

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, March 12, 1982

The following were present and constituted a quorum:

Jack Guthman
Chairman
George J. Cullen
Thomas P. Keane
John P. Kringas

Absent-
Michael J. Howlett

MINUTES OF MEETING
March 12, 1982

Mr. Kringas moved to approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on February 19, 1982 (as submitted and signed by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Cullen, Keane and Kringas. Nays-None.
Absent- Howlett.

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

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March 12, 1982

Cal. No. 64-78-S

Melrose Park National Bank, Trust No. 2320, as Trustee, by its attorneys, Daniel L. Houlihan & Associates, Ltd., pursuant to Section 11.10-5 of the Chicago Zoning Ordinance, presented a motion to extend the commencement date of a variation in the nature of a special use for a period of twelve months, stating as follows:

1. By resolution of January 18, 1980, Cal. No. 64-78-S, the Zoning Board of Appeals granted the petitioner, Melrose Park National Bank, Trust No. 2320, a variation in the nature of a special use.
2. Said special use permit authorized the establishment of a sanitary landfill for the deposit of organic and inorganic materials, the excavation of sand, and the establishment of a scrap or junk yard, on the premises at 13050-13250 S. Torrence Avenue, consisting of a site of approximately 100 acres, upon the condition that the 350 foot strip adjacent to Torrence Avenue shall be retained as a buffer zone and developed for a use permitted in the M3 District.
3. Thereafter, on February 15, 1980, certain adjacent property owners timely filed a Complaint for Administrative Review in the Circuit Court of Cook County, Case No. 80 L 3907, requesting that the Circuit Court reverse the decision of the Zoning Board of Appeals and that the special use permit, Cal. No. 64-78-S, be denied.
4. On August 6, 1980 the Circuit Court entered an order dismissing Plaintiff's complaint for Administrative Review and affirmed the decision of the Zoning Board of Appeals in Cal. No. 64-78-S.
5. On September 5, 1980, said adjacent property owners timely filed their notice of appeals with the Clerk of the Appellate Court, First District, Docket No. 80-2411.
6. On January 23, 1981, the appeal, Docket No. 80-2411, was dismissed by the order of the Illinois Appellate Court.
7. On April 1, 1981, the mandate of the Appellate Court dismissing said appeal was issued.
8. On April 2, 1981, said Appellate Court mandate was filed with the Clerk of the Circuit Court.
9. The special use permit granted by the Zoning Board of Appeals in Cal. No. 64-78-S was, therefore, the subject matter of legal proceedings in both the Circuit and Appellate Courts from the date of the resolution of the Zoning Board of Appeals, granting the special use through and including April 2, 1981.
10. That although the Zoning Board of Appeals granted said special use by resolution dated January 18, 1980, the authorization for such use was not final and non-appealable until April 2, 1981.

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11. That Section 11.10-5 of the Chicago Zoning Ordinance in pertinent part provides that:

"An order of the Board of Appeals granting a variation in the nature of a special use shall be valid for a period not longer than twelve (12) months from the date of such order unless.....the use is commenced within such period. The Board may, at its discretion and upon adequate showing of cause, extend the period of validity of a variation in the nature of a special use for a period not to exceed twelve (12) months."

12. That the aforesaid section of the Ordinance contemplates a commencement period extending from the date that the order of the Board becomes final and non-appealable.

13. That the authorized special use has not been commenced as of this date because of the following factors:

(1) The delay occasioned by the referenced judicial proceedings subsequent to the resolution of the Zoning Board of Appeals.

(2) The size of the parcel, consisting of approximately 100 acres, has necessitated substantial planning and engineering decisions prior to actual commencement use.

(3) The planning of use for the subject site is being integrated with the plans of use for other, similar properties in the vicinity of the subject site, which other properties are owned by Waste Management, Inc., the corporate entity which acquired the entire beneficial interest of the applicant land trust on August 11, 1980, and said planning considerations have necessitated delay in actual commencement of use of the subject site.

