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

#### **MINUTES**

## PHYSICALLY PRESENT FOR ALL OR SOME PORTIONS

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

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

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

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

| 53-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: M1-2<br>J&S Fitness, LLC<br>Megara Properties, LLC – Series 2<br>4526 North Ravenswood Avenue<br>Application for a special use to<br>Approved 5-0; yeas – Swain, Budz | Ward: 47<br>establish a physical fitness center.<br>zinski, Flores, O'Grady, and Toia.             |
|---|--|--|
| 54-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: |  | Ward: 38<br>tablish a transitional residence for 14<br>mbers. Approved 5-0; yeas – Swain,<br>Foia. |
| 55-15-S<br>Applicant:<br>Owner:                                   | <b>Zoning District: C1-2</b><br>TRB Properties, LLC<br>same as applicant   | Ward: 32   |

| Premises Affected:<br>Subject:                                    | 3046 North Clybourn Avenue<br>Application for a special use to establish a residential use below the second<br>floor for a proposed three-story, three-unit building with a rear, detached,<br>three-car garage. Approved 5-0; yeas – Swain, Budzinski, Flores,<br>O'Grady, and Toia.  |  |
|---|--|--|
| 56-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: DX-5<br>Geneva Seal, Inc.<br>112 Oak Street, LLC<br>112 East Oak Street<br>Application for a special use to esta<br>Continued until June 19, 2015 at 2  | Ward: 42<br>ablish a valuable objects dealer license.<br>2:00 PM.  |
| 57-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: RM-5Ward: 43Enrica Rossi Kurkulissame as applicant1718 North Hudson AvenueApplication for a variation to increase the pre-existing floor area of 4,928square feet by no more than 15% (339 square feet) for a proposed, secondand third floor, bay addition to an existing three-story, two-unit building.Approved 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia. |  |
| 58-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-2Ward: 432670 Lincoln, LLCsame as applicant2670 North Lincoln AvenueApplication for a variation to reduce the 8,000 square foot minimum lotarea by no more than 10% to 7,370 square feet for a proposed four-story,eight-unit building with eight, enclosed, parking spaces and retail space onthe ground floor.Continued until April 17, 2015 at 2:00 PM.               |  |
| 59-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | reduce the east side setback from 2' setback from 4.8' to 3.33'; and, to 156 square feet to 0 square feet for residence connected to a rear, detach  | Ward: 2<br>the rear setback from 28' to 21.33'; to<br>to 0.83'; to reduce the combined side<br>reduce the rear yard open space from<br>a proposed, three-story, single-family<br>hed, two-car garage with roof deck and<br>0; yeas – Swain, Budzinski, Flores, |
| 60-15-S<br>Applicant:   | <b>Zoning District: RS-2</b><br>Chicago Title Land Trust Company,  | <b>Ward: 21</b><br>No. 121100  |

| Owner:<br>Premises Affected:<br>Subject:                          | Annie Carter<br>9420 South Lafayette Avenue<br>Application for a special use to establish a freestanding, wireless<br>communications tower. <b>Approved 5-0 subject to the conditions</b><br><b>specified on the record; yeas – Swain, Budzinski, Flores, O'Grady,<br/>and Toia.</b>   |
|---|--|
| 61-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: RS-2Ward: 21Chicago Title Land Trust Company, No. 121100Annie Carter9420 South Lafayette AvenueApplication for a variation to reduce the rear setback from 30' to 3.66' for<br>a proposed freestanding, wireless communications tower. Approved 5-0;<br>yeas – Swain, Budzinski, Flores, O'Grady, and Toia.   |
| 62-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | <ul> <li>Zoning District: RS-2 Ward: 21</li> <li>Chicago Title Land Trust Company, No. 121100</li> <li>Annie Carter</li> <li>9420 South Lafayette Avenue</li> <li>Application for a variation to increase the height of a proposed freestanding, wireless communications tower from 75' to 120'.</li> <li>Approved 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia.</li> </ul> |
| 63-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B1-3Ward: 43Lirim Jacob Tehillim2460-68 Clark, LLC2468 North Clark Street, Suite AApplication for a special use to establish a nail and hair salon.Continueduntil May 15, 2015 at 2:00 PM.  |
| 64-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B2-1.5Ward: 12Latinos Barber ShopAdnan Elhai1701 West 35 <sup>th</sup> StreetApplication for a special use to establish a barber shop.Denied 5-0; nays- Swain, Budzinski, Flores, O'Grady, and Toia.  |
| 65-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-5Ward: 40Manal Marbo/DBA Marbo Corp.L. Square Commons, LLC5008 North Lincoln AvenueApplication for a special use to establish a hair and nail salon.Approved5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia.   |

