

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

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held in Room 569 County Building on July 15, 1994

at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

Joseph J. Spingola  
Chairman  
Anthony J. Fornelli  
Gigi McCabe-Miele  
Thomas S. Moore

MINUTES OF MEETING  
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Member McCabe-Miele moved that the Board approve the minutes of the proceedings of the regular meeting held on June 17, 1994 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, McCabe-Miele, and Moore. Nays- None. Absent- Martin.

\* \* \* \* \*

The Board thereupon held its regular meeting, taking action designated on the face of the resolutions.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Tom Walsh  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 170-94-Z  
 MAP NO. 3-G  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 864 N. Elston Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Tom Walsh, owner, on May 4, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a U-shape 2-story 10 dwelling unit building with no front yard and no rear yard instead of 12 feet and 30 feet respectively, on premises at 864 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 4, 1994, 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, §7.7-4, §7.9-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R4 General Residence 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: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 150' x 100' unimproved lot with no alley access; that the applicant proposes to erect a U-shape 2-story 10 dwelling unit building on the subject 15,000 sq. ft. lot with a courtyard and two car garages on the ground level of each dwelling unit; that there is no alley access at the rear of the site and that the subject lot's rear line coincides with the rear lot lines of property to the west fronting on N. Racine Avenue; that the applicant seeks a rear yard variation of zero feet for the two dwelling units closest to the common west property line and a front yard variation of zero feet for the two dwelling units closest to N. Elston Avenue; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to be economically feasible the proposed yard variations are necessary to erect a 10 dwelling unit building which provides adequate living space and also provides some yard space for each dwelling unit; that the plight of the owner is due to the lack of alley access which requires individual garage parking for each unit accessed through an inner courtyard area; that the variations, if granted, will not alter the essential character of the locality nor impair an adequate supply of light and air to adjoining property, it is therefore

MINUTES OF MEETING

July 15, 1994

Cal. No. 170-94-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 a variation be and it hereby is granted to permit the erection of a U-shape 2-story 10 dwelling unit building with no front yard and no rear yard instead of 12 feet and 30 feet respectively, on premises at 864 N. Elston Avenue, upon condition that adequate space shall be provided in the units' garages for garbage containers; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Dragisa and Suzana Stanojevic  
 APPEARANCES FOR: Dragisa Stanojevic  
 APPEARANCES AGAINST:

CAL. NO. 171-94-Z  
 MAP NO. 13-L  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 5113 N. LaCrosse Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola		X	
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Dragisa and Suzana Stanojevic, owners, on May 10, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the conversion of a 1½-story brick and frame single-family dwelling to a two-dwelling unit building on a lot whose area is 4,875 sq. ft. instead of 5,000 sq. ft. required, on premises at 5113 N. LaCrosse Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 18, 1994, 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, §7.5-3. §11.7-4(2)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence 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: that the said use is located in an R3 General Residence District; that the subject site is a 4,875 sq. ft. lot improved with a 1½-story brick and frame single-family dwelling with an attic dormer; that the applicant presented evidence indicating that a dormer addition was construction in 1956 by the previous owner of the property; that the applicant testified that the previous owner also had relatives living at the site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district that the 2nd dwelling unit was in existence prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the plight of the owner is due to unique circumstances in that the 2nd dwelling unit in the subject building was in existence prior to the purchase of the property by the applicant; that the 2nd dwelling unit will not impair an adequate supply of light and air to adjoining property; and that the variation, if granted will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 15, 1994

Cal. No. 171-94-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 a variation be and it hereby is granted to permit the conversion of a 1½-story brick and frame single-family dwelling to a two dwelling unit building on a lot whose area is 4,875 sq. ft. instead of 5,000 ft. required, on premises at 5113 N. LaCrosse Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Ratomir Zivovic  
 APPEARANCES FOR: Ratomir Zivovic  
 APPEARANCES AGAINST:

CAL. NO. 172-94-Z  
 MAP NO. 13-L  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 5170 N. Lovejoy Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Ratomir Zivovic, for Ratomir and Ljiljana Zovovic, owners, on May 15, 1994 filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, three existing dwelling units in a 2-story brick building on a lot whose area is 4,750 sq. ft. instead of 4,950 sq. ft. required, on premises at 5170 N. Lovejoy Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 3, 1994, 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, §7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 4,750 sq. ft. lot improved with a 2-story with basement brick apartment building with a 2-car detached accessory garage at the rear of the lot; that the subject property was represented and sold to the applicant as a three dwelling unit building in 1985; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the third dwelling unit is necessary to provide necessary rental income to the applicant to make the subject building a viable income producing property; that the plight of the owner is due to the lack of additional land available to comply with the square footage requirements of the zoning ordinance; that the subject site is a corner lot which falls short of the minimum lot area requirement by only 4% and that three existing dwelling units in the subject 2-story brick building will not substantially alter the essential character of the locality; it is therefore

