as is. He stated that he tried to obtain a permit to replace windows and was denied because it was discovered that the building was built beyond what was permitted. It exceeds the permitted height as well as the permitted area. The Board finds that it will not be able to grant the relief that is requested by the Appellant. The Board does not have the authority to legalize the building as constructed contrary to the building permit. The decision of the Zoning Administrator is affirmed and the request by the Appellant is denied.

APPROVED AS TO SUBSTANCE

PSS CHAIPTINH

CAL NO.: 272-08-A

MAP NO.: 5-H

APPLICANT:David KroegerCAL NO.: 273-08-ZPEARANCE FOR:John FritcheyMAP NO.: 5-HAPPEARANCES AGAINST:NoneMINUTES OF MEETING:<br/>June 20, 2008PREMISES AFFECTED:1801 N. Wolcott Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, an existing 3rd floor of 448 sq. ft. whose north side yard shall be 1.5' instead of 2.5' whose combined side yards shall be 5' with neither yard less than 2'.

ACTION OF BOARD--VARIATION DENIED

# THE VOTE

#### AFFIRMATIVE NEGATIVE ABSENT RECEIVED BRIAN L. CROWE Х Х JUL 2 2 2008 GIGI McCABE-MIELE DEMETRI KONSTANTELOS х CITY OF CHICAGO **REVEREND WILFREDO DEJESUS** х ZONING BOARD OF APPEALS х JONATHAN SWAIN

# THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the Board denied the applicants Appeal (Cal. No. 272-08-A). The Board finds 1) strict compliance with the regulations and standards of this Zoning Ordinance would not create practical difficulties or particular hardships for the subject property; 2) the requested variation is not consistent with the stated purpose and intent of this Zoning Ordinance 3) the property in question can 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 not due to unique circumstances and are generally applicable to other similarly situated property; and 5) the variation, if granted will 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 deny a variation in the application of the district regulations of the zoning ordinance.

APPROVED AS TO SUBSTANCE

1224 CHAIRMAN

UNALAMI

# PAGE 37 OF 60 MINUTES

**APPLICANT:** 

Panu Inc. d/b/a Restoration Salon

PPEARANCE FOR: Thomas Moore

APPEARANCES AGAINST: None

PREMISES AFFECTED: 5349 N. Clark Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B1-2 Neighborhood Shopping District.

# ACTION OF BOARD--APPLICATION APPROVED

# THE VOTE

CAL NO.: 274-08-S

**MINUTES OF MEETING:** 

**MAP NO.:** 13-G

June 20, 2008

		AFFIRMATIVE	NEGATIVE	ABSENT
RECEIVED	BRIAN L. CROWE	x		
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	x		
	DEMETRI KONSTANTELOS			х
<b>CITY OF CHICAGO</b>	<b>REVEREND</b> WILFREDO DEJESUS	x		
ZONING BOARD OF APPEALS	JONATHAN SWAIN	x		

) THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

142 () CHAIRMAN

PAGE 38 OF 60 MINUTES

**APPLICANT:** 

Thru K. Le DBA Design #1 Nails

PPEARANCE FOR: Same

**APPEARANCES AGAINST:** None

**PREMISES AFFECTED:** 4041 W. Madison Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a nail salon within 1,000 linear feet of another nail salon, barber shop, beauty salon or similar use in a B3-1 Community Shopping District.

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

# THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT	
RECEIVED	BRIAN L. CROWE	x			
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	x			
	DEMETRI KONSTANTELOS			X	
<b>CITY OF CHICAGO</b>	<b>REVEREND WILFREDO DEJESUS</b>	x			
<b>ZONING BOARD OF APPEALS</b>	JONATHAN SWAIN	x			

# THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed nail salon.

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

APPROVED AS TO SUBSTANCE

036 CHAIRMAN

PAGE 39 OF 60 MINUTES

CAL NO.: 275-08-S

**MAP NO.:** 2-K

**APPLICANT:** 

Environs Development, Inc.

**PEARANCE FOR:** 

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 1335 W. School Street

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-3.5 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 3-story single family residence whose front yard shall be 12' instead of 15' for a front bay window.