| 66-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B2-5 Ward: 46<br>4027 Broadway, LLC<br>same as applicant<br>4025-27 North Broadway<br>Application for a variation to reduce the rear setback from 30' to 16.17'<br>and to reduce the north side setback from 5' to 0' for a proposed,<br>six-story, 20-unit building with ground floor commercial space and 16<br>indoor parking spaces, also located on the ground floor. Approved 5-0;<br>yeas – Swain, Budzinski, Flores, O'Grady, and Toia.   |  |
|---|--|--|
| 67-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B2-5 Ward: 46<br>4027 Broadway, LLC<br>same as applicant<br>4025-27 North Broadway<br>Application for a variation to reduce the on-site, accessory parking by no<br>more than 20% (four) for a proposed, six-story, 20-unit building with<br>ground floor commercial space and 16 indoor parking spaces, also located<br>on the ground floor. Approved 5-0; yeas – Swain, Budzinski, Flores,<br>O'Grady, and Toia.  |  |
| 68-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: RS-3Ward: 47Ericka Lepesame as applicant1915 West Larchmont AvenueApplication for a variation to reduce the rear setback from 33.85' to 23.6'for a proposed, rear, detached, two-car garage with roof deck access via anexternal staircase. Approved 5-0; yeas – Swain, Budzinski, Flores,O'Grady, and Toia.  |  |
| 69-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: RS-3Ward: 35Nelson and Josephine Salas<br>same as applicant2726-28 North Drake Avenue2726-28 North Drake AvenueApplication for a variation to reduce the front setback from 10.92' to 0' for<br>a 7'-tall, wrought iron fence and to increase the 9,687 square feet of<br>combined floor area in existence for more than 50 years in the two<br>buildings at this location by not more than 15% to 9,800 square feet and to<br>increase the building height from 30' to 36' for a rear, third floor addition<br>to the existing three-story, two-unit front building. Continued until<br>April 17, 2015 at 2:00 PM. |  |
| 70-15-Z<br>Applicant:<br>Owner:                                   | Zoning District: RM-5Ward: 1Elizabeth Sicilianosame as applicant   |  |

| Premises Affected:<br>Subject:                                    | 1501 West Grand Avenue<br>Application for a variation to reduce the front setback from 13.47' to<br>11.5'; to reduce the rear setback from 31.42' to 1'; to reduce the west side<br>setback from 2.5' to 1'; and, to reduce the combined side setback from 5'<br>to 1.17' for a proposed, three-story, single-family residence with a rear,<br>attached, two-car garage. Approved 5-0; yeas – Swain, Budzinski,<br>Flores, O'Grady, and Toia. |
|---|---|
| 71-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: RM-5Ward: 1Elizabeth Sicilianosame as applicant1501 West Grand AvenueApplication for a variation to allow for the 147 square feet of rear yardopen space to be established on the roof of a proposed, three-story,single-family residence with a rear, attached, two-car garage. Approved5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia.  |
| 72-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: DR-3Ward: 42Villa Celeste, LLCsame as applicant67 East Cedar Street, Lower Level and First FloorApplication for a special use to establish one vacation rental unit in the<br>duplex down (lower level and first floor) unit of the existing, three-story,<br>two-unit building. Continued until April 17, 2015 at 2:00 PM.  |
| 73-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: DR-3Ward: 42Villa Celeste, LLCsame as applicant67 East Cedar Street, Second and Third FloorApplication for a special use to establish one vacation rental unit in theduplex up (second and third floor) unit of the existing, three-story,two-unit building.Continued until April 17, 2015 at 2:00 PM.   |
| 74-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: DX-5Ward: 2Celeste Suites, LLCsame as applicant739 North Wells Street, 2 <sup>nd</sup> Floor, Front UnitApplication for a special use to establish one vacation rental unit in thesecond floor (front) unit, of an existing, three-story, three-unit buildingwith ground floor and basement retail space.Continued until April 17,2015 at 2:00 PM.   |
| 75-15-S<br>Applicant:<br>Owner:                                   | Zoning District: DX-5Ward: 2Celeste Suites, LLCsame as applicant  |