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Michael Kane  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 173-94-Z  
 MAP NO. 13-L  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 5061 N. Northwest Highway  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.		X	
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Michael Kane, owner, on May 26, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story two dwelling unit building whose side yards will be 2.5 feet each instead of 5 feet each and whose lot area is 3,125 sq. ft. instead of 3,300 sq. ft. required, on premises at 5061 N. Northwest Highway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 23, 1994, 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, §7.5-3, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence 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: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 3,125 sq. ft. lot improved with a 2-story frame residence in dilapidated condition and with a detached frame garage in the rear; that the applicant proposes to erect a 2-story two dwelling unit building at the subject site; that on July 16, 1993 the Board granted variations permitting the division of a 50' x 125' improved zoning lot at 5059-61 N. Northwest Highway into two 25' x 125' zoning lots with the existing 1½-story frame residence on the north 25 feet (the subject site) having a south side yard of 2.83 feet instead of the required 5 feet, and the erection of a 2-story two-dwelling unit building on the south 25 feet whose side yards will be 2.5 feet each instead of 5 feet each and with a lot area of 3,125 sq. ft. instead of the required 3,300 sq. ft., in Cal. No. 214-93-Z; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect one single-family residence on the subject lot is not economically feasible in that there is little demand for additional single-family residences in the area; that the plight of the owner is due to the configuration of the aforesaid 2-story two-dwelling unit building on the south lot approved



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in Cal. No. 214-93-Z which requires the side yard variation requested; that the side yard variations requested for the proposed 2-story two-dwelling unit building on the subject zoning lot are necessary to provide livable dwelling space in the aforesaid two-dwelling unit building; that the proposed 2-story two-dwelling unit building will be compatible with existing improvements in the area and that the variations, if granted, will not alter the essential character of the locality; 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 a variation be and it hereby is granted to permit the erection of a 2-story two-dwelling unit building whose side yards will be 2.5 feet each instead of 5 feet each and whose lot area is 3,125 sq. ft. instead of 3,300 sq. ft. required, on premises at 5061 N. Northwest Highway, upon condition that adequate space shall be provided on site for garbage containers; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: David C. Phillips

CAL. NO. 174-94-Z

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 1235 W. Webster Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Case continued to August 19, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jonathan Peabody and Lindsey Stewart  
 APPEARANCES FOR: Howard Kilberg  
 APPEARANCES AGAINST: David R. Pollock

CAL. NO. 175-94-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 1875 N. Fremont Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

THE RESOLUTION:

WHEREAS, Jonathan Peabody and Lindsey Stewart, owners, on May 18, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the dormering of the attic of the 2-story part of a 2 and 3-story brick 3-dwelling unit building, whose front yard will be 1.06 feet instead of 14.95 feet and which dormering will result in a 15% (718 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1875 N. Fremont Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 9, 1994, 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, §7.7-4, §7.8-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R4 General Residence 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: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 27.5' x 124.62' corner lot located on the southeast corner of the intersection of W. Wisconsin Street and N. Fremont Street and is presently improved with a 2 and 3-story brick 3-dwelling unit building with a detached garage at the rear; that the applicants proposed to dormer the attic of the 2-story part of the 2 and 3-story brick building which will result in a 718 sq. ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed attic dormer is necessary to provide additional living space for the applicants and their family; that the plight of the owners is due to the necessity of providing additional bedroom and bath space while retaining the other two dwelling units for rental income; that the proposed attic dormer will not seriously impair an adequate supply of light and air to properly located south of the site; and that the variations, if granted, will not alter the

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essential character of the locality; 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 a variation be and it hereby is granted to permit the dormering of the attic of the 2-story part of a 2 and 3-story brick 3-dwelling unit building, whose front yard will be 1.06 feet instead of 14.95 feet and which dormering will result in a 15% (718 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1875 N. Fremont Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Kenneth A. Clein & Colleen M. Crawley  
APPEARANCES FOR: Kenneth A. Clein  
APPEARANCES AGAINST:

CAL. NO. 176-94-Z  
MAP NO. 5-H  
MINUTES OF MEETING  
July 15, 1994

PREMISES AFFECTED— 2040 W. Cortland Street  
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

THE RESOLUTION:

WHEREAS, Kenneth A. Clein and Colleen M. Crawley, owners, on May 31, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 2-story brick two dwelling unit building whose west side yard will be 0.81' instead of 3 feet and which dormering will result in a 15% (248 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2040 W. Cortland Street;

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 31, 1994, 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, §7.7-4, §7.8-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence 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: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 24.12' x 100' lot improved with a 2-story brick with basement two dwelling unit building; that the applicants propose to dormer the attic of the existing building which will result in a 248 sq. ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed attic dormer addition is necessary to provide additional living space in the applicants' second floor dwelling unit; that the plight of the owner is due to the necessity of providing additional bedroom and bath space for the applicants and their family while retaining the first floor dwelling unit for rental income; that the proposed attic dormer will be compatible with existing residential improvements in the area and that the variations,

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if granted, will not alter the essential character of the locality; 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 a variation be and it hereby is granted to permit the dormering of the attic of a 2-story brick two dwelling unit building, whose west side yard will be 0.81' instead of 3 feet and which dormering will result in a 15% (248 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2040 W. Cortland Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jim Yamamoto  
APPEARANCES FOR:  
APPEARANCES AGAINST:

CAL. NO. 177-94-Z  
MAP NO. 6-F  
MINUTES OF MEETING  
July 15, 1994

PREMISES AFFECTED— 232-34 W. 23rd Street

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to  
September 16, 1994.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Roy Warner, Jr.

