

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, 118 N. Clark Street on May 15, 1998
at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
Demetri Konstantelos
LeRoy K. Martin, Jr.
Gigi McCabe-Miele

MINUTES OF MEETING
May 15, 1998

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on March 20, 1998 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, Martin, McCabe-Miele. 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: Ricardo Gonzalez

CAL. NO. 157-98-Z

APPEARANCES FOR: Ricardo Gonzalez

MAP NO. 6-I

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 2309 S. Sacramento Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the parking of private passenger automobiles on the front of the lot accessory to the 3-dwelling unit building on the rear of the lot, with no front yard instead of 8.42'.

ACTION OF BOARD--

VARIATION DENIED.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
X		
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 25' x 70.23' lot improved with a 3 dwelling unit building on the rear of the lot; that the applicant seeks a variation to waive the front yard requirement to allow parking of private passenger automobiles on the front of the lot accessory to the 3 dwelling unit building on the rear of the lot; that the Board finds that the majority of the buildings on the block provide front yard setbacks; that the parking of automobiles in the required front yard of the subject site would create an obstruction and would alter the essential character of the locality; it is therefore

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

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

APPLICANT: Gast Monuments, Inc.

CAL. NO. 158-98-Z

APPEARANCES FOR: Bert Gast

MAP NO. 15-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1900 W. Peterson Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a C2-2 General Commercial District, the erection of a 1-story monument manufacturing building with a roof-over canopy loading area and an 8' high masonry sound barrier wall along the north end of the site, whose north transitional rear yard will be ½' instead of 20' required.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 19, 1995, the Board granted a variation to the applicant for the erection of a 1-story monument manufacturing building with a roof-over canopy loading area and an 8' high concrete sound barrier wall along the north end of the site, whose north transitional yard will be ½ foot instead of 20' required, at the subject site; that the testimony presented in Cal. No. 115-95-Z is hereby made part of the record in this case; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Mathew A. Torosian & Angela J. Durborow **CAL. NO.** 159-98-Z
APPEARANCES FOR: Mathew A. Torosian **MAP NO.** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 2127 W. Cortland Street May 15, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 2-story brick 2 dwelling unit building, whose west side yard will be 2.5' instead of 5.67' and which dormering will result in a 4% (124 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Vann A. Avedisian

CAL. NO. 160-98-Z

APPEARANCES FOR: Robert Best, Vann A. Avedisian

MAP NO. 5-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1924 N. Dayton Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story single-family dwelling, whose front yard will be 7.67' instead of 15', with no north side yard instead of 2.4' and whose rear yard will be 21' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Robin & Michael McGrail **CAL. NO.** 161-98-Z
APPEARANCES FOR: Robin McGrail **MAP NO.** 22-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 8922 S. Hoyne Avenue May 15, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R1 Single-Family Residence District, the erection of a 3-car garage addition to the north side of an existing garage attached by a proposed mudroom addition to the existing single-family dwelling, whose north side yard will be 2' instead of 15', whose rear yard will be 2' instead of 30' and which garage addition will match the 23' height of the existing garage.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Claudia Skylar

CAL. NO. 162-98-Z

APPEARANCES FOR: Claudia Skylar

MAP NO. 3-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1613-17 W. North Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-2 Restricted Commercial District, the erection of a 18' x 23.25' penthouse addition to an existing 2-story brick commercial building all of which will contain office space, workshop and garage space for 3 automobiles on the ground floor and 2 dwelling units above, with no rear yard instead of 30' required for the residential portion of the building.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Paul Florian **CAL. NO.** 163-98-Z
APPEARANCES FOR: John J. Pikarski, Jr., Paul Florian **MAP NO.** 3-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 1327 N. Wolcott Avenue May 15, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1, 2 & 3-story single-family dwelling on an irregular lot, whose northwest front yard will be 5', with no northeast and southwest side yards, and with no rear yard instead of 9.48', 7.5' each, and 30', respectively.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Janusz Gibes **CAL. NO.** 164-98-A

APPEARANCES FOR: John J. Pikarski, Jr., Janusz Gibes **MAP NO.** 7-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 1998

PREMISES AFFECTED- 3614 W. George 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Janusz Gibes, for Janusz Gibes, Wieslawa Gibes & Henryk Musial, owner, on April 10, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 3-story frame building as 3 dwelling units on the rear of the lot and the use of a 2-story frame building as 2 dwelling units on the front of the lot, in a B4-2 Restricted Service District, on premises at 3614 W. George Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 3, 1998, 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, Sections 5.5, 8.3-4A (1), 8.6-4 (2), 8.11-1 (7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998; 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 5,112 sq.ft. lot improved with a 3-story frame building on the rear of the lot and a 2-story frame building on the front of the lot; that the evidence presented indicates that the 3-story frame building on the rear of the lot was occupied as 3 dwelling units and the 2-story frame building was occupied as 2 dwelling units prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the applicant has a right to continue the occupancy of the subject buildings as 3 dwelling units and 2 dwelling units, respectively, provided the buildings are brought into compliance with building code regulations; that no violation of the zoning ordinance exists nor is contemplated and the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 3-story frame building as 3 dwelling units on the rear of the lot and the use of a 2-story frame building as 2 dwelling units on the front of the building with no parking required,

MINUTES OF MEETING

May 15, 1998

Cal. No. 164-98-A

on premises at 3614 W. George Street, upon condition that the buildings are brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Janusz Gibes