| Premises Affected: | 739 North Wells Street, 3 <sup>rd</sup> Floor                                  |
|--------------------|--|
| Subject:           | Application for a special use to establish one vacation rental unit in the     |
|                    | third floor unit, of an existing, three-story, three-unit building with ground |
|                    | floor and basement retail space. Continued until April 17, 2015 at 2:00        |
|                    | PM.  |

The Chairman moved to recess for lunch at 11:37 PM. Second by O'Grady. Motion carried 5-0.

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

The Board reconvened for the afternoon session at 2:10 PM. The Chairman undertook a roll call to establish the presence of a quorum. The afternoon hearings commenced with five members present (Swain, Budzinski, Flores, O'Grady and Toia).

| 76-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B2-3Ward: 11442 N. Western Avenue, LLCsame as applicant1444 North Western AvenueApplication for a variation to reduce the rear setback from 30' to 10' for aproposed four-story, eight-unit building with eight, rear, parking spaces.Approved 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia.   |  |
|---|--|--|
| 77-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-1Ward: 37Concept School, NFPArchdioceses of Chicago5035-57 West North AvenueApplication for a special use to expand an existing elementary school.Continued until April 17, 2015 at 2:00 PM.   |  |
| 78-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-3Ward: 44CCI 1338 W. Belmont, LLCsame as applicant1338 West Belmont AvenueApplication for variation to reduce the rear setback from 30' to 22' for aproposed, four-story, three-unit building with one, rear, surface parkingspace and two, rear, indoor parking spaces and office space on the groundfloor.Approved 5-0; yeas – Swain, Budzinski, Flores, O'Grady, andToia. |  |
| 79-15-S<br>Applicant:<br>Owner:<br>Premises Affected:             | Zoning District: B3-2Ward: 44VP Salon Organic, LLCJin An Creative America, Inc.3125 North Broadway   |  |

| Subject:  | Application for a special use to establish a beauty salon. Approved 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia.   |   |
|---|--|---|
| 80-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-5Ward: 49Albion Hotel, LLCLoyola University of Chicago6566-90 North Sheridan RoadApplication for a special use to establish a six-stoground floor retail space.Approved 4-0; yearFlores, and Toia (O'Grady recused).   | -   |
| 81-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-5 Ward: 49<br>Albion Hotel, LLC<br>Loyola University of Chicago<br>6566-90 North Sheridan Road<br>Application for a special use to establish a rooftop<br>the fifth floor of a proposed, six-story, 145-room<br>retail space. Approved 4-0; yeas – Swain, Buda<br>(O'Grady recused).   | hotel with ground floor                           |
| 82-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-5Ward: 49Albion Hotel, LLCLoyola University of Chicago6566-90 North Sheridan RoadApplication for a variation to reduce the lengthspace from 10' x 50' x 14' to 10' x 30' x 14' for145-room hotel with ground floor retail space.Swain, Budzinski, Flores, and Toia (O'Grady retail)  | or a proposed, six-story,<br>Approved 4-0; yeas – |
| 83-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-5 Ward: 49<br>Albion Hotel, LLC<br>Loyola University of Chicago<br>6566-90 North Sheridan Road<br>Application for a variation to reduce the accessory vehicular parking<br>requirement from 31 to 20 spaces for a proposed, six-story, 145-room<br>hotel with ground floor retail space due to the proximity of the subject<br>property to the Chicago Transit Authority Loyola Red Line Station.<br>Approved 4-0; yeas – Swain, Budzinski, Flores, and Toia (O'Grady<br>recused). |   |
| 84-15-S<br>Applicant:<br>Owner:<br>Premises Affected:             | Zoning District: RT-4Ward: 49Albion Hotel, LLCLoyola University of Chicago1217-39 West Albion Avenue   |   |

