

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

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held in Room 569 County Building, on Friday, October 21, 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  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

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Member Fornelli moved that the Board approve the minutes of the proceedings of the regular meeting held on September 16, 1994 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

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: NHS Redevelopment Corp.

CAL. NO. 247-94-Z

APPEARANCES FOR: Sharon Eiseman

MAP NO. 3-J

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED-- 3300-02 W. LeMoyne 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, NHS Redevelopment Corp., owner, on August 4, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the division of a 50' x 124' improved zoning lot resulting in the subject lot having dimensions of 50.39x64.05' with an existing 2-story brick vacant four unit apartment building which will be rehabbed as two townhouse dwelling units having a west side yard of 3.84' and a north rear yard of 2.4' instead of 5' and 30' respectively and with no provision for two off-street parking spaces, on premises at 3300-02 W. LeMoyne Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, §7.8-5, §7.9-5, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 on October 6, 1994 the Zoning Committee of the City Council held a public hearing on the rezoning of the subject site from R4 to R5 General Residence District; that the subject site is a 50' x 124' zoning lot improved with a 2-story 4-dwelling unit apartment building in addition to a 6 dwelling unit building on the north portion of the lot; that the applicant proposes to subdivide the existing zoning lot into two separate zoning lots and to convert the existing 4-dwelling unit building into two townhouse dwelling units; 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 side yard and rear yard variations are necessary to rehabilitate the existing 2-story 4-dwelling unit building into two townhouse dwelling units with adequate living space; that the existing building was constructed prior to the necessity of providing required off-street parking spaces; that the plight of the owner is due to unique circumstances in that the existing 2-story 4-dwelling unit building could not be rehabbed as two townhouse dwelling

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Cal. No. 247-94-Z

units without the subdivision of the existing zoning lot and the yard variations requested and that the configuration of the building on the property does not leave adequate space for two off-street parking spaces; that the rehabilitation of the existing severely deteriorated building to two modern townhouse dwelling units will be an improvement in the area and that the variations, if granted, will not alter the essential residential 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 division of a 50' x 124' improved zoning lot resulting in the subject lot having dimensions of 50.39'x64.05' with an existing 2-story brick vacant four unit apartment building which will be rehabbed as two townhouse dwelling units having a west side yard of 3.84' and a north rear yard of 2.4' instead of 5' and 30' respectively and with no provision for two off-street parking spaces, on premises at 3300-02 W. LeMoyne Street, upon condition 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 the variations requested is conditioned upon the applicant securing the rezoning of the property by the City Council from R4 General Residence to R5 General Residence.

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

APPLICANT: NHS Redevelopment Corp.  
 APPEARANCES FOR: Sharon Eiseman  
 APPEARANCES AGAINST:

CAL. NO. 248-94-Z  
 MAP NO. 3-J  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 1508-10 N. Spaulding 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, NHS Redevelopment Corp. owner, on August 4, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the division of a 50' x 124' improved zoning lot resulting in the subject lot having dimensions of 50.39' x 60.25' with an existing 3-story brick six-dwelling unit building having no east front yard and a west rear yard of 3' instead of 6' and 30' respectively and with no provision for six off-street parking spaces, on premises at 1508-10 N. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, §7.9-5, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 on October 6, 1994 the Zoning Committee of the City Council held a public hearing on the rezoning of the subject site from R4 to R5 General Residence District; that the subject site is a 50' x 124' improved zoning lot occupied by an existing 3-story brick six dwelling unit building located on the north portion of the site and an existing 2-story 4-dwelling unit building located on the south portion of the lot; that on October 21, 1994, the Board approved in companion application No. 247-94-Z the division of the subject 50' x 124' zoning lot resulting in a 50.39' x 64.05' lot containing an existing 2-story brick 4-dwelling unit apartment building to be rehabbed as two townhouse dwelling units; that the northern portion of the subdivided lot measures 50.39' x 60.25' and will contain the existing 3-story brick 6-dwelling unit apartment building; 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 yard variations requested are necessary to

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rehabilitate the existing 3-story 6-dwelling unit building; that the existing building was constructed prior to the necessity of providing required off-street parking spaces; that the plight of the owner is due to unique circumstances in that the existing 3-story 6 dwelling unit building could not be rehabbed into habitable dwelling units without the subdivision of the existing zoning lot and the yard variations requested and that the configuration of the building on the property does not leave adequate space for six off-street parking spaces; that the rehabilitation of the exiting deteriorated building into modern livable dwelling units will be an improvement 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 division of a 50' x 124' improved zoning lot resulting in the subject lot having dimensions of 50.39' x 60.25' with an existing 3-story brick six-dwelling unit building having no east front yard and a west rear yard of 3' instead of 6' and 30' respectively and with no provision for six off-street parking spaces, on premises at 1508-10 N. Spaulding Avenue, upon condition 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 the variations requested is conditioned upon the applicant securing the rezoning of the property by the City Council from R4 General Residence to R5 General Residence.

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

APPLICANT: Richard Jezyk  
 APPEARANCES FOR: Richard Jezyk  
 APPEARANCES AGAINST:

CAL. NO. 249-94-Z  
 MAP NO. 13-M  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 5842 W. Lawrence 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Richard Jezyk, owner, on August 12, 1994, filed an application for a variation of the zoning ordinance to permit, in a B2-1 Restricted Retail District, the erection of a 1-story 2,860 sq. ft. retail addition having a depth of 131.75' and ranging in width from 25' down to 20' to the east side of a 3-story brick retail and 7-dwelling unit building, with no provision for a 20' wide x 15' deep transitional front yard required due to the adjacent R4 General Residence zoning, on premises at 5842 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, §8.8-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B2-1 Restricted Retail 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 B2-1 Restricted Retail District; that the subject site is a 120' x 131.75' lot improved with a 3-story brick retail and 7 dwelling unit building presently being remodeled, and also improved with the proposed 1-story 2,860 sq. ft. retail addition to the east side of the existing building; that the variation requested is necessary in order to align the proposed 1-story addition with the existing building at its front property line; that the plight of the owner is due to the subject site abutting an R4 General Residence zoning district which, under the zoning ordinance, requires a 20' wide by 15' deep transitional front yard; that the proposed addition will follow existing building lines and that the variation, 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