ACTION OF BOARD--CASE CONTINUED TO AUGUST 15, 2008

# THE VOTE

FFIRMATIVE	NEGATIVE	ABSENT
x		
х		
		x
х		
х		

RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

)

**APPROVED AS TO SUBSTANCE** 

39C

CHAIRMAN

### PAGE 40 OF 60 MINUTES

CAL NO.: 276-08-Z

**MAP NO.:** 9-G

Victor Kuekem

APPLICANT:

**PEARANCE FOR:** Mark Kupiec

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1642 W. 79th Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

# ACTION OF BOARD--APPLICATION APPROVED

# THE VOTE

RECEIVED		AFFIRMATIVE	NEGATIVE	ABSENT
	BRIAN L. CROWE	x		
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	x		
CITY OF CHICAGO ZONING BOARD OF APPEALS	DEMETRI KONSTANTELOS			X
	REVEREND WILFREDO DEJESUS	x		
	JONATHAN SWAIN	x		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

CHAIRMAN

PAGE 41 OF 60 MINUTES

CAL NO.: 277-08-S

**MAP NO.:** 18-H

**APPLICANT:** 

PPEARANCE FOR: Mariah Digrino

APPEARANCES AGAINST: None

**PREMISES AFFECTED:** 2965 N. Milwaukee Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed bank with drive thru facility in a B3-2 Community Shopping District.

# ACTION OF BOARD--APPLICATION APPROVED

# THE VOTE

AFFIRMATIVE NEGATIVE ABSENT RECEIVED BRIAN L. CROWE Х GIGI McCABE-MIELE Х **111 2 2** 2008 DEMETRI KONSTANTELOS Х **CITY OF CHICAGO REVEREND WILFREDO DEJESUS** х ZONING BOARD OF APPEALS JONATHAN SWAIN х

# THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a bank with a drive thru facility; the testimony of the appraiser was that the use would not have a negative impact on the community and is in character with the surrounding neighborhood; the applicant may only operate this location as a bank; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed drive-through facility, provided construction is consistent with the layout and design as illustrated on the site plan and elevation drawings, prepared by Hezner Corp., and dated April 22, 2008, and provided the final landscape plan is approved by the Department of Planning and Development.

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

APPROVED AS TO SUBSTANCE

166 CHAIRMAN

PAGE 42 OF 60 MINUTES

CAL NO.: 278-08-S

MAP NO.: 7-J

MINUTES OF MEETING: June 20, 2008

MB Financial Bank, NA

M

**APPLICANT:** 

John F. Rokaitis Trust d/b/a Rokaitis Industries

Mark Kupiec

**APPEARANCE FOR:** 

**APPEARANCES AGAINST:** None

PREMISES AFFECTED: 4496-98 S. Archer Avenue

Application for a special use under Chapter 17 of the zoning ordinance for the NATURE OF REQUEST: approval of the location and the establishment of a proposed outdoor vehicle storage lot in a C2-2 Motor Vehicle-**Related** Commercial District.

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

# RECEIVED

JUL 22 2008

**CITY OF CHICAGO** ZONING BOARD OF APPEALS GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

FFIRMATIVE	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 June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed outdoor vehicle storage lot, provided the applicant complies with the outdoor screening requirements set forth in Sec. 17-3-0304-B-2 of the zoning ordinance.

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

APPROVED AS TO SUBSTANCE

030

PAGE 43 OF 60 MINUTES

CHAIRMAN

CAL NO.: 279-08-S

MAP NO.: 10-J

**MINUTES OF MEETING:** June 20, 2008

THE VOTE BRIAN L. CROWE

**APPLICANT:** 

PPEARANCE FOR: Same

**APPEARANCES AGAINST:** None

PREMISES AFFECTED: 1863 E. 71st Street

Application for a special use under Chapter 17 of the zoning ordinance for the **NATURE OF REQUEST:** approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-2 Community Shopping District.