CAL. NO. 178-94-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

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PREMISES AFFECTED— 2502 N. Sheffield Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Case continued to  
September 16, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		



ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Alex Anagnostopoulos

CAL. NO. 179-94-Z

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

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July 15, 1994

PREMISES AFFECTED— 1438 N. Wieland Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Case continued to  
September 16, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Diversey Park Limited Partnership

CAL. NO. 180-94-Z

APPEARANCES FOR:

MAP NO. 7-H

APPEARANCES AGAINST:

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July 15, 1994

PREMISES AFFECTED— 1775-1825 W. Diversey Parkway

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Case continued to August 19, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Richland/Renaissance - Seville Townhomes, L.L.C.

CAL. NO. 181-94-Z

APPEARANCES FOR: Dennis Aukstik

MAP NO. 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 5316-28 N. Kenmore Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

THE RESOLUTION:

WHEREAS, Richland/Renaissance-Seville Townhomes, L.L.C., for Seventh Church of Christ Scientist, owner, on May 25, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 20-dwelling unit townhouse building, whose front yard will range from 1 foot to 12 feet instead of 15 feet, whose north side yard will range from 3.33 feet to 12 feet and whose south side yard will range from 10 feet to 12 feet instead of 15 feet each, and whose rear yard will be 2.5 feet instead of 30 feet, on premises at 5316-28 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 25, 1994, 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, §7.7-5, §7.8-5, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R5 General Residence 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: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 150' x 150' unimproved lot; that the applicant proposes to erect a 3-story 20-dwelling unit townhouse building with on-site garage parking; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to erect the proposed 3-story 20-dwelling unit townhouse building as designed; that to erect a mid-rise rental apartment building with the same number of dwelling units would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for attached single-family townhouses, which arrangement requires greater land coverage and encroachment into required yard set backs; that the proposed 20-dwelling unit townhouse development will be compatible with the majority of the existing residential improvements in the block which do not comply with the yard set back requirements of the zoning

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Cal. No. 181-94-Z

ordinance, and will not alter the essential character of the locality; 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 a variation be and it hereby is granted to permit the erection of a 3-story 20-dwelling unit townhouse building, whose front yard will range from 1 foot to 12 feet instead of 15 feet, whose north side yard will range from 3.33 feet to 12 feet and whose south side yard will range from 10 feet to 12 feet instead of 15 feet each, and whose rear yard will be 2.5 feet instead of 30 feet, on premises at 5316-28 N. Kenmore Avenue, upon condition that adequate space for garbage dumpsters shall be provided in a central area located off the public alley abutting the site to the west; that the conditions enumerated and agreed to by the applicant and the Edgewater Community Council, Inc, in a letter dated July 14, 1994 to Paul Woznicki, Zoning Administrator from Barbara Stanley, Chairman, Planning and Development, shall be complied with; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Herbert Saywitz

CAL. NO. 182-94-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 3119-59 N. Clark Street

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Ulas Sherley

CAL. NO. 183-94-S

APPEARANCES FOR:

MAP NO. 18-D

APPEARANCES AGAINST:

MINUTES OF MEETING  
July 15, 1994

PREMISES AFFECTED— 7686 S. South Chicago Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
September 16, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Charles A. Cartagena

CAL. NO. 184-94-S

APPEARANCES FOR:

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 2148 W. Belmont Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
September 16, 1994.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Goldstar Jewelers & Collateral Co.

CAL. NO. 185-94-S

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 3123 N. Ashland Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to August 19, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		



ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Victory Christian Church  
 APPEARANCES FOR: John W. Mauck  
 APPEARANCES AGAINST:

CAL. NO. 186-94-S  
 MAP NO. 3-F  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 356-68 W. Chicago Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
	X	
X		

THE RESOLUTION:

WHEREAS, Victory Christian Church, for Louis Melind Co., owner, on May 23, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 224-seat church in a 4-story brick building, in a C1-4 Restricted Commercial District, on premises at 356-68 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 19, 1994, 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, §8.4-1, §9.3-1, §9.11-2(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in a C1-4 Restricted 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: that the proposed use is to be located in a C1-4 Restricted Commercial District; that the subject site is improved with a 4-story brick commercial building with parking areas on either side of the building; that the applicant church is presently located at 770 N. LaSalle Street; that the proposed use is necessary for the public convenience at this location to continue to meet the needs of the congregation and to provide necessary services in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations and provide adequate off-street parking spaces; that the said premises will be used only for religious services and programs to assist the community and that said premises will not provide overnight or transitional shelter or food pantry programs; that the proposed use which will rehabilitate an old vacant commercial building, will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 224-seat church in a