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zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 2,860 sq. ft. retail addition having a depth of 131.74' and ranging in width from 25' down to 20' to the east side of a 3-story brick retail and 7-dwelling unit building, with no provision for a 20' wide by 15' deep transitional front yard required due to the adjacent R4 General Residence zoning, on premises at 5842 W. Lawrence 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: Eliezer and Shira Hildeshaim  
 APPEARANCES FOR: Eliezer Hildeshaim  
 APPEARANCES AGAINST:

CAL. NO. 250-94-Z  
 MAP NO. 17-1  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 6639 N. Francisco 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
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Eliezer and Shira Hildeshaim, owners, on September 1, 1994, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 13.67' x 20.11' addition above the rear 1-story part of a 1 and 2-story brick single-family dwelling, whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6639 N. Francisco Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §7.6-2."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in an R2 Single-Family 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 R2 Single-Family Residence District; that the subject site is a 33' x 124.335' lot improved with a 2-story brick Georgian-style single-family dwelling with a rear 1-story addition; that the applicants propose to erect a 2nd story 13.67' x 20.11; addition above the rear 1-story part of the existing residential building; that the proposed addition is necessary to meet the living space requirements of the applicants and their family; that the plight of the owner is due to the necessity of providing additional bedroom space in the existing single-family dwelling; that the proposed 2nd story addition will follow building lines of the existing 1-story rear addition; and that the variation, 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 2nd story 13.67' x 20.11' addition above the rear 1-story part of a 1 and 2-story brick single-family dwelling, whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6639 N. Francisco Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. PAGE 9 OF MINUTES

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

APPLICANT: David Rubin and Marilyn Rubin-Terrado  
 APPEARANCES FOR: Marilyn Rubin-Terrado  
 APPEARANCES AGAINST:

CAL. NO. 251-94-Z  
 MAP NO. 19-I  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 3023 W. Fargo 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, David Rubin and Marilyn Rubin-Terrado, owners, on September 7, 1994, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 390 sq. ft. addition to the rear of a 2-story brick single-family dwelling, whose total floor area ratio will be approximately 0.60 instead of 0.50, on premises at 3023 W. Fargo Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 7, 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, §7.6-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in an R2 Single-Family 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 R2 Single-Family Residence District; that the subject site is a 30' x 124.43' lot improved with a 2-story brick Georgian-style single-family dwelling; that the applicants propose to erect a 1-story 390 sq. ft. addition to the rear of the existing building; that the proposed addition is necessary to meet living space requirements of the applicants and their family; that the plight of the owner is due to the necessity of providing family room space in the existing single-family dwelling; that the proposed addition will follow existing building lines and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, the 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 1-story 390 sq. ft. addition to the rear of a 2-story brick single-family dwelling whose total floor area ratio will be approximately 0.60 instead of 0.50, on premises at 3023 W. Fargo 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: Mark Wilson  
 APPEARANCES FOR: Mark Wilson  
 APPEARANCES AGAINST:

CAL. NO. 252-94-Z  
 MAP NO. 9-H  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 1907 W. Melrose 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Mark Wilson, owner, on September 9, 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 frame two dwelling unit building, whose front yard will be 19.58' instead of 20', whose west side yard will be 0.58' instead of 2.5', and which dormering will result in a 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, on premises at 1907 W. Melrose Street; and

) WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, :7.6-3, §7.7-3, §7.8-3(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 25' x 125' lot improved with a 2-story frame 2-dwelling unit building; that the applicant proposes to dormer the attic of the existing residential building which will result in a 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 in the duplexing of the applicant's second floor dwelling unit; that the plight of the owner is due to the limited floor area in the existing 2nd floor dwelling unit and the necessity of providing additional bedroom space to the meet the needs of the owner; that the proposed attic dormer will be compatible with existing residential improvements in the area and will not alter the essential character of the locality; it is therefore

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October 21, 1994

Cal. No. 252-94-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 dormering of the attic of a 2-story frame two-dwelling unit building, whose front yard will be 19.58' instead of 20', whose west side yard will be 0.58' instead of 2.5', and which dormering will result in a 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, on premises at 1907 W. Melrose Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before permit is issued.

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

APPLICANT: God's True Way Ministries  
 APPEARANCES FOR: Angelo Whittier, Belinda Whittier  
 APPEARANCES AGAINST: Hon. Tom Murphy, Helen M. Lange, et al.

CAL. NO. 253-94-S  
 MAP NO. 20-I  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 2639 W. 79th Street  
 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, God's True Way Ministries, for Park Management, owner, on September 8, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 33-seat church on the ground floor of a 2-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 2639 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B2-1 Restricted Retail 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 B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building; that evidence presented indicated that the building on the subject site is located within 100 feet of an existing licensed grocery and liquor store, which is a permitted use under the B2-1 zoning; that the Board takes judicial notice of statutes in effect under which the rights of permitted businesses in the area could be jeopardized by the establishment of a church at this subject site location; that no evidence was presented to indicate that the establishment of a church at this location would not cause substantial injury to the value of other property in the neighborhood; that the proposed use is not in the public interest in that the economic viability and future development of permitted uses in the 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: Walgreen Drug Store

CAL. NO. 254-94-S

APPEARANCES FOR: Thomas P. Hayden

MAP NO. 24-C

APPEARANCES AGAINST:

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October 21, 1994

PREMISES AFFECTED— 9511 S. Jeffery 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, Walgreen Drug Store, for Chung Sup Nam and Mary Nam, owners, on August 17, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pharmacy drive-through window in conjunction with an existing drug store, in a B4-1 Restricted Service District, on premises at 9511 S. Jeffery Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, §8.3-4A(6), §8.3-4B(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 located in a B4-1 Restricted Service District; that the subject site is an approximately 94,000 sq. ft. lot located on the southeast corner of S. Jeffery Avenue and 95th Street and is improved with a 1-story brick commercial building occupied by a Walgreen Drug Store; that the applicant proposes to establish a pharmacy drive-through window in conjunction with the existing drug store operation; that the proposed use is necessary for the public convenience at this location to provide a convenient service to pharmacy customers, particularly the elderly and handicapped; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed pharmacy drive-through window which will be part of a major renovation of the existing drug store and which will comply with all applicable building code regulations; that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is there-  
fore

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Cal. No. 254-94-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 pharmacy drive-through window in conjunction with an existing drug store, on premises at 9511 S. Jeffery Avenue, upon condition that ingress to and egress from the drive-through window shall be determined by the Bureau of Transportation; that appropriate lighted directional signs shall be provided at the established entrance and exit; that landscaping shall be provided in accordance with the applicable provisions of the Chicago Landscape Ordinance; 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: One Way Apostolic Church of God, Inc.  
 APPEARANCES FOR: Lawrence E. Kennon  
 APPEARANCES AGAINST:

CAL. NO. 255-94-S  
 MAP NO. 1-K  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 4639 W. Washington Boulevard  
 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, One Way Apostolic Church of God, Inc., owner, on August 16, 1994, filed, and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the legalization of an existing 175-seat church in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 4639 W. Washington Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §8.4-1(1), §8.11-1(4)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-2 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 said use is located in a B4-2 Restricted Service District; that the subject site is a 100' x 175' lot improved with a 1-story brick building occupied by the applicant church; that the applicant church has been located at the subject site for the past 22 years; that the said use is necessary for the public convenience at this location to continue to serve the needs of its congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will provide adequate on-site parking spaces; that the said church is compatible with existing 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 legalization of an existing 175-seat church in a 1-story brick building, on premises at 4639 W. Washington Boulevard, upon condition that the parking area abutting the church to the east shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some other



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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 a 2 feet high steel guard rail shall be provided on the south and east property lines; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be via W. Washington Boulevard; that the alley abutting the site shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; 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 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.

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

APPLICANT: Santino Lettieri  
 APPEARANCES FOR: Santino Lettieri  
 APPEARANCES AGAINST:

CAL. NO. 256-94-S  
 MAP NO. 2-M  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 5801 W. Madison 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, Santino Lettieri, for Santino Lettieri, Lorenzo Vallone, Adrian Falbo and Salvatore Falbo, owners, on August 25, 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 B4-2 Restricted Service District, on premises at 5801 W. Madison Street, to serve a supermarket located at 5817 W. Madison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 12, 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, §8.11."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-2 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 B4-2 Restricted Service District; that the subject site is a 100' x 150 lot improved with a 1-story brick commercial building located in the north east corner of the lot; that the proposed use is necessary for the public convenience at this location to provide accessory off-street parking for customers of Mario's Butcher Shop and Food Market located at 5817 W. Madison Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site parking lot to be improved and operated under the conditions herein after set forth; that the proposed parking lot will be 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 an off-site accessory

**MINUTES OF MEETING**

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parking lot for the parking of private passenger automobiles, on premises at 5801 W. Madison Street, to serve a supermarket located at 5817 W. Madison Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot 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 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 the lot shall be enclosed, except for the driveways, by 6 feet high chain link fencing; that striping and lighting shall be provided; that ingress to the parking lot shall be from S. Madison Street; that egress from the facility shall be onto S. Menard Street; that the alley abutting the site to the south shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances; 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: Bailiwick Repertory Theater  
 APPEARANCES FOR: Joseph P. Gattuso  
 APPEARANCES AGAINST:

CAL. NO. 257-94-S  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 1232 W. Belmont Avenue & 1231 W. Melrose Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

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		

THE RESOLUTION:

WHEREAS, Bailiwick Repertory Theater, for Spiros Stamelos, owner, on August 19, 1994, filed, and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the establishment of off-site accessory parking in an existing leased parking lot, in an M1-2 Restricted Manufacturing District, on premises at 1232 W. Belmont Avenue and 1231 W. Melrose Street, to serve a theatrical community center located at 1229 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 16, 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, §10.4-1(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 proposed use is to be located in an M1-2 Restricted Manufacturing District; that the applicant proposes to lease 25 off-street accessory parking spaces in an existing parking lot owned by Spiros Stamelos for a term of 10 years commencing on September 1, 1994 to August 31, 2004, which term coincide with the lease of the theater property, also owned by Spiros Stamelos; that the proposed use is necessary for the public convenience at this location to serve the Bailiwick Repertory Theater community center located across W. Belmont Avenue at 1229 W. Belmont Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed leasing of 25 off-site accessory parking spaces by the applicant will help alleviate parking congestion in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

**MINUTES OF MEETING**

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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 off-site accessory parking for 25 automobiles in an existing leased parking lot, on premises at 1232 W. Belmont Avenue and 1231 W. Melrose Street, to serve a theatrical community center located at 1229 W. Belmont Avenue, upon condition that the existing paving, lighting, striping and fencing shall be maintained at all times; that the existing rolling security gate shall be maintained at the W. Melrose Street driveway; that ingress and egress shall be via W. Belmont Avenue; that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Urbanscape, Inc.  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 258-94-S  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 2001 W. Wabansia 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Urbanscape, Inc., owner, on September 9, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in a proposed 4-story building containing one retail store and nine dwelling units, in a B4-3 Restricted Service District, on premises at 2001 W. Wabansia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §8.3-4A(1), §8.7-4."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that on August 3, 1994 the City Council rezoned the subject site from M1-2 Restricted Manufacturing to B4-3 Restricted Service specifically for the proposed development; that the subject site is an 8,000 sq. ft. unimproved lot; that the applicant proposes to establish dwelling units on the ground floor in a proposed 4-story building containing one retail store and nine dwelling units; that the proposed use is necessary for the public convenience at this location in that there is a growing demand for residential dwelling units in this area which is undergoing gentrification and rehabilitation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which provides adequate on-site parking garages; and that the proposed use is compatible with the mixed business and residential 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

**MINUTES OF MEETING**

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Cal. No. 258-94-S

Zoning Administrator is authorized to permit the establishment of dwelling units on the ground floor in a proposed 4-story building containing one retail store and nine dwelling units, on premises at 2001 W. Wabansia 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: Urbanscape, Inc.

CAL. NO. 259-94-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 2001 W. Wabansia 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Urbanscape, Inc., owner, on September 9, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 4-story store and 9-dwelling unit building whose front yard will be 10 feet instead of 12 feet and whose rear yard will be 28 feet instead of 30 feet, on premises at 2001 W. Wabansia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §8.3-4A(1), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that on August 3, 1994 the City Council rezoned the subject site from M1-2 Restricted Manufacturing to B4-3 Restricted Service specifically for the proposed development; that on October 21, 1994 the Board approved the establishment of dwelling units on the ground floor in the aforesaid proposed 4-story building containing one retail store and nine dwelling units to be located at the subject site, in Calendar No. 258-94-S; 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 front and rear yard variations requested are necessary to provide dwelling units with adequate living space; that the plight of the owner is due to the shallow depth of this 80' x 100' lot; that the proposed residential development will be compatible with existing residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore



MINUTES OF MEETING

October 21, 1994

Cal. No. 259-94-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 4-story store and 9-dwelling unit building whose front yard will be 10 feet instead of 12 feet and whose rear yard will be 28 feet instead of 30 feet, on premises at 2001 W. Wabansia, upon condition that adequate space shall be provided on site along the parking 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: Urbanscape, Inc.