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

# THE VOTE

RECEIVED BRIAN L. CROWE GIGI McCABE-MIELE JUL 2 2 2008 DEMETRI KONSTANTELOS **REVEREND WILFREDO DEJESUS CITY OF CHICAGO** ZONING BOARD OF APPEALS JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
х		
х		
		x
Х		
х		

### THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 2, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

MAG CHAIRMAN

### PAGE 44 OF 60 MINUTES

CAL NO.: 280-08-S

MAP NO.: 18-C

**MINUTES OF MEETING:** June 20, 2008

Katina B. Yoakum

Brian E. Dismukes

**APPLICANT:** 

PPEARANCE FOR: Same

APPEARANCES AGAINST: None

**PREMISES AFFECTED:** 10658 S. Wentworth Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a beauty salon within 1,000 linear feet of another beauty salon, barber shop, nail salon or similar use in a B3-1 Community Shopping District.

# ACTION OF BOARD--APPLICATION APPROVED

# THE VOTE

AFFIRMATIVE NEGATIVE ABSENT RECEIVED BRIAN L. CROWE Х GIGI McCABE-MIELE х JUL 22 2008 DEMETRI KONSTANTELOS х **CITY OF CHICAGO REVEREND WILFREDO DEJESUS** х ZONING BOARD OF APPEALS JONATHAN SWAIN х

# THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on April 23, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed beauty salon.

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

APPROVED AS TO SUBSTANCE

126 CHAIRMAN

PAGE 45 OF 60 MINUTES

CAL NO.: 219-08-S

MAP NO.: 26-F

**APPLICANT:** 

PPEARANCE FOR:

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 1948 N. Elston Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a business license for a retail use in a PMD 2 Planned Manufacturing District. The last limited business license for this address expired on November 15, 2000. The re-establishment of a retail use expires after 18 months when no business license is found.

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

RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

# THE VOTE

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

FIRMATIVE	NEGATIVE	ABSENT
х		
x		
		x
x		
х		

# APPROVED AS TO SUBSTANCE

326

CHAIRMAN

# PAGE 46 OF 60 MINUTES

CAL NO.: 370-07-A

**MAP NO.:** 5-G

MINUTES OF MEETING: June 20, 2008

# Dean Darrus

**APPLICANT:** 

PPEARANCE FOR: James J. Banks

APPEARANCES AGAINST: None

**PREMISES AFFECTED:** 2849 W. Chase Avenue

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-2 Residential Single-Unit (Detached House) District, a proposed 1-story community center whose west side yard shall be 6.03' instead of 15' and the rear yard shall be 18' instead of 49.3'.

# ACTION OF BOARD---APPLICATION APPROVED

# THE VOTE

AFFIRMATIVE NEGATIVE ABSENT RECEIVED BRIAN L. CROWE Х х GIGI McCABE-MIELE JUL 2 2 2008 DEMETRI KONSTANTELOS х **REVEREND WILFREDO DEJESUS** х **CITY OF CHICAGO** х JONATHAN SWAIN **ZONING BOARD OF APPEALS** 

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on December 28, 2007; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish an addition to an existing community center; the addition shall have a west side yard of 6.03' and the rear yard shall be 18'; 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 be 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

 $\omega_{1}$ CHAIRMAN

### PAGE 47 OF 60 MINUTES

CAL NO.: 21-08-Z

**MAP NO.:** 19-I

MINUTES OF MEETING: June20, 2008

St. Mary's Church

**APPLICANT:** 

CRI Development, LLC

PPEARANCE FOR:

**APPEARANCES AGAINST:** 

**MINUTES OF MEETING:** 

June 20, 2008

**PREMISES AFFECTED:** 3716 N. Lawndale Avenue/3721 N. Parkview Terrace

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, a proposed 8 foot stone fence whose front yard shall be zero instead of 13.93', the north yard shall be zero instead of 5', the south side yard shall be zero instead of 5' and rear yard shall be zero instead of 32.51'.