14. That the Board, pursuant to Section 11.10-5 of the ordinance, has the authority to extend the commencement date of the special use for an additional twelve (12) months.

Chairman Guthman moved that the request be granted and that the commencement date of said special use be extended to and including April 1, 1983. The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Cullen, Keane and Kringas. Nays-None. Absent-Howlett.

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

APPLICANT: Arthur L. Janura, Jr.
APPEARANCES FOR: Arthur L. Janura, Jr.
APPEARANCES AGAINST:

CAL. NO. 57-82-S
MAP NO. 2-F
MINUTES OF MEETING
March 12, 1982

PREMISES AFFECTED— 630 W. Harrison Street.
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane
John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Arthur L. Janura, Jr., for Gerrit Wit, trustee, filed February 1, 1982, an application for a special use under the zoning ordinance for the approval of the location and the expansion of a public parking lot for the parking of private passenger automobiles, in a C3-5 Commercial-Manufacturing District, on premises at 630 W. Harrison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 18, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 11.10-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in a C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that the proof presented indicates it is proposed to expand an existing public lot by an additional 85 to 88 parking spaces; that the proposed use is necessary for the public convenience at this location in that this is a high density area with a great need for public parking; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed expansion of an existing parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed use is compatible with the type of improvements in the area and will not cause substantial injury to the value of other property in the neighborhood, it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of a public parking lot for the parking of private passenger automobiles, on premises at 630 W. Harrison Street, upon condition that the use of the lot shall be limited to tenants leasing the spaces on a monthly basis; that

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Cal. No. 57-82-S

no use shall be made of the premises for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon the said lot at any time; that the lot shall be surfaced with asphaltic concrete or some comparable all-weather dustless material; that adequate drainage shall be provided by the use of drainage tiles within the property running to an established City of Chicago sewer; that the drainage shall not run directly into city streets; that lighting shall be provided; that the lot shall be fenced with a driveway, controlled by a gate, on Harrison Street; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the use of the premises as a parking lot shall terminate five years from the date hereof, on March 12, 1987, subject to the condition that the Zoning Board of Appeals shall retain jurisdiction over this application during the entire term and shall undertake an interim review of this matter in March, 1985, without further public notice of public hearing, for the purpose of determining whether the conditions of this resolution are being complied with at such date, notice of such review to be given to the applicant, which notice shall include a time and place at which the applicant may present evidence; and that all applicable ordinances of the City of Chicago shall be complied with in the use and occupancy of said premises.

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

APPLICANT: Cracker Jack Company

APPEARANCES FOR: Bob Horens

APPEARANCES AGAINST:

PREMISES AFFECTED— 6501-49 S. Cicero Avenue.

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued until
April 16, 1982.

CAL. NO. 58-82-S

MAP NO. 16-K

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THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane
John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Sunrise M.B. Church
 APPEARANCES FOR: LaQuietta J. Hardy
 APPEARANCES AGAINST:

CAL. NO. 59-82-Z
 MAP NO. 2-K
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 351 S. Kilbourn Avenue.
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Sunrise M.B. Church, owner, filed February 3, 1982, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a one-story church building on top of an existing basement structure whose front yard will be 1 instead of 15 feet, whose east side yard will be 1 instead of 7.5 feet, exceeding by 3284 square feet the allowable floor area ratio and whose required parking is located off-site, on premises at 351 S. Kilbourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 4, 1981 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.7-4, 7.8-4, 7.9-4 and 7.6-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the applicant church has been established in the existing basement structure on the subject site for the past twelve years; that the growing congregation necessitates an expansion of the church facilities; that the property in question cannot yield a reasonable return nor can it be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary in order to provide a structure of a size to accommodate the needs of the 216 to 222 member congregation; that the plight of the owner is due to the need to expand the facilities and the need to provide ramps for the handicapped; and that the variations, if granted, will not alter the character of the locality in that the addition will conform to the architecture and setbacks of the community, it is therefore