CAL. NO. 165-98-S

APPEARANCES FOR: John J. Pikarski, Jr., Janusz Gibes

MAP NO. 7-J

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 3614 W. George Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in the proposed expansion of an existing 3-story 3 dwelling unit building on the rear of the lot additionally improved with a 2-story 2 dwelling unit building on the front of the lot, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 15, 1998, the Board sustained the applicant's appeal certifying the use of a 3-story frame building as 3 dwelling units on the rear of the lot and the use of a 2-story frame building as 2 dwelling units on the front of the lot, at the subject site, in Cal. No. 164-98-A; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: Janusz Gibes **CAL. NO.** 166-98-Z
APPEARANCES FOR: John J. Pikarski, Jr., Janusz Gibes **MAP NO.** 7-J
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 15, 1998
PREMISES AFFECTED-- 3614 W. George Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 8' x 36.88' enclosed porch addition to the front of a 3-story frame 3 dwelling unit building on the rear of the lot additionally improved with a 2-story frame 2- dwelling unit building on the front of the lot, whose east side yard will be 0.15' and whose west side yard will be 3.62' instead of 4.09' each, and with no rear yard instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 15, 1998, the Board approved and the establishment of dwelling units below the 2nd floor in the proposed expansion of an existing 3-story 3 dwelling unit building on the rear of the lot additionally improved with a 2-story 2 dwelling unit building on the front of the lot, at the subject site, in Cal. No. 165-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Islamic Community Center of Ill., Inc. **CAL. NO.** 167-98-S
APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 9-L
APPEARANCES AGAINST: Thomas R. Allen et al. **MINUTES OF MEETING**
 May 15, 1998
PREMISES AFFECTED-- 3249 N. Central Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a house of worship (mosque) in an existing 1-story brick building, in a B3-2 General Retail District.

ACTION OF BOARD--

APPLICATION DENIED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B3-2 General Retail District; that the subject site is a 125.53' x 150.87' lot located at the southeast corner of W. School Street and N. Central Avenue and is improved with a vacant 1-story brick building; that the applicant seeks to establish a house of worship (mosque) in the existing building at the subject site; that prayer periods are held five times each day with a main prayer period on Fridays at which time attendance may reach 350 persons; that Sunday school and youth and adult programs are also conducted at the site; that the subject site is within a business strip located at the intersection of two major commercial / retail arterial streets; that the subject site is also located within the Belmont - Central Special Service area established in June, 1982 to promote retail development and maintain the area as a compact and contiguous shopping area along Belmont and Central Avenues; that the Board finds that the proposed use is inconsistent with the goals of the community and the city to bring retail and commercial development to this area and that no proof was presented that would indicate that the public health, safety and welfare would be protected by the establishment of the proposed mosque at this location; 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: Islamic Community Center of Ill., Inc. **CAL. NO.** 168-98-S
APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 9-M
APPEARANCES AGAINST: Thomas R. Allen, et al. **MINUTES OF MEETING**
 May 15, 1998
PREMISES AFFECTED-- 3242 N. Central Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 17 private passenger automobiles, in a B5-1 General Service District, to fulfill the parking requirement for a proposed place of worship at 3249 N. Central Avenue.

ACTION OF BOARD--

APPLICATION DENIED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B5-1 General Service District; that the subject site is a 50' x 125' paved parking lot used by a delicatessen located at 3246 N. Central Avenue; that the applicant proposes to establish off-site accessory parking for 17 automobiles at the subject site to fulfill the parking requirement for a proposed place of worship at 3249 N. Central Avenue; that on May 15, 1998, in Cal. No. 167-98-S, the Board denied the applicant's request for approval of the establishment of a house of worship (mosque) at 3249 N. Central Avenue; that the denial by the Zoning Board of Appeals of the applicant's special use application negates the need for the use requested in the instant case; 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: Islamic Community Center of Ill., Inc. **CAL. NO.** 169-98-S
APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 9-M
APPEARANCES AGAINST: Thomas R. Allen, et al. **MINUTES OF MEETING**
 May 15, 1998
PREMISES AFFECTED-- 3256 N. Central Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 26 private passenger automobiles, in a B5-1 General Service District, to fulfill the parking requirement for a proposed place of worship at 3249 N. Central Avenue.

ACTION OF BOARD--

APPLICATION DENIED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B5-1 General Service District; that the subject site is an 83.42' x 125' paved parking lot used by a fruit market located at 3300 N. Central Avenue; that the applicant proposes to establish off-site accessory parking for 26 automobiles at the subject site to fulfill the parking requirement for a proposed place of worship at 3249 N. Central Avenue; that on May 15, 1998, in Cal. No. 167-98-S, the Board denied the applicant's request for approval of the establishment of a house of worship (mosque) at 3249 N. Central Avenue; that the denial by the Zoning Board of Appeals of the applicant's special use application negates the need for the use requested in the instant case; 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: Brendan Carroll