CAL. NO. 260-94-S

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 2011 W. Wabansia 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, Urbanscape, Inc., owner, on September 9, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit on the ground floor in a proposed 4-story 3-dwelling unit building, in a B4-3 Restricted Service District, on premises at 2011 W. Wabansia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §8.3-4A(1), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that on August 3, 1994, the City Council rezoned the subject site from M1-2 Restricted Manufacturing District to B4-3 Restricted Service District specifically for the proposed residential development; that the subject site is a 2,400 sq. ft. unimproved lot; that the applicant proposes to establish a dwelling unit on the ground floor in a proposed 4-story 3-dwelling unit building; that the proposed use is necessary for the public convenience at this location in that there is a growing demand for residential units in this area which is undergoing gentrification and rehabilitation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide adequate garage parking for the dwelling units; that the proposed use is compatible with existing mixed business and residential 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

**MINUTES OF MEETING**

October 21, 1994

Cal. No. 260-94-S

Zoning Administrator is authorized to permit the establishment of a dwelling unit on the ground floor in a proposed 4-story 3-dwelling unit building, on premises at 2011 W. Wabansia 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: Urbanscape, Inc.

CAL. NO. 261-94-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 2011 W. Wabansia 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Urbanscape, Inc., owner, on September 9, 1994, filed a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 4-story 3-dwelling unit building whose front yard will be 10 feet instead of 12 feet and whose rear yard will be 28 feet instead of 30 feet, on premises at 2011 W. Wabansia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §8.3-4A(1), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that on August 3, 1994, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to B4-3 Restricted Service specifically for the proposed residential development; that on October 21, 1994, the Zoning Board of Appeals approved the establishment of a dwelling unit on the ground floor in the aforesaid proposed 4-story 3-dwelling unit building to be erected at the subject site, in Calendar No. 260-94-S; 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 front yard and rear yard variations requested are necessary to provide dwelling units with adequate living space; that the plight of the owner is due to unique circumstances in that the subject property contains 2,400 sq. ft. and has a shallow 100 feet depth which necessitates the yard variations requested; that the proposed use is compatible with existing mixed business and residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

October 21, 1994

Cal. No. 261-94-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 4-story 3-dwelling unit building whose front yard will be 10 feet instead of 12 feet and whose rear yard will be 28 feet instead of 30 feet, on premises at 2011 W. Wabansia Avenue, upon condition that adequate space shall be provided on the subject property 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: Marilyn & Ralph Wright  
 APPEARANCES FOR: Gary I. Wigoda, Marilyn Wright  
 APPEARANCES AGAINST:

CAL. NO. 262-94-S  
 MAP NO. 1-F  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 635 N. LaSalle 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, Marilyn & Ralph Wright, for McDonalds, Inc., owner, on September 1, 1994 filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of public fee parking in conjunction with McDonald's accessory parking facility, in a B7-5 General Central Business District, on premises at 635 N. LaSalle Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §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 October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B7-5 General 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 proposed use is to be located in a B7-5 General Central Business District; that the subject site is a 21,000 sq. ft. lot improved with a McDonalds restaurant and a large voluntary accessory parking lot; that the applicant seeks to establish public fee parking for 50 automobiles in a portion of the site located at the southeast corner of LaSalle Street and Ontario Street; that parking area located along N. Clark Street will remain accessory parking for the McDonalds restaurant; that the proposed 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; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said public fee parking spaces to be operated under the conditions hereinafter set forth; that the proposed public fee parking spaces are located within an existing improved parking lot 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

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the Zoning Administrator is authorized to permit the establishment of public fee parking in conjunction with McDonald's accessory parking facility, on premises at 635 N. LaSalle Street, upon condition that the public fee parking area shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said parking area at any time; that the existing paving, striping, lighting, fencing and landscaping shall be maintained continuously by the applicant in conformance with all applicable City of Chicago ordinances; that ingress and egress shall be via driveways located on N. LaSalle Street and W. Ontario Street; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Ogden Partners  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 263-94-Z  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 1125 W. Newport 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, Ogden Partners, owner, on September 9, 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 14-dwelling unit townhouse building on an L-shape lot, whose front yard will be 2 feet instead of 15 feet, whose west side yard will be 3 feet and whose east side yard will be 2.5 feet instead of 19 feet each, and with no rear yard instead of 30 feet, on premises at 1125 W. Newport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §§7.7-5, §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 October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 on August 3, 1994 the City Council rezoned the subject site from M1-3 Restricted Manufacturing to R5 General Residence specifically for the proposed residential development; that the subject site is a L-shape 12,751 sq. ft. lot presently improved with a 1½-story and 2-story vacant commercial building; that CTA elevated tracks abutt the site to the south; that the applicant proposes to erect a 3-story L-shape 14-dwelling unit townhouse building, including on-site parking spaces, at the subject 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 in that the yard variations requested are necessary to provide adequate living space in the proposed 14-dwelling unit townhouse building; that the plight of the owner is due to the configuration of the subject property; that the proposed use will be compatible with the existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore



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October 21, 1994

Cal. No. 263-94-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 3-story 14-dwelling unit townhouse building on an L-shape lot, whose front yard will be 2 feet instead of 15 feet, whose west side yard will be 3 feet and whose east side yard will be 2.5 feet instead of 19 feet each, and with no rear yard instead of 30 feet, on premises at 1125 W. Newport Avenue, upon condition that all garbage containers shall be located in a separate garbage enclosure located at the west end of the alley by the CTA elevated tracks; 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: Ogden Partners  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 265-94-Z  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 1135 W. Newport 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
Joseph J. Spingola	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Gigi McCabe-Miele	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Ogden Partners, owner, on September 9, 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 5-dwelling unit townhouse building, whose front yard will be 2 feet and whose rear yard will be 2.5 feet instead of 10.84 feet and 30 feet respectively, on premises at 1135 W. Newport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.7-5, §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 October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 on August 3, 1994, the City Council rezoned the subject property from M1-2 Restricted Manufacturing to R5 General Residence specifically for the proposed residential development; that the subject site is a 58.75' x 90.42' lot which is part of the property formerly improved with a 1½-story and 2-story vacant commercial building; that C.T.A. elevated tracks abut the property to the south; that the applicant proposes to erect a 3-story 5-dwelling unit townhouse building with on-site parking at the subject 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 in that the yard variations requested are necessary to provide adequate living space in the proposed 5-dwelling unit townhouse building; that the plight of the owner is due to the shallow depth of the lot which necessitates encroachment into the required front and rear yard setbacks; that the proposed use will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