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

### THE VOTE

RECEIVED

JUL 2 2 2008

**CITY OF CHICAGO** ZONING BOARD OF APPEALS BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS **REVEREND WILFREDO DEJESUS** JONATHAN SWAIN

FFIRMATIVE	NEGATIVE	ABSENT
x		
х		
		x
х		
х		

# APPROVED AS TO SUBSTANCE

712

CHAIRMAN

### PAGE 48 OF 60 MINUTES

CAL NO.: 29-08-Z

**MAP NO.:** 9-J

APPLICANT: Avi Ron

PPEARANCE FOR: John Pikarski

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1801 W. School Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow for the substitution of use for dwelling unit on the 1st floor for a former tavern in an RS-3 Residential Single-Unit (Detached House) District. There are 4 existing dwelling units in this building.

# **ACTION OF BOARD--**

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED

# THE VOTE

RECEIVED		AFFIRMATIVE	NEGATIVE	ABSENT
	BRIAN L. CROWE			x
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	x		
	DEMETRI KONSTANTELOS			<u>x</u>
CITY OF CHICAGO ZONING BOARD OF APPEALS	REVEREND WILFREDO DEJESUS	x		
	JONATHAN SWAIN	x		

# THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2008; and

WHEREAS, the district maps show that the premises is located in an RS-3 Residential Single-Unit (Detached House) District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The Appellant wishes to substitute a former commercial use for a residential use. The Appellant stated that the building is in need of great repair and would like to replace the former tavern with a dwelling unit. The Board finds that the request is not unusual. The decision of the Zoning Administrator is reversed. There will be a total of five dwelling units.

APPROVED AS TO SUBSTANCE

DAC CHAIRMAN

# PAGE 49 OF 60 MINUTES

CAL NO.: 65-08-A

**MAP NO.:** 9-H

APPLICANT:

PPEARANCE FOR: John Pikarski

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1801 W. School Street

Avi Ron

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RS-3 Residential Single-Unit (Detached House) District, a proposed 2 and 3-story rear porch whose combined side yards shall be zero on each side instead of 5.79' with neither yard less than 2'.

ACTION OF BOARD--WITHDRAWN ON MOTION OF THE APPLICANT

# THE VOTE

# BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

FEIRMATIVE	NEGATIVE	ABSENT
		х
х		
		х
х		
х		

# APPROVED AS TO SUBSTANCE

CHAIRMAN

RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

CAL NO.: 66-08-Z

MAP NO.: 9-H

APPLICANT: Michael Sloger

PPEARANCE FOR: Francisco Nevarez

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1014 W. Dakin Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a 3 dwelling unit to be established in a B1-2 Neighborhood Shopping District. This district does not permit additional dwelling unit without providing a minimum lot size 3,000 sq. ft. A permit was issued in error by DCAP who believed the zoning district was RM-5. The property needs to be rezoned and then a 3rd dwelling unit may be established.

# ACTION OF BOARD---

# THE DECISION OF THE ZONING ADMINISTRATOR IS AFFIRMED THE VOTE

# RECEIVED

JUL 222 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 28, 2008; and

WHEREAS, the district maps show that the premises is located in an B1-2 Neighborhood Shopping District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: A permit was issued in error for this location. The Appellant added an additional dwelling unit believing that he had acquired the permits that were required. The Board does not have the authority to legalize a unit that was built contrary to the actual zoning. The permit was issued in error. The property must be re-zoned and a permit must be issued. The decision of the Zoning Administrator is affirmed.

APPROVED AS TO SUBSTANCE

020 CHAIRMAN

# PAGE 51 OF 60 MINUTES

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
х		
х		
		x
х		
х		

CAL NO.: 135-08-A

**MAP NO.:** 9-G

Michael Sloger

Francisco Nevarez

**PPEARANCE FOR:** 

**APPLICANT:** 

**APPEARANCES AGAINST:** None

**PREMISES AFFECTED:** 1014 W. Dakin Street

Application for a special use under Chapter 17 of the zoning ordinance for the **NATURE OF REQUEST:** approval of the location and the establishment of an additional dwelling unit to an existing 2 dwelling unit building in a B1-2 Neighborhood Shopping District. The third dwelling unit requires the granting of residential use below the 2nd floor.