MINUTES OF MEETING

July 15, 1994

Cal. No. 186-94-S

4-story brick building, on premises at 356-68 W. Chicago Avenue, upon condition that the parking area for 23 automobiles abutting the subject building to the east shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be completely enclosed with a six feet high chain link fence, excepting the driveway(s); that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from W. Chicago Avenue; that the driveway(s) shall be constructed in compliance with applicable ordinances; that there shall be no ingress nor egress via the public alley abutting the site to the north; that the parking lot shall be securely locked at all times not in use by the applicant church; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order; and be it further

RESOLVED, that the use of the subject premises shall be for religious services and programs to assist the community only and that said premises shall not be used for or provide overnight shelter, transitional shelter or food pantry programs.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Bank of Chicago  
 APPEARANCES FOR: Harold J. Hicks  
 APPEARANCES AGAINST:

CAL. NO. 187-94-S  
 MAP NO. 14-M  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 5535-37 S. Narragansett Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Bank of Chicago, owner, on May 13, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B4-1 Restricted Service District, to serve a bank located at 6353 W. 55th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 5, 1994, 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, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-1 Restricted Service 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: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 75.02' x 125.1' lot presently being used by the applicant bank as an accessory off-site parking lot; that the proposed use is necessary for the public convenience at this location to provide off-street parking spaces for use by the employees of the applicant bank located at 6353 W. 55th Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the parking lot to be improved and operated under the conditions hereinafter set forth; that the said parking lot is compatible with the existing business improvements in the area and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 5535-37 S. Narragansett Avenue, to serve a bank located at 6353 W. 55th Street, upon condition that

MINUTES OF MEETING

July 15, 1994

Cal. No. 187-94-S

the lot shall be used solely for the parking of private passenger automobiles belonging to the employees of the applicant bank and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be enclosed by a 6 feet high decorative wooden fence on the north, east and south property lines; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that concrete wheel stops shall be provided; that lighting shall be provided; that ingress and egress shall be from S. Narragansett Avenue; that the driveway shall be construction in compliance with applicable ordinances; that the public alley abutting the property to the east shall not be use for ingress nor for egress; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Ibrahim Abdel-Rahman  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 188-94-S  
 MAP NO. 2-E  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 1-15 E. 9th Street/901-13 S. State Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Ibrahim Abdel-Rahman, for LaSalle National Bank, Tr. #110552, owner, on June 7, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a public parking lot for the parking of private passenger automobiles, in a B6-6 Restricted Central Business District, on premises at 1-15 E. 9th Street/901-13 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 14, 1994, 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, §8.3-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in a B6-6 Restricted Central Business 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: that the said use is located in a B6-6 Restricted Central Business District; that the subject site is a 16,750 sq. ft. lot occupied by an improved operating public parking lot; that the subject site is leased to All-Right Parking and has been used as a public parking lot for many years; that the said use is necessary for the public convenience at this location in that this is a high density area with a great need for public parking facilities; that the public health, safety and welfare will be adequately protected in the design and operation of the said parking lot which will provide attendant parking; that the said use is compatible with the existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a public parking lot for the parking of private passenger automobiles, on premises at 1-15 E. 9th Street/901-13 S. State Street upon condition that the parking lot shall be maintained as it is presently

MINUTES OF MEETING

July 15, 1994

Cal. No. 188-94-S

improved and that the applicant shall install landscaping as indicated on their site/landscaping plan dated July 15, 1994; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Rayburt Systems, Inc.  
 APPEARANCES FOR: William H. Hooks  
 APPEARANCES AGAINST: Minnie McGee, et al.

CAL. NO. 189-94-S  
 MAP NO. 22-E  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 100-20 E. 95th Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
	X	
X		

THE RESOLUTION:

WHEREAS, Rayburt Systems, Inc, for LaSalle National Bank, Tr. #10-27134-09, owner, on May 27, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a single lane drive-through facility in conjunction with the re-construction of an existing Burger King restaurant, in a B4-1 Restricted Service District, on premises at 100-20 E. 95th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 27, 1994, 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, §8 4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-1 Restricted Service 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: that the proposed use is to be located in a B4-1 Restricted Service District; that on May 26, 1994 the City Council rezoned the subject site from B2-1 Restricted Retail and R3 General Residence District to B4-1 Restricted Service; that the subject site is a 28,446 sq. ft. parcel of land occupied by a Burger King restaurant; that the applicant seeks to build a new Burger King restaurant at the subject site and provide a single lane drive through facility in conjunction with the proposed new restaurant building; that the proposed drive-through facility is necessary for the public convenience at this location to provide an service necessary in today's fast food operations; that public health, safety and welfare will be adequately protected in the design, location and operation of the proposed single-lane drive-through facility to be improved and operated under the conditions hereinafter set forth; that the proposed use is compatible with the existing business uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING  
July 15, 1994  
Cal. No. 189-94-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a single lane drive-through facility in conjunction with the re-construction of an existing Burger King restaurant, on premises at 100-20 E. 95th Street, upon condition that the said drive-through and restaurant shall be constructed in accordance with revised site/landscaping plans prepared by Thomas W. Scesniak & Associates, dated June 21, 1994; that ingress and egress to the site shall be located on E. 95th Street; that the drive-through activity shall be limited to one lane; that lighted directional signs shall be erected at the established entrance/exit; that a six feet high decorative wood fence shall be installed along the north and east property lines to screen the facility from the public alley to the north and residential property to the east; that all lighting shall be screened and directed away from residential areas and that there shall be no flood lights located on the premises; that no outdoor music shall be permitted and that all outdoor menu boards/order stations shall be buffered or setback from any adjoining residential property; that refuse containers shall be enclosed within a secured brick or cinder block enclosure; that the hours of operation shall be limited to the hours between 5 A.M. and Midnight, Mondays through Thursdays and from 5 A.M. to 1 A.M. Fridays through Sundays; that the applicant shall provide on-site security personnel for any operating hours after 7 P.M.; that landscaping shall be provided in accordance with the aforesaid revised site plan, dated June 21, 1994; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and to the Burger King Corporation and any other Burger King franchisee and that the said special use approved herein shall not be transferable to any other fast food drive-through restaurant except one affiliated with the Burger King corporation or its successors; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a single lane drive-through restaurant operated for the Burger King Corporation shall cause the special use granted to immediately become null and void.



ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: David Stokes, Julius Stokes, Richard Stokes  
 APPEARANCES FOR: Julius Stokes  
 APPEARANCES AGAINST:

CAL. NO. 190-94-A  
 MAP NO. 28-F  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 11559 S. Wentworth Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, David Stokes, Julius Stokes, Richard Stokes, owners, on May 2, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a fish market in the store on the 1st floor of a 2-story brick store and apartment building attached to a 1-story brick auto repair garage, in an R3 General Residence District, on premises at 11559 S. Wentworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 2, 1994, 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, §7.3-3."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence 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: that the proposed use is to be located in an R3 General Residence District; that the appellants propose to establish a fish market for the retail sale of cooked and fresh fish in the non-conforming store on the 1st floor of a 2-story brick store and apartment building which is attached to a 1-story brick auto repair garage at the subject site; that the subject non-conforming store has been previously occupied by business uses, the last use have been a dry-cleaners approved by the Board on March 17, 1989, in Cal. No. 69-89-A, which use ceased operation one year ago; that the change of use from a dry cleaners drop-off business, a B1 use to a fish market, a B1 use, is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a fish market in the store on the 1st floor of a 2-story brick store and apartment building attached to a 1-story brick auto repair garage, on premises at 11559 S. Wentworth Avenue, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 9 P.M., and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Debra Larry  
 APPEARANCES FOR: Debra Larry  
 APPEARANCES AGAINST: Harriette Mimms

CAL. NO. 191-94-A  
 MAP NO. 12-E  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 614 E. 50th Street

SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, Debra Larry, for David L. Gratton, owner, on May 11, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a variety store selling school supplies, pop, candy, etc., in a 1-story brick store building, in an R5 General Residence District, on premises at 614 E. 50th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 27, 1994, 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, §7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994; and

WHEREAS, the district maps show that the premises is located in an R5 General Residence 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: that the proposed use is to be located in an R5 General Residence District; that the subject store is a unit in a 1-story non-conforming multi-store building containing other business uses including a barber shop, a beauty shop, a restaurant, a food store and a newspaper distributor, all B1 uses; that the subject store unit was previously occupied by a variety store selling school supplies, pop, candy, etc, a B1 use which was approved by the Board on February 16, 1990 in Cal. No. 55-90-A; that the appellant seeks to re-establish the variety store use at the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a variety store selling school supplies, pop, candy, etc, in a 1-story brick store building, on premises at 614 E. 50th Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., Mondays through Saturdays and 9 A.M. and 6 P.M., Sundays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Ernest Smith  
 APPEARANCES FOR: Ernest Smith  
 APPEARANCES AGAINST:

CAL. NO. 192-94-A  
 MAP NO. 1-L  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 216 N. Pine Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Ernest Smith, owner, on April 29, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 8 dwelling units, in an R4 General Residence District, on premises at 216 N. Pine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1994, 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, §7.5-4, §7.12-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994; and

WHEREAS, the district maps show that the premises is located in an R4 General Residence 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: that the said use is located in an R4 General Residence District; that the subject site is improved with a 2-story brick with basement apartment building; that the appellant has owned the subject property since approximately 1970; that the purchase contract indicated the building contained seven dwelling units; that the appellant testified that he was informed that the 8th dwelling unit was a "bonus"; that no evidence was presented to indicate that an 8th dwelling unit existed in the subject building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that under Sections 7.5-4 and 7.12-2(9) the Board has no authority to certify the use of the subject 2-story building as 8 dwelling units; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: George Kunowski  
 APPEARANCES FOR: George Kunowski  
 APPEARANCES AGAINST:

CAL. NO. 193-94-Z  
 MAP NO. 7-H  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 3019 N. Oakley Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, George Kunowski, owner, on May 16, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1-story frame building as 3 dwelling units, in an M1-2 Restricted Manufacturing District, on premises at 3019 N. Oakley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 1 1994, 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, §10.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994; and