**MINUTES OF MEETING**

October 21, 1994

Cal. No. 265-94-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 3-story 5-dwelling unit townhouse building, whose front yard will be 2 feet and whose rear yard will be 2.5 feet instead of 10.84 feet and 30 feet respectively, on premises at 1135 W. Newport Avenue, upon condition that all garbage containers shall be located in a separate container located at the west end of the alley by the C.T.A. elevated tracks; 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: Ogden Partners  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 264-94-Z  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 1129 W. Newport 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, Ogden Partners, owner, on September 9, 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 5-dwelling unit townhouse building, whose front yard will be 2 feet and whose rear yard will be 2.5 feet instead of 10.84 feet and 30 feet respectively, on premises at 1129 W. Newport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 7-5. §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 October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 on August 3, 1994, the City Council rezoned the subject property from M1-2 Restricted Manufacturing to R5 General Residence specifically for the proposed residential development; that the subject site is a 59.75' x 90.36' lot which is part of the property formerly improved with a 1½-story and 2-story vacant commercial building; that C.T.A. elevated tracks abut the property to the south; that the applicant proposes to erect a 3-story 5 dwelling unit townhouse building with on-site parking; that the property in question cannot yield a reasonable return nor be put to reasonable return if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide adequate living space in the proposed 5-dwelling unit townhouse building; that the plight of the owner is due to the shallow depth of the lot which necessitates encroachment into the required front and rear yard setbacks; that the proposed use will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

**MINUTES OF MEETING**

October 21, 1994

Cal. No. 264-94-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 3-story 5-dwelling unit townhouse building, whose front yard will be 2 feet and whose rear yard will be 2.5 feet instead of 10.84 and 30 feet respectively, on premises at 1129 W. Newport Avenue, upon condition that all garbage containers shall be located in a separate garbage enclosure located at the west end of the alley by the C.T.A. elevated tracks; 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: Ogden Partners  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 266-94-Z  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 1139-41 W. Newport 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, Ogden Partners, owner, on September 9, 1994, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story single-family residence on a triangular lot, whose west side yard will be 3 feet and whose rear yard will be 2.5 feet instead of 3.5 feet and 30 feet respectively, on premises at 1139-41 W. Newport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 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 on August 3, 1994, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence specifically for the proposed residential improvement; that the subject site is a 3,025 sq. ft. triangular shape lot which is part of the property presently improved with a 1½-story and 2-story vacant commercial building; that the applicant proposes to erect a 3-story single family dwelling on the subject parcel of land; 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 provide adequate living space in the proposed single-family dwelling; that the plight of the owner is due to the triangular shape of the subject site lot which necessitates incroachment into the required west side yard and rear yard; that the proposed use is compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

October 21, 1994

Cal. No. 266-94-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 3-story single-family dwelling on a triangular lot, whose west side yard will be 3 feet and whose rear yard will be 2.5 feet instead of 3.5 and 30 feet respectively, on premises at 1139-41 W. Newport Avenue, upon condition that adequate space shall be provided on the property 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:** 6040 N. Winthrop Avenue Parking, Inc.  
**APPEARANCES FOR:** Camillo F. Volini  
**APPEARANCES AGAINST:** Leo Taylor, Jean E. Johnson

**CAL. NO.** 267-94-S  
**MAP NO.** 15-G  
**MINUTES OF MEETING**  
 October 21, 1994

**PREMISES AFFECTED—** 6040 N. Winthrop 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, 6040 N. Winthrop Avenue Parking, Inc., for First Colonial Trust Company, Tr. #1-5250, owner, on September 9, 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 an R6 General Residence District, on premises at 6040 N. Winthrop Avenue, to serve apartment buildings located at 6008 and 6028 N. Winthrop Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.3-6, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in an R6 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 R6 General Residence District; that the subject site is a 107.76' x 150' unimproved lot abutting C.T.A. elevated tracks to the west; that the applicant acquired the subject lot by purchase from the City of Chicago with the specific reservation in the deed that the lot be uses for no less than 10 years as a parking lot; that the applicant has no alternative choices for development for any other purpose for the next 10 years except as an off-site parking lot or risk reversion of title to the City; that the proposed use is necessary for the public convenience at this location to provide off-street parking spaces for apartment buildings located at 6008 and 6028 N. Winthrop Avenue; that that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions herein-after set forth; that the proposed use will help relieve on street parking congestion in the area and with landscaping provided will not cause substantial injury to the value of other property in the neighborhood; it is therefore



## MINUTES OF MEETING

October 21, 1994

Cal. No. 267-94-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 an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 6040 N. Winthrop Avenue to serve apartment buildings located at 6008 and 6028 N. Winthrop Avenue upon condition that no use shall be made of the subject property for the purpose requested until the following condition shall have been complied with: that the lot 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 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 the lot shall be enclosed excepting driveways with wrought iron fencing to match the wrought iron fencing of the abutting property owner at 6032 N. Winthrop Avenue; that 5 feet landscaped buffer strips with 5 feet high shrubs shall be provided on the north, east and south property lines within the aforesaid wrought iron fencing; that the landscape buffer in the Winthrop Avenue front yard shall be dimensioned as 30'-0" to align with the front yard and existing wrought iron fence and gate of the abutting property owner at 6032 N. Winthrop Avenue; that the space allocated for motorcycle parking shall be redesigned to provide their parking spaces at the alley side of the subject lot to prevent unnecessary noise and pollution; that striping shall be provided; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be from the alley abutting the site to the west providing waiver of the alley barrier is obtained from the City Council; that the driveways shall be construction in accordance with applicable ordinances; that the lot shall be secured by electronic access cards to prevent unauthorized use of the parking lot; 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: 6040 North Winthrop Parking, Inc.  
 APPEARANCES FOR: Camillo F. Volini  
 APPEARANCES AGAINST: Leo Taylor, Jean E. Johnson

CAL. NO. 268-94-Z  
 MAP NO. 15-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 6040 N. Winthrop Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

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		

THE RESOLUTION:

WHEREAS, 6040 North Winthrop Parking, Inc., for First Colonial Trust Company, Tr. #1-5250, owner, on September 9, 1994, filed an application for a variation of the zoning ordinance to permit, in an R6 General Residence District, the establishment of an off-site accessory parking lot whose front yard will be 5 feet instead of 15 feet required, on premises at 6040 N. Winthrop Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.7-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in an R6 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 R6 General Residence District; that on October 21, 1994, the Board approved the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, at the subject site, to serve apartment buildings located at 6008 and 6028 N. Winthrop Avenue, in Calendar No. 267-94-S; 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 front yard variation requested is necessary to provide maximum space for automobile parking at the subject site; that the plight of the owner is due to the necessity of providing landscape buffers on site due to the residential zoning of the subject site; that the proposed parking lot, with landscaping, will be compatible with existing residential improvements in the area and help relieve on-street parking congestion in the area; and that the variation, 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

MINUTES OF MEETING

October 21, 1994

Cal. No. 268-94-Z

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 establishment of an off-site accessory parking lot whose front yard will be 5 feet instead of 15 feet required, on premises at 6040 N. Winthrop Avenue, on condition that the 5 feet front yard setback shall be landscaped in accordance with applicable provisions of the Chicago Landscape Ordinance; 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: Robert L. Athey and David B. Salyers

CAL. NO. 269-94-Z

APPEARANCES FOR:

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 1822 N. Sheffield Avenue

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

ACTION OF BOARD—

Case continued to  
December 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: Kevin Dermody

CAL. NO. 270-94-Z

APPEARANCES FOR:

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 2000-10 W. Potomac Avenue

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

ACTION OF BOARD—

Case continued to  
December 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: Kevin Dermody

CAL. NO. 271-94-Z

APPEARANCES FOR:

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 1306-12 N. Damen Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to  
December 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: Lauter & Lauter, Inc.

CAL. NO. 272-94-A

APPEARANCES FOR: None

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 1466 N. Ashland Avenue

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

ACTION OF BOARD—

Appeal 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: David L. Travis

CAL. NO. 273-94-A

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 660 W. Lake Street

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

ACTION OF BOARD—

THE VOTE

Case continued to  
December 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: Aero Auto Parts  
 APPEARANCES FOR: Vito J. Mistretta  
 APPEARANCES AGAINST:

CAL. NO. 274-94-A  
 MAP NO. 14-F  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 6115-55 S. Wentworth 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, Aero Auto Parts, for Vito J. Mistretta, owner, on August 24, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing wrecked automobiles storage lot, in an M2-2 General Manufacturing District, on premises at 6115-55 S. Wentworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, §10.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994; and

WHEREAS, the district maps show that the premises is located in an M2-2 General 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 M2-2 General Manufacturing District; that the subject site is an approximately 18,300 sq. ft. lot containing auto parts and abandoned automobiles; that on February 19, 1988 the subject site was rezoned from C1-2 Restricted Commercial to M2-2 General Manufacturing for the sole purpose of storing wrecked automobiles until they were needed for parts; that the autos are taken from the subject site to 6339 S. Wentworth Avenue where the appellant does his retail and wholesale business in new and used auto parts and where the autos are disassembled; that no business is conducted at the subject site; that the Zoning Administrator takes the position that the use at the site is a Junk Yard use based on the definition of a junk yard in the zoning ordinance as an "open area where waste or scrap materials are bought, sold, stored, baled, packed, disassembled, or handled, including, but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A Junk Yard includes an auto wrecking yard, but does not include uses established entirely within enclosed buildings....."; that the Board finds that the subject site operation constitutes a Junk Yard as defined, thus requiring the approval of a Special Use application as required by the zoning ordinance; 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: Nino C. Capellupo & Carmela Capellupo  
 APPEARANCES FOR: Mirella Capellupo  
 APPEARANCES AGAINST:

CAL. NO. 275-94-A  
 MAP NO. 8-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 3201 S. Lituania 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, Nino C. Capellupo and Carmela Capellupo, owners, on August 24, 1994, filed an appeal from the decision of the Office of the Zoning Administrator which denied certification to change the non-conforming business space from a former tavern use to a grocery store use in a 3-story brick building containing five dwelling units, in an R3 General Residence District, on premises at 3201 S. Lituania Avenue, pursuant to section 6.5-3 of the zoning ordinance which prohibits the change of non-conforming use in a building all or substantially all of which is designed or intended for a permitted use; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, §6.4-7, §6.5-4, §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 October 21, 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 3-story building at the subject site contains a store premises formerly occupied by a tavern, 1 dwelling unit in the rear of the first floor, 2 dwelling units on the 2nd floor and 2 dwelling units on the 3rd floor; that the store premises has been vacant for a year; that the appellant seeks to change the non-conforming business space from a former tavern use to a grocery store use; that the Board finds that the subject 3-story brick building containing non-conforming store space on the 1st floor and 1 dwelling at the rear and 2 dwellings on each of the above two floors constitutes a building substantially all of which is designed or intended for a use permitted in the R3 district in which it is located; that pursuant to Section 6.5-3 of the zoning ordinance the Board has no authority to permit the change of non-conforming use in a building all or substantially all of which is designed or intended for a permitted use; 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: Carol Chalmers  
 APPEARANCES FOR: Carol Chalmers  
 APPEARANCES AGAINST: Leslie Moon, et al.

CAL. NO. 276-94-S  
 MAP NO. 14-E  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 426 E. 61st Street  
 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, Carol Chalmers, for William A. Anderson, owner, on August 18, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a 2-story brick building, in a B4-3 Restricted Service District, on premises at 426 E. 61st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 12, 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 October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that the subject site is improved with a 2-story brick store and apartment building; that no evidence was presented to indicate precisely what business activity the applicant seeks to establish at the subject site; that the applicant filed a special use application for the approval of the establishment of a tavern and delicatessen at the subject site; that testimony presented indicates that the applicant seeks to establish a jazz club with live entertainment and liquor service and delicatessen at the subject site to be operated Monday through Friday from 12 Noon to 2 A.M.; that when informed of the necessity of a Public Place of Amusement license in providing live entertainment at the site and additional Board approval of said license and live entertainment, the applicant indicated she would not have live entertainment at the premises; that the applicant also stated that the proposed jazz club/tavern business would be equal in scope to the proposed delicatessen activity; that no evidence was presented to indicate that the proposed tavern/jazz club/delicatessen use is necessary for the public convenience at the subject site nor that the public health, safety and welfare will be