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Cal. No. 59-82-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one-story church building on top of an existing basement structure whose front yard will be 1 instead of 15 feet, whose east side yard will be 1 instead of 7.5 feet, exceeding by 3284 square feet the allowable floor area ratio and whose required parking is located off-site, on premises at 351 S. Kilbourn Avenue, upon condition that off-street parking for 18 automobiles shall be provided at 348 S. Kilbourn Avenue and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Sunrise M. B. Church
 APPEARANCES FOR: LaQuietta J. Hardy
 APPEARANCES AGAINST:

CAL. NO. 60-82-S
 MAP NO. 2-K
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 348 S. Kilbourn Avenue.
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, the Sunrise M.B. Church, owner, filed February 3, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for the parking of private passenger automobiles, in an R4 General Residence District, on premises at 348 S. Kilbourn Avenue, to fulfill the parking requirements for a church addition at 351 S. Kilbourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 4, 1981 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that a parking lot at this location is necessary for the public convenience to fulfill the parking requirements for the church addition at 351 S. Kilbourn Avenue; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot, with provision for landscaping, lighting and security, will be compatible with the type of improvements in the area and will not cause substantial injury to the value of other property in the neighborhood, it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site parking lot

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Cal. No. 60-82-S

for the parking of private passenger automobiles, on premises at 348 S. Kilbourn Avenue, to fulfill the parking requirements for the church addition at 351 S. Kilbourn Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon the said lot at any time; that a strip of land 15 feet wide along the south lot line shall be landscaped, except for the driveway; that the balance of 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; that drainage shall be provided by the use of drainage tiles within the property running to an established City of Chicago sewer; that the drainage shall not run directly into city streets; that lighting shall be provided which will be deflected away from abutting residential properties; that a driveway shall be provided on W. Van Buren Street, which shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that egress from the lot shall be in compliance with the regulations of the Department of Streets and Sanitation of the City of Chicago; that the lot shall be securely locked at all times that services or functions are not being held in the applicant church building; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to maintain the property continuously in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

APPLICANT: Allen R. Smart
 APPEARANCES FOR: Monty Viner
 APPEARANCES AGAINST:

CAL. NO. 61-82-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 1732 N. North Park Avenue.
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Allen R. Smart, owner, filed February 11, 1982, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a one-story brick addition, 2 feet 10 inches by 23 feet, to the front of a two-story brick attached single family residence with no front yard instead of 9 feet, on premises at 1732 N. North Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 4, 1982 reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.7-5."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in an R5 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the subject site is improved with an attached residence constructed with a party wall on the south lot line; that on April 11, 1975 the Board granted a front yard variation to permit the construction of a front addition to the attached residence to the south side of the existing structure, which has been constructed to the front lot line; that the proposed addition conforms to the pattern established in the block; that the plight of the owner is due to the limited lot size; and that the proposed use will be compatible with the existing structures on North Park Avenue and will not alter the essential character of the locality, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the

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Cal. No. 61-82-Z

zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one-story brick addition, 2 feet 10 inches by 23 feet, to the front of a two-story brick attached single family residence with no front yard instead of 9 feet, on premises at 1732 N. North Park Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Daniel E. Orzechowski and Katherine A. Verschoor
 APPEARANCES FOR: Daniel E. Orzechowski and Katherine A. Verschoor
 APPEARANCES AGAINST:

CAL. NO. 62-82-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED-- 1651 N. Burling Street.
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	X		
George J. Cullen	X		
Michael J. Howlett			X
Thomas P. Keane	X		
John P. Kringas	X		

THE RESOLUTION:

WHEREAS, Daniel E. Orzechowski and Katherine A. Verschoor, owners, filed February 11, 1982, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story brick single family residence with no north side yard instead of 2.6 feet, on premises at 1651 N. Burling Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the property in question cannot yield a reasonable return nor can it be put to reasonable use if permitted to be used only under the conditions allowed by the regulation in this district in that a side yard variation is necessary to increase the efficiency of the design by providing adequate living space; that the plight of the owner is due to the limited lot width and the slope of the lot; and that the variation, if granted, will not alter the essential character of the locality in that the proposed plan will conform to the pattern established in the block, it is therefore

RESOLVED, that the Zoning Board of Appeals by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted only to Daniel E. Orzechowski and Katherine A. Verschoor to permit the erection of a two-story brick single family residence with no north side yard instead of 2.6 feet, on premises at 1651 N. Burling Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: LaSalle National Bank, Trust No. 102244

CAL. NO. 63-82-S

APPEARANCES FOR: Bernard Davis

MAP NO. 2-F

APPEARANCES AGAINST:

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PREMISES AFFECTED— 100-118 S. Jefferson Street.

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane
John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, LaSalle National Bank, Trust No. 102244, owner, filed February 17, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a public parking lot for the parking of private passenger automobiles, in a C3-5 Commercial-Manufacturing District, on premises at 100-118 S. Jefferson Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 9.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in a C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that the proof presented indicates that the proposed use is necessary for the public convenience at this location in that this is a high density area with a great need for public parking; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed use is compatible with the type of uses and improvements in the area and will not cause substantial injury to the value of other property in the neighborhood, it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a public parking lot for the parking of private passenger automobiles, on premises at 100-118 S. Jefferson Street, upon condition that no use shall be made of the lot for the purpose requested

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until the following conditions shall have been complied with: that the said lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon the said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material; that adequate drainage shall be provided by the use of drainage tiles within the property running to an established City of Chicago sewer; that the drainage shall not run directly into city streets; that bumper guards or guard rails shall be erected on the periphery of the parking area; that ingress and egress shall be from S. Jefferson Street and W. Monroe Street; that the driveways shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the hours of operation of the parking lot shall be limited to the hours between 6 A.M. and 6 P.M., Mondays through Fridays; that the lot shall be securely locked at all other times; that the use of the premises as a parking lot shall terminate five years from date hereof, on March 12, 1987, subject to the condition that the Zoning Board of Appeals shall retain jurisdiction over this application during the entire term and shall undertake an interim review of this matter in March, 1985, without further public notice of public hearings, for the purpose of determining whether the conditions of this resolution are being complied with at such date, notice of such review to be given to the applicant, which notice shall include time and place at which the applicant may present evidence; and that all applicable ordinances of the City of Chicago shall be complied with in the use and occupancy of said premises.

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

APPLICANT: Edward G. Gardner
APPEARANCES FOR: Edward G. Gardner
APPEARANCES AGAINST:

CAL. NO. 64-82-Z
MAP NO. 22-F
MINUTES OF MEETING
March 12, 1982

PREMISES AFFECTED— 9148-52 S. Michigan Avenue.

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

ACTION OF BOARD—

Variation granted.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane
John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Edward G. Gardner, owner, filed February 17, 1982, an application for a variation of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of a one-story brick addition to the north and a second story addition to a one-story brick single family residence whose south side yard will be 3 feet and whose north side yard will be 6 feet instead of combined side yards of 12 feet, on premises at 9148-52 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 14, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.8-2 (2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are 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, finds that in this case the proposed use is to be located in an R2 Single Family Residence District; that the proof presented indicates that the applicant occupies a residence at 9152 S. Michigan Avenue and has acquired the 30 foot lot to the north for the purpose of enlarging his residence with the addition of an attached garage, bedroom and family area; that the property in question cannot yield a reasonable return nor can it be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the existing residence provides a 3 foot south side yard and if required to provide a 9 foot north yard would limit the development of a reasonable addition to the residence; 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 in that the proposed addition will be compatible with the existing improvements on the block, it is therefore