CAL. NO. 170-98-Z

APPEARANCES FOR: John J. Pikarski, Jr., Brendan Carroll

MAP NO. 9-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 3349-53 N. Clark Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B5-3 General Service District, the erection of a 4-story building containing stores and accessory parking on the ground floor and 12 dwelling units above, with no rear yard instead of 30' required for the residential part of the building and with no provision for one required loading berth.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Huanbin Lin **CAL. NO.** 171-98-A
APPEARANCES FOR: John J. Pikarski, Jr., Huanbin Lin **MAP NO.** 15-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 1998
PREMISES AFFECTED- 6033 N. Sheridan Road
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Huanbin Lin, for Central National Bank, Tr. #15485, owner, on March 12, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling of sushi in conjunction with the retail sale of same in a store in a 45-story 498 unit apartment building, in an R6 General Residence District, on premises at 6033 N. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 10, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998; 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 subject site is improved with a 45-story 2 tower 498 unit apartment building; that the appellant operates a store selling sushi at retail which is located in the portion of the said apartment building known as "The Captain's Walk"; that the appellant is seeks to wholesale sushi on a limited basis to local restaurants and stores; that licensing requirements have caused the case to be filed; that wholesale activity on a limited basis may be considered accessory to the principal retail operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit wholesaling of sushi as an accessory use only in conjunction with the retail sale of same in a store in a 45-story 498 unit apartment building, on premises at 6033 N. Sheridan Road, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Deborah's Place CAL. NO. 172-98-S

APPEARANCES FOR: David Reifman, Sister Patricia Crowley MAP NO. 2-I

APPEARANCES AGAINST: None MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 2800-12 W. Jackson Boulevard

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 18 private passenger automobiles, in a B4-3 Restricted Service District, to serve 90 SRO units and offices proposed in the 5-story building at 2822 W. Jackson Boulevard.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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;

(Additional conditions follow on page 18a.)

MINUTES OF MEETING

May 15, 1998

Cal. No. 172-98-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and 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 landscaping and fencing shall be installed as illustrated on the site plan prepared by Weese, Langley, Weese Architects Ltd., dated October 30, 1997;

That striping and lighting shall be provided;

That ingress and egress shall be via the alley abutting the site to the west provided a waiver of the alley barrier requirement is obtained from the City Council;

That 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: West Roosevelt Road Corp. **CAL. NO.** 173-98-S
APPEARANCES FOR: Marc Schwartz, John D. Crededio **MAP NO.** 2-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
 May 15, 1998
PREMISES AFFECTED-- 5806 W. Roosevelt Road

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a hand car wash in a 1-story brick building, in a C1-2 Restricted Commercial District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That all parking and queuing of vehicles shall be completely within the existing 1-story brick building at the subject site.

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

APPLICANT: Daniel Lassman

CAL. NO. 174-98-Z

APPEARANCES FOR:

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1418 W. Cortez Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4th story addition to an existing 3-story brick building all of which will contain 7 dwelling units, whose front yard will be 2.67' instead of 5.25', with no rear yard instead of 30' and with no provision for one required loading berth.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 17, 1998.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Midwest Development Co.

CAL. NO. 175-98-Z

APPEARANCES FOR: Christina Brotto, Dean Borland

MAP NO. 3-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1830-32 W. Ellen Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 2 dwelling unit building on an irregularly shaped lot, whose front yard will be 2.5' instead of 4.78', whose east side yard will be 3.05' for the building and 0' for attached open metal stairs instead of 6.1', and with no rear yard instead of 30'.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED FOR FAILURE TO RECEIVE THREE AFFIRMATIVE VOTES.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a R4 General Residence District; that the subject site is an unimproved 2,050 sq. ft. irregularly shaped lot; that the applicant proposes to erect a 3-story 2 dwelling unit building with interior garage parking at the subject site; that a motion was made by the Chairman to deny the application finding that the proposed 3-story 2 dwelling unit building was an overbuilding of the subject 2,050 sq.ft. lot and that no evidence was presented to indicate 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 the district in which it is located.

Upon being put to a vote, Member Konstantelos concurred with Chairman Spingola's motion to deny the variation applied for. Members McCabe-Miele and Martin voted to grant the variation as presented. It is therefore

RESOLVED, that the application for a variation be and it hereby is denied for failure to receive three affirmative votes.

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

APPLICANT: CMK Development, L.L.C.

CAL. NO. 176-98-Z

APPEARANCES FOR: Bernard I. Citron, Allen Kincaid

MAP NO. 4-E

APPEARANCES AGAINST: None

MINUTES OF MEETING

PREMISES AFFECTED-- 1808-20 S. Michigan Avenue

May 15, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 38 dwelling unit building, whose east front yard will be 1' instead of 15', whose side yards will be 3' each instead of 15.74' each, whose west rear yard will be 1' instead of 30', and with no provision for one required loading berth.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Diversey Parkway Residences L.L.C. **CAL. NO.** 177-98-Z

APPEARANCES FOR: Bernard I. Citron, Robert Berliner, Jr. **MAP NO.** 7-G

APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 15, 1998

PREMISES AFFECTED-- 844 W. Diversey Parkway

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 8 dwelling unit building, with no provision for one required loading berth.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Richard Wineberg **CAL. NO.** 178-98-S
APPEARANCES FOR: Bernard I. Citron, Richard Wineberg **MAP NO.** 11-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 15, 1998
PREMISES AFFECTED-- 4125 N. Lincoln Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story seven dwelling unit townhouse building, in a B2-2 Restricted Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: Richard Wineberg

CAL. NO. 179-98-Z

APPEARANCES FOR: Bernard I. Citron, Richard Wineberg

MAP NO. 11-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 4125 N. Lincoln Avenue

NATURE OF REQUEST-- *Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-2 Restricted Retail District, the erection of a 4-story 7 dwelling unit townhouse building on an irregularly shaped lot, with no north front yard instead of 3', with no south rear yard instead of 12' and elimination of the principal private yard requirement.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 15, 1998, the Board approved the establishment of dwelling units below the 2nd floor in a proposed 4-story seven dwelling unit townhouse building at the subject site, in Cal. No. 178-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

That the proposed 4-story 7 dwelling unit townhouse building shall be constructed in accordance with revised plans numbered 9735 A, prepared by FitzGerald Associates Architects, submitted May 27, 1998.