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

APPLICANT: Little Mountain of Hope M.B. Church  
 APPEARANCES FOR: Rochelle Jackson  
 APPEARANCES AGAINST: John Paul Jones

CAL. NO. 277-94-S  
 MAP NO. 14-G  
 MINUTES OF MEETING  
 October 21, 1994

PREMISES AFFECTED— 1348 W. 63rd 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, Little Mountain of Hope M.B. Church, owner, on August 18, 1994, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the erection of a 300-seat church building, in a C1-2 Restricted Commercial District, on premises at 1348 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, §9.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

WHEREAS, the district maps show that the premises is located in C1-2 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 C1-2 Restricted Commercial District; that the subject site is an unimproved 100' x 119.5' lot located on the northeast corner of W. 63rd Street and S. Loomis Street; that the erection of the proposed 300-seat church building at the subject site is necessary for the public convenience at this location to serve the needs of its congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will provide adequate on-site parking to be improved and operated under the conditions hereinafter set forth; that the plans submitted indicate that the proposed church building has been set back on the subject lot so that it is located more than 100 feet away from a liquor store situated across W. 63rd Street at 1359 W. 63rd Street; that the proposed church will be located in an area containing many vacant lots and will not injure other business uses in the area nor 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

## MINUTES OF MEETING

October 21, 1994

Cal. No. 277-94-S

the Zoning Administrator is authorized to permit the erection of a 300-seat church building, on premises at 1348 W. 63rd Street, upon condition that the proposed church is situated on the subject lot, as indicated by the revised site plan submitted dated October 12, 1994, so as not to be located within 100 feet of a liquor store at 1359 W. 63rd Street, and also to be in compliance with the City's parking requirements: that the parking area abutting the proposed church building to the west 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 steel beam guard rails two feet high shall be erected on the periphery of the lot, excepting the driveways; that striping shall be provided; that lighting shall be provided; that ingress shall be from W. 63rd Street; that the driveway shall be constructed in accordance with applicable ordinances; that egress shall be via the alley to the north providing a waiver of the alley barrier is obtained from the City Council; that 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 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.

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

APPLICANT: Western Clinical Health Services of Illinois, Inc.

CAL. NO. 278-94-A

APPEARANCES FOR: James M. Kane

MAP NO. 1-E

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED-- 326 N. Michigan 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, Western Clinical Health Services of Illinois, Inc., for Greater North Michigan Avenue Partnership, owner, on August 12, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a methadone treatment center on the 2nd floor of a 4-story brick building, in a B6-7 Restricted Central Business District, on premises at 326 N. Michigan Avenue, which is alleged is a permitted use and not in violation of the zoning ordinance; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, §8.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994; and

WHEREAS, the district maps show that the premises is located in a B6-7 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 proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site is improved with a 3-story building containing store fronts on the ground floor and office space on the floors above; that the appellant currently operates a federal and state-licensed methadone outpatient treatment center at 63 E. Adams Street and has been at that site since 1989; that the appellant proposes to establish a methadone outpatient treatment center on the 2nd floor of the subject building; that the proposed treatment center will be under the direct supervision of a licensed physician, a physician-assistant and several other medical personnel; that the proposed treatment center will engage in the oral administration of methadone to patients on the premises on an out-patient basis, and will also provide substance abuse counselling; that there is no residential component to the operation of the proposed treatment center; that patients are referred to the treatment center by other patients, hospital substance abuse programs, and hospital emergency room facilities; that the appellant argues in this case that the proposed use is similar to a medical clinic that would, for example, administer diabetes insulin injections; that a "medical clinic" is a permitted use in a B6-7 Restricted Central Business District pursuant to Section 8.3-2B(32) of the zoning ordinance,

## MINUTES OF MEETING

October 21, 1994

Cal. No. 278-94-A

but that medical clinic is not a defined term under the ordinance; that the appellant further argues that based on Illinois case law and the common accepted usage of the term "medical clinic", the operation of a methadone out-patient clinic under the supervision of a physician should be permitted as a medical clinic in a B6-7 Restricted Central Business District; that, in fact, this interpretation of medical clinic was rendered by the City Zoning Administrator in a letter dated May 2, 1989 when the appellant initially moved to the 63 E. Adams Street building and sought a building permit for renovations to its premises; that in further support of its argument that a methadone out-patient clinic is a permitted use under Section 8.3-2B(32) the appellant cited prior Zoning Board of Appeals' cases dated May 17, 1974 and April 23, 1976 which involved out-patient drug treatment facilities; that in its decision of May 17, 1974, in Calendar No. 129-74-A, the board held that an out-patient drug abuse treatment center in a C3-5 Commercial Manufacturing District constituted "...a medical clinic and or research and testing laboratory both of which are permitted in a C3-5 District..."; that in the April 23, 1976 case, Calendar No. 101-76-A, the appellant asserted that the establishment of a "drug treatment clinic" in a B3-3 General Retail District is a "medical clinic and not a violation of the zoning ordinance"; that the Board upheld the appeal deciding that the proposed out-patient clinic constituted a "medical center" and was a permitted use in a B3 General Retail District; that the Board finds in this case that the proposed methadone out-patient treatment center is similar to a medical clinic based on its prior decisions, as cited above, Illinois case law and the commonly understood meaning of the term "medical clinic" and as such is a permitted use in the B6-7 Restricted Central Business District; that no violation of the zoning ordinances exists and that the appellant has established the basis of its appeal; it is there-  
pre

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 methadone out-patient treatment center on the 2nd floor of a 3-story brick building, on premises at 326 N. Michigan Avenue, upon condition that the proposed methadone treatment center shall be an out-patient treatment center only and that there shall be no residential facilities on the premises; and that all applicable federal, state and city ordinances pertaining to the establishment and operation of methadone treatment centers shall be complied with; 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: Chicago Treatment and Counseling Center, Inc.