WHEREAS, the district maps show that the premises is located in an M1-2 Restricted Manufacturing 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: that the said use is located in an M1-2 Restricted Manufacturing District; that the subject site is improved with a 2½-story frame residential building with a garden level dwelling unit under vaulted sidewalk; that the subject site has been zoned Manufacturing since the adoption of the 1923 zoning ordinance; that Board of Election Commission records indicate that three families resided at the subject site in 1952, 1954, 1955 and 1956; that such records would indicate that three dwelling units existed at the site prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue occupancy of the non-conforming residential building at the subject site as 3 dwelling units provided that the building is brought into conformance with all applicable building code ordinances; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2½-story frame building as 3 dwelling units, on premises at 3019 N. Oakley Avenue upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Uttam S. Pattel  
 APPEARANCES FOR: Uttam S. Pattel  
 APPEARANCES AGAINST:

CAL. NO. 194-94-A  
 MAP NO. 13-H  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 4954 N. Oakley Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Uttam S. Pattel, owner, on May 24, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building as two dwelling units, in an R3 General Residence District, on premises at 4954 N. Oakley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 24, 1994, 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, §7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence 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: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story frame residential building; that Board of Elections records presented as evidence indicates two dwelling units existing in the building in March, 1954 prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the use of the subject building as two dwelling units provided that the building complies with all applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2-story frame building as two dwelling units, on premises at 4954 N. Oakley Avenue, upon condition that the building shall be brought in compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Glenn W. Swanson, Chesterfield Awning Company, Inc.

CAL. NO. 195-94-A

APPEARANCES FOR: Glenn W. Swanson

MAP NO. 28-D

APPEARANCES AGAINST:

MINUTES OF MEETING  
July 15, 1994

PREMISES AFFECTED— 11332 S. Doty Avenue

SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Glenn W. Swanson, Chesterfield Awning Company, Inc, for Kragness Animal Hospital, owner, on May 6, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a business identification sign on a canopy attached to the front of an animal hospital building due to the sign exceeding the gross area allowed because of its distance to a major route (Calumet Expressway), in a C3-5 Commercial-Manufacturing District, on premises at 11332 S. Doty Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 29, 1994, 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, §9.9(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994; and

WHEREAS, the district maps show that the premises is located in a C3-5 Commercial-Manufacturing 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: that the said use is located in a C3-5 Commercial-Manufacturing District; that the appellant has installed a canopy attached to the front of an animal hospital building at the subject site which contains the lettering "KRAGNESS ANIMAL HOSPITAL" on the vertical facing of the canopy; that the lettering constitutes a business identification sign and faces the Calumet Expressway and is visible therefrom, therefore the maximum square footage of the sign is dictated by the distance of the sign measured perpendicularly from, in this case, the center line of the closest southbound lane of said expressway; that the appellant testified that he believed the distance to be about 170 feet; that subsequent to the hearing, he provided the Board with a survey of the subject site and information that the canopy sign lettering was 20 inches high and 39 feet wide from outside letter to outside letter, totalling 65 square feet, and that the distance from the subject building to the intervening Doty Avenue was about 70 feet and probably about 140-150 feet to the center of the southbound lane of the Calumet Expressway; and

WHEREAS, the Board finds that the "gross area" of a sign shall be the entire area

MINUTES OF MEETING

July 15, 1994

Cal. No. 195-94-A

within a single continuous perimeter enclosing the extreme limits of such sign but that such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display; that the entire perimeter of the subject canopy identification sign is 20 inches high by 39 feet wide for a gross area of 65 square feet; that the survey of the subject property indicates that said canopy sign would be at least 125 feet distant from the center line of the closest southbound lane of the Calumet Expressway; that the applicable formula for determining the subject sign's maximum gross area in square feet permitted in this case, pursuant to Section 9.9(6) of the zoning ordinance, is  $1/200$  times the square of the distance of the subject sign from the center line of the closest southbound lane of said expressway, which results in a maximum total of 78 square feet of signage; that the subject business identification sign has a gross area of 65 square feet; that no violation of the zoning ordinance exists and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the 20 inches high by 39 feet wide "KRAGNESS ANIMAL HOSPITAL" business identification sign existing on a canopy attached to the front of a building with its proximity to the Calumet Expressway, on premises at 11332 S. Doty Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Chicago Board of Education

CAL. NO. 196-94-S

APPEARANCES FOR:

MAP NO. 12-H

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 4801-13 S. Marshfield Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
September 16, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		



ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jay Schatz

CAL. NO. 197-94-S

APPEARANCES FOR:

MAP NO. 1-E

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 247 E. Ontario Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
September 16, 1994.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Apna Ghar, Inc.  
 APPEARANCES FOR: Chandramathi Hamumadass, et al.  
 APPEARANCES AGAINST: Michael Pavilon, et al.