| Subject:           | Application for a special use to establish 20, off-site, required, accessory parking spaces to serve a proposed, six-story, 145-room hotel with ground floor retail space located at 6566-90 North Sheridan Road. Approved 4-0; yeas – Swain, Budzinski, Flores, and Toia (O'Grady recused).  |  |
|--------------------|---|--|
| 85-15-S            | Zoning District: RM-4.5 Ward: 44  |  |
| Applicant:         | Howard Brown Health Center, Inc.  |  |
| Owner:             | Wellington Avenue United Church of Christ   |  |
| Premises Affected: | 615 West Wellington Avenue  |  |
| Subject:           | Application for a special use to establish a community center. Approved   |  |
|                    | 5-0; yeas – Swain, Budzinski, Flores, O'Grady and Toia.   |  |
| 16-14-S            | Zoning District: RS-2, RS-3, B1-1, B3-1 & C1-1 Ward: 21   |  |
| Applicant:         | Chicago Transit Authority   |  |
| Owner:             | Illinois Department of Transportation   |  |
| Premises Affected: | 14 and 15 West 95 <sup>th</sup> Street  |  |
| Subject:           | Request for a one-year extension of a special use to allow for the expansion<br>and reconstruction of the CTA Red Line 95 <sup>th</sup> Street station and platforms<br>whose main entrance will remain located at 14 West 95 <sup>th</sup> Street with an<br>auxiliary station entrance being established at 15 West 95 <sup>th</sup> Street.<br><b>Approved 5-0; yeas – Swain, Budzinski, Flores, O'Grady and Toia.</b> |  |

# **CONTINUANCES**

| 254-14-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | 0 and to reduce the combined si   | Ward: 32<br>the west side yard setback from 2' to<br>de yard setback from 4.8' to 2' for a<br>uilding with three rear, surface parking |
|--|---|--|
| 303-14-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: |   | Ward: 44<br>establish a 3,052 square foot, outdoor,<br>of an existing restaurant. Continued  |
| 304-14-S<br>Applicant:<br>Owner:<br>Premises Affected:             | <b>Zoning District: B3-2</b><br>3506 Hospitality, LLC<br>3466-70 North Clark, LLC<br>3466-70 North Clark Street | Ward: 44   |

| Subject:   | Application for a special use to establish a 5-space, off-site, required, accessory parking lot to serve an existing restaurant located at 3506-14 North Clark Street. <b>Continued until June 19, 2015 at 2:00 PM.</b>   |  |
|--|---|--|
| 305-14-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-2Ward: 443506 Hospitality, LLCWrigleyville, LLC3458 North Clark StreetApplication for a special use to establish a 17-space, off-site, required, accessory parking lot to serve an existing restaurant located at 3506-14North Clark Street.Continued until June 19, 2015 at 2:00 PM. |  |
| 331-14-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B1-1Ward: 39Chicagoland Montessori Academy<br>same as applicant5624-34 North Pulaski RoadApplication for a special use to establish an elementary school.Dismissedfor want of prosecution.   |  |
| 370-14-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-2Ward: 40Pathways in Education – IllinoisTom Livaditis4816 North Western AvenueApplication for a special use to establish a high school.Continuanceuntil May 15, 2015 at 2:00 PM.   |  |
| 404-14-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: C2-2 Ward: 40<br>Good Earth Solutions, LLC<br>1954 Peterson, LLC<br>1964 West Peterson Avenue<br>Application for a special use to establish a medical cannabis dispensary.<br>Withdrawn.   |  |
| 408-14-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B3-1Ward: 29Midwestern Wellness Group of Illinois, Inc.Jeanne and Michael Spilotro3118 North Harlem AvenueApplication for a special use to establish a medical cannabis dispensary.Withdrawn.  |  |
| 1-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:               | Zoning District: RT-4Ward: 2Kauri Property Management, LLCsame as applicant2142 North Magnolia Avenue   |  |