Amended at the public hearing.
BAZ 15

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

APPLICANT: Richard Wineberg
APPEARANCES FOR: Bernard I. Citron, Richard Wineberg
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 4139-43 N. Lincoln Avenue

CAL. NO. 180-98-S

MAP NO. 11-H

MINUTES OF MEETING
May 15, 1998

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story store and 12 dwelling unit condominium building, in a B2-2 Restricted Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: Richard Wineberg **CAL. NO.** 181-98-Z
APPEARANCES FOR: Bernard I. Citron, Richard Wineberg **MAP NO.** 11-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 15, 1998
PREMISES AFFECTED-- 4139-43 N. Lincoln Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-2 Restricted Retail District, the erection of a 4-story store and 12 dwelling unit condominium building, whose south front yard will be 4' instead of 9.6', with no north rear yard instead of 30' and with no provision for one required loading berth.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 15, 1998, the Board approved the establishment of dwelling units below the 2nd floor in a proposed 4-story store and 12 dwelling unit condominium building at the subject site, in Cal. No. 180-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

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

APPLICANT: Pyung H. Lee **CAL. NO.** 182-98-A
APPEARANCES FOR: Harrold H. Choi, Pyung H. Lee **MAP NO.** 11-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 1998
PREMISES AFFECTED- 3955 W. Lawrence Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Pyung H. Lee, for Linda Fink, owner, on March 16, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a second hand dealer license for an existing audio / video sales and repair shop in a 2-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 3955 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 20, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 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 May 15, 1998; and

WHEREAS, the district maps show that the premises is located in B2-2 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 said use is located in a B2-2 Restricted Retail District; that the subject site is improved with a 2-story multi-store and apartment building; that the appellant has been located in a store in the subject site building about 10 years selling and repairing audio and video equipment such as televisions, VCRs and radios; that the appellant is seeking a second hand license in order to occasionally sell used items which have been returned or never claimed by customers; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is reversed and he is authorized to certify a second hand dealer license as an accessory use only in conjunction with an existing audio / video sales and repair shop in a 2-story brick store and apartment building, on premises at 3955 W. Lawrence Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Miguel A. Soria **CAL. NO.** 183-98-A
APPEARANCES FOR: Miguel A. Soria **MAP NO.** 13-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 1998
PREMISES AFFECTED- 4813 N. Central Park Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.			X
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, Miguel Soria for James S. Hin, owner, on March 16, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 2-story brick store and apartment building, in a B3-2 General Retail District, on premises at 4813 N. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998; and

WHEREAS, the district maps show that the premises is located in a B3-2 General 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 B3-2 General Retail District; that the subject site is improved with a 2-story brick multi-store and apartment building; that the subject store premises is currently occupied by a beauty salon operated by the appellant's wife; that the subject store premises was previously occupied by a thrift shop, a B4 use; that licensing requirements have caused the case to be filed; that the change of use from a thrift shop to a beauty salon is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a 2-story brick store and apartment building, on premises at 4813 N. Central Park Avenue, upon condition that the hours of operation shall be limited to the hours between 9:00 A.M. and 7:00 P.M., Monday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Mary and Felix Gonzalez

CAL. NO. 184-98-A

APPEARANCES FOR:

MAP NO. 16-K

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 1998

PREMISES AFFECTED- 4355 W. Marquette Road

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 17, 1998.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: All American Furniture Liquidators, Inc. **CAL. NO.** 185-98-A
APPEARANCES FOR: Thomas S. Moore, Mitch Goldstein **MAP NO.** 10-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 May 15, 1998
PREMISES AFFECTED- 4425 S. Western Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, All American Furniture Liquidators, Inc., for Paul Goldstein, owner, on March 30, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail furniture store in conjunction with a proposed wholesale furniture operation in a 1 and 2 story brick building, in an M2-3 General Manufacturing District, on premises at 4425 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 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 May 15, 1998; and

WHEREAS, the district maps show that the premises is located in an M2-3 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 M2-3 General Manufacturing District; that the subject site is improved with a 1 and 2-story brick building occupied by a wholesale furniture store, a permitted use in an M2-3 General Manufacturing District; that the appellant testified that in the wholesale furniture business odd lots are often left over which are ideal to sell as individual items at retail; that the proposed retail operation would occupy approximately 15% of the existing floor area of the subject building and would be accessory to the principal wholesale furniture operation; that licensing requirements have caused the case to be filed; 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

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 retail furniture store as an accessory use only in conjunction with a proposed wholesale furniture operation in a 1 and 2-story brick building, on premises at 4425 S. Western Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Draper & Kramer **CAL. NO.** 186-98-A