CAL. NO. 198-94-S  
 MAP NO. 13-G  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 4840 N. Sheridan Road  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Apna Ghar, Inc., for Dalisay Villalon, owner, on May 10, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional shelter for up to 12 battered women in a 3-story brick apartment building, in a B4-4 Restricted Service District, on premises at 4840 N. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 2, 1994, 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, §8.4-1(15)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-4 Restricted Service 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: that the proposed use is to be located in a B4-4 Restricted Service District; that the subject site is improved with a 3-story brick apartment building; that the applicant is an organization providing shelter, counselling, advocacy and referral services to abused Asian women and their children since October, 1990; that the applicant proposes to relocate its current shelter operations to the subject site property; that the applicant proposes to establish a 12-bed transitional shelter at the site and will also provide counselling, group and individual therapy, support groups, educational classes, and parenting classes; that the clients are screened for drug abuse and troublesome behavior before they are admitted to the facility; that no one with a past history of substance abuse is admitted unless it can be proven that they have been substance free for the past 6 months; that trained staff and volunteers will be on duty at the site 24 hours daily; that residents must adhere to a 9:30 P.M. curfew in addition to other rules; that no outside visitors are permitted at the site in order to ensure the anonymity of the shelter's location; that the shelter receives its funding from government, corporation and charitable sources; that the proposed use is necessary for the

## MINUTES OF MEETING

July 15, 1994

Cal. No. 198-94-S

public convenience at this location to provide a necessary service for the Uptown Asian community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use under the conditions hereinafter set forth and that the facility will meet all applicable provisions of municipal and state ordinances governing the establishment of transitional shelters; that the proposed use fulfills a need in the community and that with adherence to organization rules providing for anonymity, the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a transitional shelter for up to 12 battered women in a 3-story brick apartment building, on premises at 4840 N. Sheridan Road, upon condition that the building shall be brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; that all clients shall be screened for substance abuse and troublesome behavior before they are admitted to the facility; that no one with a past history of substance abuse shall be admitted to the facility unless it can be proven that they have been substance free for the past 6 months; that trained staff and volunteers shall be on duty at the premises 24 hours daily; that all residents shall adhere to the shelter's rules and regulations, including a 9:30 P.M. curfew; that no outside visitors shall be permitted at the site in order to ensure the anonymity of the shelter's location; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional shelter activity to another group or association, the special use granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a transitional shelter for battered women and their children or any increase in beds, as stated by the applicant and delineated herein, shall cause the special use granted hereby to immediately become null and void.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jamal Place, Inc.

CAL. NO. 199-94-S

APPEARANCES FOR: Ann G. Deuel

MAP NO. 4-I

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 1335 S. California Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Jamal Place, Inc., for LaSalle National Trust, Tr. #116864, owner, on June 3, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 10-bed group community home for boys (ages 11-14) in a 3-story brick building, in an R5 General Residence District, on premises at 1335 S. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 27, 1994, 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, §7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on June 27, 1994; and

WHEREAS, the district maps show that the premises is located in an R5 General Residence 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: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 3-story brick apartment building; that the applicant is a not-for-profit agency which seeks to provide a safe therapeutic residential environment for 10 male children ages 11 to 14; that the applicant proposes to provide housing and clinical services addressing the physical, social, academic, recreational and spiritual needs of children removed from their homes due to abandonment and/or abusive and neglectful situations; that 24-hour daily supervision will be provided by professional staff personnel at a ratio of one for every three children; that the proposed use is necessary for the public convenience at this location to provide a necessary service in the city's South Lawndale community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use under the conditions hereinafter set forth and that the facility will meet all applicable provisions of municipal and state ordinances governing the establishment of group community homes; that the proposed use is consistent with the prior use of the subject premises as residential building and that the establishment of a group community home at the subject site will not cause substantial injury to the value of other property in the neighborhood, it is therefore

MINUTES OF MEETING  
July 15, 1994  
Cal. No. 199-94-S

RESOLVED, that the application for a special use be and it hereby is approved and Zoning Administrator is authorized to permit the establishment of a 10-bed group community home for boys (ages 11-14) in a 3-story brick building, on premises at 1335 S. California Avenue, upon condition that no use shall be made of the premises for the purpose requested until the building complies with with all applicable building code regulations with plans and permits obtained indicating such compliance; that 24-hour daily supervision shall be provided by professional staff personnel; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the said group community home for boys to another group or association, the special use granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a group community home for boys 11 to 14 or any increase in beds, as stated by the applicant and delineated herein, shall cause the special use granted hereby to immediately become null and void.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: R.I. Busse, Inc.

CAL. NO. 38-94-S

APPEARANCES FOR:

MAP NO. 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING  
July 15, 1994

PREMISES AFFECTED— 4550 W. 26th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn, without prejudice, upon motion of applicant.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Nationwide Church

CAL. NO. 51-94-S

APPEARANCES FOR: None

MAP NO. 20-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 7919 S. Ashland Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Nationwide Church

CAL. NO. 52-94-S

APPEARANCES FOR: None

MAP NO. 20-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
July 15, 1994

PREMISES AFFECTED— 7930 S. Ashland Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case dismissed for  
want of prosecution.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		



ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Nationwide Church

CAL. NO. 53-94-S

APPEARANCES FOR: None

MAP NO. 20-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 1547 W. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case dismissed for want of prosecution.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Albert H. Miller  
 APPEARANCES FOR: Albert H. Miller  
 APPEARANCES AGAINST:

CAL. NO. 66-94-A  
 MAP NO. 8-F  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 3830-48 S. Emerald Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Albert H. Miller, owner, on January 21, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of the premises for new and used fleet truck sales, in an M1-2 Restricted Manufacturing District, on premises at 3830-48 S. Emerald Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 10, 1994, 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, §10.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994; and

WHEREAS, the district maps now indicate that the premises are located in an R3 General Residence 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: that on May 21, 1993 the appellant filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing business consisting of wholesale and retail sale of new and used trucks and parts in a 1-story brick building at 3843 S. Halsted Street and accessory outdoor storage and disassembly of used trucks at 3848 S. Emerald Avenue, in Cal. No. 180-93-A; that said appeal was sustained in part, permitting the existing wholesale and retail sales of new and used trucks and parts in the 1-story building at 3848 S. Halsted Street, upon condition that all business activity was conducted within the subject property lines; that the said appeal was denied regarding the outdoor storage and disassembly of trucks at 3848 S. Emerald Avenue, finding that no evidence was presented at that time indicating that the storage yard at 3848 S. Emerald Avenue had been continuously operated as a legal non-conforming junk yard prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that on July 13, 1994, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R3 General Residence; that the said use is not permitted under the R3 General Residence District zoning; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Won Buddhism of American Inc.  
 APPEARANCES FOR: K.Y. Shim  
 APPEARANCES AGAINST:

CAL. NO. 101-94-S  
 MAP NO. 15-L  
 MINUTES OF MEETING  
 July 15, 1994

PREMISES AFFECTED— 6300 N. Cicero Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Won Buddhism of American Inc., owner, on March 4, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a 2-story brick building, in a B4-1 Restricted Service District, on premises at 6330 N. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1994, 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, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-1 Restricted Service 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: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a 2-story brick commercial building; that the applicant was previously located in premises at the intersection of W. Peterson and N. California Avenues and has been at the subject site since March of 1994; that the subject site is located in a Cicero Avenue business strip; that no evidence was presented to indicate that the establishment of a church at the subject site would not cause substantial injury to the value of other property in the area; and that the proposed use constitutes an intrusion of an institutional use within an established business and retail district and that the proposed use is not in the public interest at the subject site in that the economic viability and future development of permitted uses in the B4-1 Restricted Service District would be restricted; it is therefore

RESOLVED, that the application for a special use be and it hereby is denied.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Marlboro, Inc.

CAL. NO. 374-93-S

APPEARANCES FOR: None

MAP NO. 18-I

APPEARANCES AGAINST:

MINUTES OF MEETING  
July 15, 1994

PREMISES AFFECTED—

Area bounded by the C. & W.I. Railroad, vacated S. Sacramento Avd., a line 174' north of W. 77th St., S. Albany Ave., W. 76th St., and vacated S. Troy St., known as 7601 S. Albany Ave.

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application dismissed for want of prosecution.

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Harris Bank Barrington, N.A. - Tr. #11-4343/Plote, Inc.

CAL. NO. 140-94-S

APPEARANCES FOR:

MAP NO. 13-S

APPEARANCES AGAINST:

MINUTES OF MEETING

July 15, 1994

PREMISES AFFECTED— 11601 W. Touhy Avenue/11600 W. Higgins Road

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
October 21, 1994.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

MINUTES OF MEETING

July 15, 1994

Cal. No. 24-94-Z

Mr. Carl Radtke for Christian Fellowship Free Church, owner, presented a written request for an extension of time in which to submit construction drawings and specifications for the erection of a 2-story with basement addition to a 1-story with basement church building whose front yard will be 0.01' instead of 20', whose south side yard will be 5.0 feet instead of 12 feet required and to allow an increase in the floor area ratio to .85 instead of the .7 floor area ratio permitted, on premises at 3421 N. Damen Avenue, granted by the Board on February 18, 1994 in Calendar No. 24-94-Z.

Mr. Radtke stated that construction drawings and specifications are promised to be ready for submittal for a building permit on July 31, 1994 and is requesting additional time in the event that changes on the submitted drawings may be necessary.

Chairman Spingola then moved that the request be granted and the time extended to February 18, 1995 in which to submit drawings and specifications and obtain the necessary building permit. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, McCabe-Miele and Moore. Nays- None. Absent- Martin

MINUTES OF MEETING

July 15, 1994

Cal. No. 138-93-S

Dr. Alvin Lewis, for Vernon Park Church of God, owner, presented a written request for a continuance of time in which to meet the required specifications of the City as indicated in the resolution granted by the Board on April 16, 1993 for the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 8953-61 S. Stony Island Avenue, to serve a church at 9011 S. Stony Island Avenue, in Calendar No. 138-93-S.

Dr. Lewis stated that as of June 27, 1994 the church has not met with the required specifications of the City in improving the aforesaid off-site accessory parking lot and are requesting an extension of time in which to do so.

Chairman Spingola then moved that the request be granted and the time extended to April 16, 1995 in which to comply with the conditions and standards set forth in the resolution granted by the Board on April 16, 1993. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, McCabe-Miele and Moore. Nays- None. Absent- Martin

MINUTES OF MEETING

July 15, 1994

Member Fornelli moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on August 19, 1994.

*Marian Rest*  
Secretary



**August**