CAL. NO. 279-94-A

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 2-F

APPEARANCES AGAINST: Theodore Mazola

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 601 W. Polk 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Chicago Treatment and Counseling Center, Inc., for Goodwill Industries, owner, on September 9, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a drug treatment center in a 2-story brick building, in an M2-5 General Manufacturing District, on premises at 601 W. Polk Street, which is alleged is a permitted use and not in violation of the zoning ordinance; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §10.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 21, 1994; and

WHEREAS, the district maps show that the premises is located in an M2-5 General 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 proposed use is to be located in an M2-5 General Manufacturing District; that the subject with is improved with a 2-story brick office/warehouse-type building; that the appellant seeks to establish a medical clinic including a drug treatment center in premises in the subject building; that the appellant testified that the proposed medical clinic will be staffed full time by a licensed physician, nurse and administrative personnel; that the proposed clinic will offer medical treatments of all kinds, including treatment for job-related injuries and pre-employment physical examinations; that a medical clinic is a permitted use in an M2-5 General Manufacturing District pursuant to Section 10.3-2 of the zoning ordinance; that the appellant argues that the drug treatment center is also a permitted use in this M 2-5 zoning district because it is a part of the permitted medical clinic use; that the Board finds in this case that the proposed drug treatment center to be an intergral part of the medical services to be rendered by the permitted medical clinic and as such is a permitted use at the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore



MINUTES OF MEETING

October 21, 1994  
Cal. No. 279-94-A

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 drug treatment center in conjunction with a medical clinic in a 2-story brick building, on premises at 601 W. Polk 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: First Korean United Methodist Church

CAL. NO. 150-94-S

APPEARANCES FOR:

MAP NO. 13-J

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 21, 1994

PREMISES AFFECTED— 3418 W. Ainslie Street

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

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: 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

October 21, 1994

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

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued  
for status to  
December 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		

MINUTES OF MEETING

October 21, 1994

Cal. No. 83-90-S

Gregory H. Furda, for Marcey Limited Partners, presented a motion requesting a 1-year extension of the validity of the order of the Zoning Board of Appeals issued on October 20, 1993 with regard to Calendar No. 83-90-S which, on December 6, 1990, approved a special use to Marcey Limited Partners for the establishment of retail and service uses, subject to certain conditions and restrictions, in a proposed 2-story building on premises at 1780 N. Marcey Street in the Clybourn Corridor Planned Manufacturing District.

Mr. Furda argued that due to the objector's administrative review complaint which caused additional hearing by remand of the Circuit Court, the Board's order issued on October 20, 1993, should be construed as the final order in Calendar No. 83-90-S and pursuant to Section 11.10-5 of the zoning ordinance, he requests that the validity of said order be extended to October 20, 1995.

Chairman Spingola then ruled that the motion is denied, finding that no stay order of the Board's resolution in Calendar No. 83-90-S approved on December 6, 1990 was ever issued during the subsequent court proceedings and that pursuant to Section 11.10-5, the validity of the resolution in Calendar NO. 83-90-S expired on December 6, 1992.

MINUTES OF MEETING

October 21, 1994

Cal. Mo. 48-94-Z

Terry L. Diamond, for the Public Building Commission of Chicago and the Chicago Board of Education, applicants, presented a written request for an extension of time in which to obtain necessary permits for the erection of a 3-story annex addition to an existing elementary school with a 12.6' east front yard and a west front yard of 4.62' instead of 20', whose south side yard will be 5' instead of 12', and with no through lot rear yard instead of 60', and whose total floor area ratio will be 1.69 instead of 0.70, on premises at 2634-58 N. Monticello Avenue/2637-59 N. Lawndale Avenue, approved by the Board on March 18, 1994, in Cal. No. 48-94-Z.

Ms. Diamond stated that although a building permit has been applied for the plans have not yet been approved because of changes requested by the Building Department and the Bureau of Fire Prevention.

Chairman Spingola moved that the request be granted and the time extended to March 18, 1995 in order to obtain the necessary building permit. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

October 21, 1994

Cal. No. 234-94-S

Martin S. Korey and C. Victoria Almeida, for Northwestern Savings and Loan Association, applicant, presented a written request to amend the resolution granted by the Board on September 16, 1994, in Calendar No. 234-94-S 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 B4-2 Restricted Service District, on premises at 2313-17 N. Western Avenue, to serve the employees of a savings and loan at 2300 N. Western Avenue.

The applicant requests a waiver of the condition requiring a two feet high steel beam guard rail be erected on the north, south and west lot lines, except the driveway, citing the fact that a two feet high steel beam guard rail will interfere with planted vegetation along the entire south lot line and is physically impossible to place said guard rail on the south lot line without negatively impacting upon the 26 car parking spaces as set forth in the parking plan. Furthermore, the landscape plan requires planting on a portion of the north property line as well as north and south of the driveways on the west property line.

The applicant also requests a waiver of the condition requiring that the parking lot be securely locked by a sliding steel gate on the north and Western Avenue access during all hours when not in use by the applicant savings and loan. In lieu of this condition the applicant requests that the parking lot at the driveway be secured by a strong fixed chain lock locking system, citing that subsequent to the September 16, 1994 hearing, in consultation with the architect and insurance company, discovered that aspects of a sliding steel gate as designed has a tendency to freeze preventing normal operation, thereby compromising security. The applicant was informed by its insurance company that a swinging gate constitutes an attractive nuisance to neighborhood children when kept in the open position and presents an insurance liability risk.

Chairman Spingola moved that the request to amend the resolution in Calendar No. 234-94-S as stated herein be granted and that said resolution be and is hereby amended to reflect the following:

- a. That the condition requiring the erection of a two feet high steel beam guard rail on the north, south and west lot lines is waived.
- b. That the condition requiring a sliding steel gate at the N. Western Avenue access is waived and that in lieu thereof said access shall be securely locked by a strong fixed chain lock locking system during all hours when not in use.

The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

October 21, 1994

Cal. No. 297-93-S

Barry Ash, for Richmond Development, applicant, presented a written request for an extension of time in which to establish an off-site accessory parking lot for the parking of private passenger automobiles, in a B4-2 Restricted Service District, on premises at 877 N. Milwaukee Avenue, to satisfy the parking requirement for 4-dwelling units to be established above the ground floor in a 3-story brick store and office building at 837 N. Milwaukee Avenue, which application was approved by the Board on October 15, 1993, in Calendar No. 297-93-S.

Mr. Ash stated that it was his client's intention in purchasing the property at 877 N. Milwaukee Avenue to actively market the availability of dwelling units at the aforesaid location prior to performing the physical rehabilitation and conversion. As of the date of the request for extension of time, the owner has not pre-sold any of the proposed dwelling units, which results in not having the need to construct the parking lot for the units at this time.

Chairman Spingola moved that the request be granted and that the time for establishing the aforesaid off-site accessory parking lot to satisfy the parking requirement for a 4-story dwelling unit building to be located at 877 N. Milwaukee Avenue, be extended to October 15, 1995. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

October 21, 1994

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on November 18, 1994.

  
\_\_\_\_\_  
Secretary



November