APPEARANCES FOR: Robert Best, Linda Jasinski **MAP NO.** 2-E

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 1998

PREMISES AFFECTED- 1130 S. 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Draper & Kramer, Inc., for 1130 South Michigan Avenue Partnership, owner, on March 13, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a public garage license for the accessory parking spaces in a 43-story 656 unit apartment building, in a B6-7 Restricted Central Business District, on premises at 1130 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 29, 1998, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 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 May 15, 1998; 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 said use is located in a B6-7 Restricted Central Business District; that the subject site is improved with a 43-story 656 unit apartment building with an interior parking garage; that testimony presented indicates that the appellant is the manager of the parking facilities in the subject building and that the parking is used only by the residents and guests of the apartments and is not available to the general public; that the residents of the apartment building pay a monthly fee for parking at the site and guests pay on an hourly or daily basis; that the Department of Revenue is requiring a Public Garage License because fees are charged for the parking within the subject building; that inasmuch as the parking facilities are available only to the residents and guests of the residents and not to the general public, the Board finds that the parking facilities are accessory to the 656 unit apartment building and is a permitted use and is not a public parking garage facility open to the general public which would require a special use; 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

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a public garage license for the accessory parking spaces in a
BAZ 12

MINUTES OF MEETING

May 15, 1998

Cal. No. 186-98-A

43-story 656 unit apartment building, on premises at 1130 S. Michigan Avenue, upon condition that the parking garage shall not be open to the general public and shall be only for the use of the building's tenants and guests; that there shall be no advertising on the outside indicating public parking; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

Specially Concurring Opinion by Chairman Joseph J. Spingola

The appellant in this case manages the accessory parking garage in the 1130 S. Michigan Avenue building, a 43-story 656 unit apartment building. The parking is used only by the tenants and their guests and is not available to the public at large. The residents pay a monthly fee and guests pay on an hourly or daily basis. The Department of Revenue is requiring a Public Garage License because fees are charged for the parking on a daily basis.

This appeal was filed because the Zoning Department would not sign off on the Public Garage License because of the wording of the license which implies a garage open to the general public where fees are charged. Under the zoning ordinance, such a use is a special use in the B6-7 District. The appellant does not operate a public parking garage in the subject building, but merely manages the accessory parking garage for the owner.

The zoning ordinance requires off-street parking based on the use, which is referred to as accessory parking. The code requires that the accessory required parking be provided at all times but it does not prevent fees from being charged for the spaces.

I believe the Zoning Department was again faced with the dilemma caused by licensing terminology and the application of the zoning ordinance to the specific license description. As in this case, the license terminology, Public Garage, implies a use requiring a special use under the zoning ordinance, when in fact, the license sought is merely for the management of the accessory parking garage for tenants and guests of the building, a permitted use even if fees are charged.

I urge the Zoning Administrator to confer with the Revenue Director and achieve a solution to this problem. A suggestion might be a new license terminology such as Public Garage - Accessory Parking Only. It makes no sense if one is required to file a case with the Zoning Board of Appeals and argue for a use that is permitted under the zoning ordinance.

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

APPLICANT: 2400 Lakeview Condominium Association **CAL. NO.** 187-98-A
APPEARANCES FOR: Robert Best, Lauren Remick **MAP NO.** 7-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 May 15, 1998
PREMISES AFFECTED- 2400 N. Lakeview 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, 2400 Lakeview Condominium Association, owner, on March 23, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a public garage license for the accessory parking spaces in a 29-story 264 dwelling unit condominium building, in an R7 General Residence District, on premises at 2400 N. Lakeview Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998; and

WHEREAS, the district maps show that the premises is located in an R7 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R7 General Residence District; that the subject site is improved with a 29-story 264 dwelling unit condominium building with an interior parking garage; that the testimony presented indicates that the applicant owns and operates an accessory indoor parking garage having 95 parking spaces leased to condominium owners or tenants on a monthly basis and two spaces designated as guest parking spaces; that guests pay on an hourly basis; that the accessory parking garage is not a public parking garage as defined in the zoning ordinance; that the Department of Revenue is requiring a Public Garage License because fees are charged for the parking within the subject building; that inasmuch as the parking facilities are available only to the residents and guests of the residents and not to the general public, the Board finds that the parking facilities are accessory to the 264 dwelling unit condominium building and is a permitted use; 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

May 15, 1998

Cal. No. 187-98-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and hereby is reversed and he is authorized to certify a public garage license for the accessory parking spaces in a 29-story 264 dwelling unit condominium building, on premises at 2400 N. Lakeview Avenue, upon condition that the parking garage shall not be open to the general public and shall be for vehicle parking by condominium owners, tenants and their guests only; that no advertising shall be located on the outside of the building indicating public parking; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Barry W. Kohler **CAL. NO.** 188-98-A

APPEARANCES FOR: Barry Ash, Barry W. Kohler **MAP NO.** 5-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 15, 1998

PREMISES AFFECTED- 2250 W. Homer Street

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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
X		
	X	

THE RESOLUTION:

WHEREAS, Barry W. Kohler, owner, on March 31, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a single-family dwelling on a 2,016 sq.ft. lot (28' x 72') due to it not being a lot of record, in an R3 General Residence District, on premises at 2250 W. Homer Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 12, 1998, 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, Sections 7.5 (2) (5), 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998; 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 an unimproved 2,016 sq. ft. lot; that the subject property was legally described as the east 28' of Lots 7, 8, and 9 in Block 3 in Pierce's Addition to Holstein, a subdivision of the North 1/2 of the Southwest 1/4 and part of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14 East of the Third Principal Meridian, Cook County, Illinois as evidenced in a deed recorded with the Cook County Recorder of Deeds; that the Sanborn Map indicates that a building existed at the subject site for at least 60 years; that the City of Chicago by Quit Claim Deed deeded the subject property to the appellant in August, 1995 and that the property was purchased pursuant to a demolition sale; that no evidence was presented to indicate that the subject property has ever been a lot of record as defined in the zoning ordinance; that under Sections 7.5 (2) (5) and 7.5-3 the Board has no authority to permit the request; 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: Hopewell Missionary Baptist Church **CAL. NO.** 189-98-Z

APPEARANCES FOR: Langdon D. Neal, Rev. Cartha MacKenzie **MAP NO.** 16-H

APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 15, 1998

PREMISES AFFECTED-- 6600 S. Hermitage Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story addition to the rear of an existing 1-story brick church building, with no south side yard instead of 5' and whose west rear yard will be 18' instead of 30'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

That off-site accessory parking for 13 automobiles shall be located at 1746-56 W. 66th Street as provided for in companion application #190-98-S.

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

APPLICANT: Hopewell Missionary Baptist Church **CAL. NO.** 190-98-S
APPEARANCES FOR: Langdon D. Neal, Rev. Cartha MacKenzie **MAP NO.** 16-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
 May 15, 1998
PREMISES AFFECTED-- 1746-56 W. 66th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 13 private passenger automobiles, in an R3 General Residence District, to fulfill the parking requirement for the proposed expansion of a church located at 6600 S. Hermitage Avenue.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 15, 1998, the Board granted a variation permitting the the erection of a 1-story addition to the rear of an existing 1-story brick church building, with no south side yard instead of 5' and whose west rear yard will be 18' instead of 30', on premises at 6600 S. Hermitage Avenue, in Cal. No. 189-98-Z; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

(Additional conditions follow on page 36a.)

MINUTES OF MEETING

May 15, 1998

Cal. No. 190-98-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and 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 by 6' high chain link fencing on the south, west and east lot lines, excepting the driveway; that a 5 feet high solid wood fence shall be erected on the north lot line to screen the parking lot from abutting residential property;

That landscaping shall be installed within the front yard setback along S. Wood Street and a 3 foot high densely planted hedge shall be planted along the W. 66th Street frontage; that all other applicable provisions of the Chicago Landscape Ordinance shall be complied with;

That striping shall be provided; that lighting directed away from abutting residential property shall be provided;

That ingress and egress shall be via the alley abutting the site to the east provided a waiver of the alley barrier requirement shall be obtained from the City Council;

That the parking lot shall be securely locked at all times when not in use by the applicant church;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Hopewell Missionary Baptist Church **CAL. NO.** 191-98-Z
APPEARANCES FOR: Langdon D. Neal, Rev. Cartha MacKenzie **MAP NO.** 16-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
 May 15, 1998
PREMISES AFFECTED-- 1746-56 W. 66th Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the establishment of an off-site accessory parking lot for 13 private passenger automobiles, whose west front yard will be 5' instead of 20'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 15, 1998, the Board approved the establishment of an off-site accessory parking lot for 13 private passenger automobiles at the subject site to fulfill the parking requirement for the proposed expansion of a church located at 6600 S. Hermitage Avenue, in Cal. No. 190-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

That the applicant provides landscaping within the 5 foot west front yard.

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

APPLICANT: Chicago Board of Education **CAL. NO.** 192-98-Z
APPEARANCES FOR: Terry Diamond **MAP NO.** 22-C
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 15, 1998
PREMISES AFFECTED-- 8905 S. Crandon Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 10,200 sq.ft. addition to the Thomas Hoyne Elementary School, whose east front yard will be 8.9' instead of 20', whose south side yard will be 9.5' instead of 15', with no mid-point rear yard, whose floor area ratio will be 0.56 instead of 0.50 and with no provision for one required loading berth.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

That dense planting shall be provided on the south property line to buffer the parking area on the subject site from abutting residential properties to the south.

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

APPLICANT: Steven La Gattuta

CAL. NO. 193-98-S

APPEARANCES FOR: Mark Nora, Steven La Gattuta

MAP NO. 5-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 2116 N. Leavitt Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use on the ground floor in the conversion of a 1-story brick building for use as a single-family dwelling, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: Walrea Flennoy

CAL. NO. 194-98-S

APPEARANCES FOR:

MAP NO. 30-F

APPEARANCES AGAINST:

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 415 W. 119th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a tavern in a 2-story brick building, in a B4-1 Restricted Service District.

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: 1005 N. Western, Inc.

CAL. NO. 195-98-S

APPEARANCES FOR: Willie DeJesus

MAP NO. 3-H

APPEARANCES AGAINST: Evelyn Ogiela

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1005 N. Western Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a tavern in a 1-story brick building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 27, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the subject site is improved with a vacant 1-story brick store building; that the applicant proposes to establish a tavern in the building at the subject site; that no evidence was presented that the proposed use is necessary for the public convenience at this location; that the evidence indicates that the subject site is located within 100 feet of a church and school; and that the public health, safety and welfare would not be adequately protected by the establishment of a tavern at this location; 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: Chicago Board of Education

CAL. NO. 8-98-Z

APPEARANCES FOR: Terry Diamond

MAP NO. 11-L

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 5330 W. Berteau Avenue

NATURE OF REQUEST-- *Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 3-story 48,958 sq.ft. addition to the east side of the Portage Park Elementary School, whose north and south front yards will be 5' each and whose east side yard will be 18' instead of 37.5' each and 27', respectively, with no mid-point rear yard, and whose maximum floor area ratio will be 0.90 instead of 0.50.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on December 29, 1997; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

*Amended.