# **ACTION OF BOARD--**

VARIATION DENIED

# THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
RECEIVED	BRIAN L. CROWE	x		
JUL <b>2 2</b> 2008	GIGI McCABE-MIELE	х		
	DEMETRI KONSTANTELOS			X
CITY OF CHICAGO	REVEREND WILFREDO DEJESUS	x		
ZONING BOARD OF APPEALS	JONATHAN SWAIN	x		

# THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 28, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 10, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; an appeal was denied in Cal. No. 135-08-A. The Board finds that it does not have the authority to legalize the additional unit that was built with a permit that was issued in error. The Board denies the request for a special use to permit residential use below the 2<sup>nd</sup> floor; the Board finds the use does not comply with all applicable standards of this Zoning Ordinance; is not in the interest of the public convenience and will have a significant adverse impact on the general welfare of the neighborhood or community; is not compatible with the character of the surrounding area in terms of site planning and building scale and project design; is not 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 not designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be denied.

APPROVED AS TO SUBSTANCE

GD2C CHAIRMAN

# PAGE 52 OF 60 MINUTES

CAL NO.: 136-08-S

**MAP NO.:** 9-G

**APPLICANT:** 

Leonard C. Goodman

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

**PREMISES AFFECTED:** 3000 N. Lake Shore Drive

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-3 Residential Multi-Unit District, a proposed 3-story single family residence whose south side yard shall be 3'-6" instead of 7'-6" and the north side yard shall be 2' instead of 2.88'.

ACTION OF BOARD--WITHDRAWN ON MOTION OF THE APPLICANT

RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

# THE VOTE

BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS

JONATHAN SWAIN

APPROVED AS TO SUBSTANCE

Mac CHAIRMAN

# PAGE 53 OF 60 MINUTES

CAL NO.: 148-08-Z

**MAP NO.:** 7-F

APPLICANT:	Polytechnic Education & Career Services d/b/a Northwestern Institute of Health & Tech	
APPEARANCE FOR:	Thomas Moore	<b>MAP NO.:</b> 11-G
APPEARANCES AGAINST:	None	MINUTES OF MEETING:
PREMISES AFFECTED:	4641 N. Ashland Avenue	June 20, 2008
NATION OF DECKIEGE.	Anneal from the desigion of the Office of the 7	Coning Administrator in refusing

Appeal from the decision of the Office of the Zoning Administrator in refusing NATURE OF REQUEST: to allow a nursing school (trade school) in an RS-3 Residential Single-Unit (Detached House) District. The use is qualified as a trade or business school which is permitted in a Business and Commercial zoning district.

# **ACTION OF BOARD--**

# THE DECISION OF THE ZONING ADMINISTRATOR IS AFFIRMED

#### THE VOTE

RECEIVED	BRIAN L. CROWE		x	
	GIGI McCABE-MIELE		x	
JUL <b>2 2</b> 2008	DEMETRI KONSTANTELOS			х
and of all the los	REVEREND WILFREDO DEJESUS	х		
CITY OF CHICAGO ZONING BOARD OF APPEALS	JONATHAN SWAIN		x	

### THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 18, 2008; and

WHEREAS, the district maps show that the premises is located in an RS-3 Residential Single-Unit (Detached House) District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The Appellant wishes to operate a nursing school at this location. The Board finds that this use would be classified under the ordinance under section 17-17-0103-A which is not permitted in a residential zoning designation. The Board also finds that the use does not meet the requirements to be considered a school under section 17-17-103-J which stated that a school is defined as public and private schools at the primary, elementary, junior high or high school level that provide state- mandated basic education. The nursing school is properly classified as a trade school which is not permitted in a residential district but is permitted in the B and C districts. The decision of the Zoning Administrator is affirmed at the appeal is denied.

APPROVED AS TO SUBSTANCE

1920 CHAIRMAN

AFFIRMATIVE NEGATIVE

ABSENT

# PAGE 54 OF 60 MINUTES

**APPLICANT:** 

Richard J. Lobianco

PPEARANCE FOR: Mark Kupiec

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3134 S. Morgan Street

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a rear 3-story addition to an existing 3-story dwelling unit with residential use below the 2nd floor in a B1-2 Neighborhood Shopping District.