| Subject: | Application for a variation to reduce the south side setback from 2' to 0'; to reduce the combined side setback from 5' to 2.92'; and, to reduce the rear setback from 35' to 23.17' for a proposed three-story, rear, addition with an open, two-story, rear deck on an existing, three-story, single-family residence connected to a proposed two-car garage via a second floor |
|----------|---|
|          | catwalk. Approved 4-1; yeas – Budzinski, Flores, O'Grady and Toia;<br>nay – Swain.  |

| 15-15-S                   | Zoning District: PMD-9   | Ward: 37 |
|---------------------------|--|----------|
| Applicant:                | S. Bar Sinister, LLC   |          |
| Owner:                    | same as applicant  |          |
| <b>Premises Affected:</b> | 1238-1300 North Kostner Avenue   |          |
| Subject:                  | Application for a special use to expand an existing Class IV-B recycling |          |
|                           | facility. Continued until May 15, 2015 at 2:00 PM.                       |          |
|                           |  |          |

| 17-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: DX-7Ward: 25POGN, LLCsame as applicant220 South Green StreetApplication for a special use to establish a non-accessory parking garagefor 24 spaces in a proposed 156-space parking garage at this location; theremaining 132 spaces will serve for the exclusive use of the 60 units to belocated in this proposed 10-story building.Continued until May 15,2015 at 2:00 PM.   |
|---|---|
| 18-15-Z<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: DX-7Ward: 25POGN, LLCsame as applicant220 South Green StreetApplication for a variation to reduce the rear setback from 30' to 15'; toreduce the rear setback off of the alley for a garage entrance from 2' to 0';and, to eliminate the one required, off-street 10' x 14' x 25' loading berthfor a proposed, 10-story, 60-unit building with a 156-space parking garagelocated on the first three floors.Continued until May 15, 2015 at 2:00PM. |
| 35-15-S<br>Applicant:<br>Owner:<br>Premises Affected:<br>Subject: | Zoning District: B1-2Ward: 43Kent WatkinsShepherd Real Estate Subsidy, LLC953 West Diversey ParkwayApplication for a special use to establish a barber shop and beauty salon.Withdrawn.   |

| 50-15-S | Zoning District: C1-1 | Ward: 39 |
|---------|-----------------------|----------|
|         |                       |          |

| Applicant:         | Hookah Palace, Inc.   |
|--------------------|---|
| Owner:             | same as applicant   |
| Premises Affected: | 4614 West Lawrence Avenue   |
| Subject:           | Application for a special use to establish a hookah bar. Denied 2-3; yeas – |
|                    | Budzinski and Flores; nays – Swain, O'Grady and Toia.                       |

Motion to move into closed session pursuant to Section 2(c)(4) of the Open Meetings Act for the purpose of considering the evidence and testimony presented in open session made by Chairman. Second by Budzinski. Motion carried 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia. Meeting went into closed session at 5:05 PM.

Motion to return to open session for voting made by Chairman. Second by Toia. Motion carried 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia. Meeting returned to open session at 5:35 PM.

Motion to approve written resolutions containing finds of fact consistent with the votes of the Board at its regular meetings of February 20, 2015 made by the Chairman. Second by Toia. Motion carried 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia.

Motion to adjourn made by Swain. Second by Flores. Motion carried 5-0; yeas – Swain, Budzinski, Flores, O'Grady, and Toia. Meeting adjourned at 5:42 PM.