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

APPLICANT: Walter W. Nichols

CAL. NO. 416-98-A

APPEARANCES FOR: Walter W. Nichols

MAP NO. 11-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 15, 1998

PREMISES AFFECTED- 3023 W. Leland 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, Walter W. Nichols, for Aurora Saini-Nichols, owner, on August 29, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 3-story brick building as 4 dwelling units, in an R3 General Residence District, on premises at 3023 W. Leland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 29, 1997, 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, Sections 7-5-3, 7.12."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998; 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 subject site is improved with a 3-story brick residential building with open parking area at the rear of the site; that the City Council rezoned the subject site from R4 General Residence to R3 General Residence on May 20, 1970; that prior to January 17, 1969, the subject property contained 4 dwelling units with 3 parking spaces; that the parking requirement prior to January 17, 1969 was 3 parking spaces for each 4 dwelling units; that the appellant has a right to continue the occupancy of the building as 4 dwelling units with 3 on-site parking spaces provided the building is brought into compliance with building code regulations; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 3-story brick building as 4 dwelling units with no additional parking required, on premises at 3023 W. Leland Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Lee Brown
APPEARANCES FOR: Lee Brown
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 5117 S. Damen Avenue

CAL. NO. 427-97-S

MAP NO. 12-H

MINUTES OF MEETING
May 15, 1998

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an 84-seat church in a 2-story brick building, in a B4-1 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Melba Stacey

CAL. NO. 77-98-A

APPEARANCES FOR:

MAP NO. 9-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 15, 1998

PREMISES AFFECTED- 3947 N. Sayre Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL WITHDRAWN UPON
MOTION OF APPELLANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Michael Lerner

CAL. NO. 86-98-Z

APPEARANCES FOR: None

MAP NO. 15-J

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 3700 W. Granville Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of 1st floor and 2nd story additions totaling 2,159 sq.ft. to a 1-story brick single-family dwelling, whose west rear yard will be 10.87' instead of 30' and whose maximum floor area ratio will be 0.58 instead of 0.50.

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Yesenia Samaniego

CAL. NO. 95-98-S

APPEARANCES FOR: Robert Weber, Yesenia Samaniego

MAP NO. 5-K

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1633 N. Cicero Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an automobile laundry (car wash) in an existing 1-story brick building, in a C2-1 General Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 2, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: Dubin Residential Communities, Inc.

CAL. NO. 15-98-S

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 1-G

APPEARANCES AGAINST: Walter Burnett, Jr.

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1001 W. Fulton Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 70 private passenger automobiles, in a C3-3 Commercial-Manufacturing District, to serve as both required and non- required parking for 25 dwelling units and commercial uses proposed in the building at 945 W. Fulton Street.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on December 29, 1997; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the subject site is a 125.49' x 184.27' vacant lot located on the southwest corner of W. Fulton and N. Morgan Streets; that the applicant proposes to establish an off-site accessory parking lot for 70 private passenger automobiles at the subject site to serve as both required and non-required parking for 25 dwelling units and commercial units proposed in the building at 945 W. Fulton Street; that no evidence was presented to indicate that the proposed use is necessary for the public convenience at this location; that the proposed parking lot is designed primarily to serve the residential traffic generated by the proposed 25 dwelling units and that such traffic will conflict with the use of Fulton Street as a loading, unloading and staging area for trucks frequenting the Fulton Street Market area; that a pending ordinance would reduce residential development in the area and that the public health, safety and welfare would not be protected by the granting of the proposed use at this location; 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: SprintCom

CAL. NO. 99-98-S

APPEARANCES FOR:

MAP NO. 13-O

APPEARANCES AGAINST:

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 5420 N. Harlem Avenue (rear)

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a wireless communications facility including an 83' high monopole on the rear of the lot (approximately 225' west of N. Harlem Ave.), in an R3 General Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

APPLICANT: SprintCom

CAL. NO. 100-98-Z

APPEARANCES FOR:

MAP NO. 13-O

APPEARANCES AGAINST:

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 5420 N. Harlem Avenue (rear)

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the establishment of a wireless communications facility including an 83' high monopole on the rear of the lot, whose rear yard will be 20' instead of 30'.