# ACTION OF BOARD--APPLICATION APPROVED

# THE VOTE

		AFFIRMATIVE	NEGATIVE	ABSENT
RECEIVED	BRIAN L. CROWE	x		
<b></b>	GIGI McCABE-MIELE	x		
JUL <b>22</b> 2008	DEMETRI KONSTANTELOS			x
CITY OF CHICAGO	<b>REVEREND WILFREDO DEJESUS</b>	x		
ZONING BOARD OF APPEALS	JONATHAN SWAIN	x		

) THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 25, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 3-story addition to an existing 3-story dwelling unit with residential use below the 2nd floor; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed addition to the ground-floor residential use.

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

APPROVED AS TO SUBSTANCE

132 CHAIRMAN

PAGE 55 OF 60 MINUTES

CAL NO.: 155-08-S

**MAP NO.:** 8-G

Richard J. Lobianco

**APPLICANT:** 

PPEARANCE FOR: Mark Kupiec

**APPEARANCES AGAINST:** None

**PREMISES AFFECTED:** 3134 S. Morgan Street

NATURE OF REQUEST: Application for a variation under Chapter 17 of the zoning ordinance to permit, in a B1-2 Neighborhood Shopping District, a proposed 3-story rear addition whose rear yard shall be 28' instead of 30'.

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

# THE VOTE

	AFFIRMATIVE	NEGATIVE	ABŞEN1
BRIAN L. CROWE	x		
GIGI McCABE-MIELE	x		
DEMETRI KONSTANTELOS			х
REVEREND WILFREDO DEJESUS	x		
JONATHAN SWAIN	x		

# RECEIVED

JUL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on March 25, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a 3-story rear addition whose rear yard shall be 28'; 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

12C

PAGE 56 OF 60 MINUTES

CHAIRMAN

CAL NO.: 156-08-Z

**MAP NO.:** 8-G

**APPLICANT:** 

The Inner Voice, Inc.

PPEARANCE FOR: Karen J. Porter

**APPEARANCES AGAINST:** None

PREMISES AFFECTED: 313 E. 137th Street

NATURE OF REQUEST: Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed transitional residence in an RS-2 Residential Single-Unit (Detached House) District.

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

# THE VOTE

AFFIRMATIVE NEGATIVE ABSENT RECEIVED BRIAN L. CROWE Х х GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS х х JONATHAN SWAIN

UL 2 2 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS

)

# THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 20, 2008, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on March 25, 2008; and

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

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends has no objection to the proposed transitional residence, provided that 1) the facility operates only as a homeless shelter for families; 2) it obtains the appropriate state licensing for its operation, and 3) copies of such licenses are submitted to the Department of Zoning within 18 months.

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

APPROVED AS TO SUBSTANCE

132 (

PAGE 57 OF 60 MINUTES

CHAIRMAN

CAL NO.: 161-08-S

**MAP NO.:** 34-E

**MINUTES OF MEETING:** June 20, 2008

х

**APPLICANT:** 

5970 N. Ridge LLC

**PPEARANCE FOR:** 

**APPEARANCES AGAINST:** 

PREMISES AFFECTED: 5970 N. Ridge Avenue

**NATURE OF REQUEST:** Application for a special use under Chapter 17 of the zoning ordinance for the approval of the location and the establishment of a proposed coffee shop with drive thru facility in a B3-2 Community Shopping District.

ACTION OF BOARD--WITHDRAWN ON MOTION OF THE APPLICANT

# THE VOTE

RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

FIRMATIVE	NEGATIVE	ABSENT
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APPROVED	As	TO	SUBSTANCE
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CHAIRMAN

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CAL NO.: 169-08-S

MAP NO.: 15-H

APPLICANT:	Puerto Rican Parade Committee of Chicago, IL	CAL NO.: 203-08-A
APPEARANCE FOR:	Mark Kupiec	<b>MAP NO.:</b> 3-I
APPEARANCES AGAINST:	Jonathan Powell, Carmen Velez	MINUTES OF MEETING: June 20, 2008
PREMISES AFFECTED:	1237 N. California Avenue	· ,

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator in refusing to allow a community center to be established without a special use being granted in an RS-3 Residential Single-Unit (Detached House) District. There were two permits issued in error and these permits are not binding on the City.

# **ACTION OF BOARD--**

### THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED THE VOTE

# RECEIVED

JUL 22 2008

CITY OF CHICAGO ZONING BOARD OF APPEALS BRIAN L. CROWE GIGI McCABE-MIELE DEMETRI KONSTANTELOS REVEREND WILFREDO DEJESUS JONATHAN SWAIN

AFFIRMATIVE	NEGATIVE	ABSENT
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### THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 17-13-1200." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 2008; and

WHEREAS, the district maps show that the premises is located in an RS-3 Residential Single-Unit (Detached House) District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: The appellant in this matter stated that the organization has been in operation at this location for over 20 years. They were trying to obtain a permit for repairs for the existing facility. They now would like to legalize the use as a community center. The objector's present stated that they are concerned about the increase of parking while the organization is hosting events. The Board will permit the Appellant to establish a community center. The decision of the Zoning Administrator is reversed. A permit shall be obtained to memorialize this decision.

APPROVED AS TO SUBSTANCE

CHAIRMAN

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APPLICANT:	Joseph and Natalie Sacchetti	CAL NO.: 204-08-Z
PPEARANCE FOR:	Edward Kus	<b>MAP NO.:</b> 5-F
APPEARANCES AGAINST:	Stephen Malato, David Lynam	MINUTES OF MEETING:
PREMISES AFFECTED:	2049-51 N. Mohawk Street	June 20, 2008

**NATURE OF REQUEST:** Application for a variation under Chapter 17 of the zoning ordinance to permit, in an RM-5 Residential Multi-Unit District, a proposed 4-story single family residence whose north side yard shall be zero instead of 5', the combined side yards shall be 5'instead of 10' with no yard less than 5' and the rear yard set back shall be 24'-3" instead of 36.69'.

## ACTION OF BOARD--VARIATION GRANTED

#### THE VOTE

	AFFIRMATIVE NEGA	AUSENI
BRIAN L. CROWE	REC	USED
GIGI McCABE-MIELE	x	
DEMETRI KONSTANTELOS		X
REVEREND WILFREDO DEJESUS	x	
JONATHAN SWAIN	x	

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# SEP 0 5 2008

#### CITY OF CHICAGO ZONING BOARD OF APPEALS

### HE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 2008, after due notice thereof as provided under Section 17-13-0107A and by publication in the Chicago Sun-Times on April 23, 2008; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the objectors in this matter stated that they are opposed to the variations being granted for this property because they feel that it would have a negative impact on the community as well as the surrounding property and in particular their property. The objectors stated that if the north side yard variation is granted it would deny access to the wall of their property and that they would not be able to maintain it. The Board notes that this wall was previously not exposed. There was another building that covered the wall. Testimony was offered that there are no windows in this wall and at present the wall is sound and secure. The Board also notes that the pattern of the block is that the buildings are justified to the north. The objector's also stated that a building of this size would be out of character with the surrounding community. The Board finds that by granting the variations the objector's wall will be unexposed to the elements and should require little to no maintenance; The Board also notes that the objectors would have to be given permission to cross onto the applicants property to perform any maintenance on the wall; The Board also finds that in an RM-5 zoning district the applicant would be permitted to construct a large building as a matter of right. The applicant shall be permitted to construct a 4-story single family residence whose north side yard shall be zero, the combined side yards shall be 5' and the rear yard set back shall be 24'-3"; 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 (operty; and 5) the variation, if granted will not alter the essential character of the neighborhood; it is therefore

APPROVED AL TO SUBSTANCE

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CHAIRMAN

MINUTES OF MEETING: June 20, 2008

CAL NO.: 204-08-Z

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 70 SUBSTANCE CHAIRMAN PAGE 61 OF 61 MINUTES