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

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

APPLICANT: Robert V. & Nancy L. Gino **CAL. NO.** 148-98-A
APPEARANCES FOR: Mary Denise Cahill, Robert V. & Nancy L. Gino **MAP NO.** 26-1
APPEARANCES AGAINST: Brian Trubitt, Barbara Popp **MINUTES OF MEETING:**
 May 15, 1998
PREMISES AFFECTED- 10319 S. Troy Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE
 DECISION OF THE OFFICE
 OF THE ZONING ADMINISTRATOR
 AFFIRMED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Robert V. & Nancy L. Gino, owner, on February 20, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to grant an Exception certifying the use of a 2-story frame building as 2 dwelling units, in an R2 Single-Family Residence District, on premises at 10319 S. Troy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 6, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-2."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 15, 1998: 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 said use is located in an R2 Single-Family Residence District; that the subject site is improved with 2-story frame residential building; that on July 14, 1997, the appellant sought an Exception from the Department of Zoning under Section 11.7A-3 (4) of the zoning ordinance to legalize the subject building as 2 dwelling units and was subsequently denied; that the appellant purchased the subject property in 1973 at which time the subject building was occupied by two families; that a building permit was issued in 1996 for the erection of a 2-story rear open staircase which stated the subject building was a single family dwelling; that the subject site has been zoned single family since 1942; that the subject building was occupied by relatives as related living from 1949 until the building was sold in 1958; that from then on the evidence indicates that the building was occupied by two unrelated families as two individual apartments; that real estate tax and water service records indicate that the subject building was a single family dwelling; that the property has been zoned for one family dwellings only since 1942 and that no evidence was presented to indicate that the second dwelling unit was ever established legally; that the Board finds insufficient grounds to establish a pre-existing legal non-conforming use of the subject site building and that the appellant failed to prove that the

MINUTES OF MEETING

May 15, 1998

Cal. No. 148-98-A

Zoning Administrator abused his discretion in refusing to grant an Exception certifying the use of the subject site 2-story frame building as 2 dwelling units; it is therefore

RESOLVED, that the appeal be and it hereby be 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: Ralph Davino

CAL. NO. 156-98-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 2-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 15, 1998

PREMISES AFFECTED-- 1600 W. Taylor Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the leasing of 6 parking spaces in an existing parking lot, in Planned Manufacturing District #30, to fulfill the parking requirement for the establishment of a restaurant in a proposed 2-story building at 1529-31 W. Taylor Street.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 19, 1998.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MINUTES OF MEETING

May 15, 1998

Cal. No. 126-97-S

Ronald E. Garner, for Pleasant Green M. B. Church, applicant, presented a written request to waive the erection of decorative wrought iron type metal fencing as a condition in the improvement of the on-site parking area in the expansion of an existing 2-story church by the erection of a 2-story addition to the south side, on premises at 7533-51 S. Vincennes Avenue, approved by the Board on April 18, 1997 in Calendar No. 126-97-S.

Mr. Garner stated that the requirement to construct a wrought iron type metal fence around the property poses an economic hardship as it impacts the funding to do the new addition to the existing church building.

Chairman Spingola moved that the request for a waiver of the decorative wrought iron type metal fencing be granted. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, Martin, McCabe-Miele. Nays- None.

MINUTES OF MEETING

May 15, 1998

Cal. No. 252-96-S

Rev. Robert Patterson, for The Spirit of Truth M.B. Church, applicant, presented a written request to waive the installation of wrought iron fencing on the north and west property lines of an off-site accessory parking lot for 11 private passenger automobiles, on premises at 3442 W. Flournoy Street, to fulfill the parking requirement for a proposed 228-seat church at 3443 W. Harrison Street, approved by the Board on July 19, 1996, in Cal. No. 252-96-S.

Rev. Patterson stated that providing wrought iron fencing on all lot lines has created a financial burden to the church. Rev. Patterson stated that the church will install a wrought iron fence at the south lot line (Flournoy Street) only. The church will also install solid fence slates within the existing 6' high chain link fence which will provide screening at the north, west and east lot lines.

Chairman Spingola moved that the request for a waiver of the installation of wrought iron fencing on the north and west lot lines be approved provided that a wrought iron fence shall be installed on the south Flournoy Street lot line and that solid fence slates shall be installed within the existing 6' chain link fence at the north, west and east lot lines. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, Martin, McCabe-Miele. Nays - None.

MINUTES OF MEETING

May 15, 1998

Cal. No. 210-97-Z

John J. Pikarski, Jr., for Patti Navilio, applicant, presented a written request to amend the resolution granted on June 20, 1997, in Calendar No. 210-97-Z, permitting the erection of a 3-story 16' x 19' addition to the rear of a 3-story brick single-family dwelling, with no side yards instead of 1.9 feet each, on premises at 2013 N. Sedgwick Street; and to extend the time in which to obtain necessary building permits for the aforesaid 3-story rear extension.

Mr. Pikarski stated that due to a scrivener's error, the application in Cal. No. 210-97-Z indicated that a 3-story 16' x 19' addition was to be added to the existing 3-story brick single-family dwelling. The plans presented to the Board as well as all of the testimony at the June 20, 1997 hearing, correctly stated that the proposed addition was going to be 18' by 19'. Mr. Pikarski now requests that the resolution granted in the aforesaid application be amended to correct the dimensions of the proposed 3-story rear addition to 18' x 19'.

Mr. Pikarski also requests an extension of time be granted in which to obtain the necessary building permit for the aforesaid 3-story rear addition.

Chairman Spingola moved that the request to amend Cal. No. 210-97-Z be granted and the resolution be amended indicating the correct dimensions of the proposed addition to be 18' x 19'. Chairman Spingola further moved that the request for an extension of time be granted and the time for obtaining the necessary building permit be extended to June 20, 1999. The motions prevailed by yeas and nays as follows:

Yeas - Spingola, Konstantelos, Martin and McCabe-Miele. Nays - None.

MINUTES OF MEETING

May 15, 1998

Member McCabe-Miele moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on June 19, 1998.


Secretary