MINUTES OF MEETING

March 12, 1982

Cal. No. 64-82-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one-story brick addition to the north and a second story addition to a one-story brick single family residence whose south side yard will be 3 feet and whose north side yard will be 6 feet instead of combined side yards of 12 feet, on premises at 9148-52 S. Michigan Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John Bosby
 APPEARANCES FOR: John Bosby
 APPEARANCES AGAINST:

CAL. NO. 65-82-A
 MAP NO. 2-H
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 1825 W. Adams Street

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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, John Bosby, for John Norman, owner, filed January 28, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in the basement of a two-story brick apartment building, in an R5 General Residence District, on premises at 1825 W. Adams Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 18, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982; and

WHEREAS, the district maps show that the premises are located in an R5 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R5 General Residence District; that the subject site has been occupied by business uses since prior to the time of the passage of the 1957 comprehensive amendment to 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 grocery store in the basement of a two-story brick apartment building, on premises at 1825 W. Adams Street, upon condition that there shall be no automatic amusement machines on the premises; upon condition that there be no wine, beer or liquor sold on the premises; upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 9 P.M. seven days a week; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Tae Hong Chang
 APPEARANCES FOR: Thomas J. Yagnisis
 APPEARANCES AGAINST:

CAL. NO. 66-82-A
 MAP NO. 9-L
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 5003 W. Addison Street
 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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Tae Hong Chang, for Nicholas J. Pappas, owner, filed February 16, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the continued operation of a drop off launderette and hand laundry in a one-story brick store building, in a B1-1 Local Retail District, on premises at 5003 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 1, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 8.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982; and

WHEREAS, the district maps show that the premises are located in a B1-1 Local 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, finds that in this case the said use is located in a B1-1 Local Retail District; that the subject site has been occupied as a drop off launderette and hand laundry since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that no violation of the zoning ordinance exists nor is 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 continued operation of a drop off launderette and hand laundry in the one-story brick store building, on premises at 5003 W. Addison Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 9 P.M. Monday through Saturday and between the hours of 7 A.M. and 2 P.M. on Sunday; 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: Bernice Verner
 APPEARANCES FOR: Bernice Verner
 APPEARANCES AGAINST:

CAL. NO. 67-82-A
 MAP NO. 4-I
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 1222 S. Washtenaw 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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Bernice Verner, for Jack Nunn, owner, filed February 4, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in the basement of a two-story brick building, in an R4 General Residence District, on premises at 1222 S. Washtenaw Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 4, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R4 General Residence District; that the proof presented indicates that the store in the basement of the building on the subject site had been operated as a grocery store which recently was discontinued; 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 grocery store in the basement of the two-story brick building, on premises at 1222 S. Washtenaw Avenue, upon condition that there shall be no automatic amusement machines on the premises; upon condition that there shall be no wine, beer or liquor sold on the premises; upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., Monday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Clayton Bingaman
 APPEARANCES FOR: Clayton Bingaman
 APPEARANCES AGAINST:

CAL. NO. 68-82-A
 MAP NO. 13-N
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 4824 N. Natoma 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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Clayton Bingaman, owner, filed February 4, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a one-story frame building as two apartments, in an R2 Single Family Residence District, on premises at 4824 N. Natoma Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 18, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982; and

WHEREAS, the district maps show that the premises are located in an R2 Single Family Residence District; and

WHEREAS, the Zoning Board of Appeals, having heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R2 Single Family Residence District; that the proof presented indicates that the building on the subject site has been occupied as two apartments since prior to March, 1958, the date of annexation to the City; that the appellant has a right to continue the occupancy of the building as two apartments, provided the building is brought into compliance with building code regulations, it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize the use of the one-story frame building, on premises at 4824 N. Natoma Avenue, as two apartments, upon condition that the building is brought into compliance with building code regulations, with plans and permits obtained indicating such compliance, and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Roy E. MacIntyre
 APPEARANCES FOR: Roy E. MacIntyre
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 5231 W. Strong Avenue

CAL. NO. 69-82-A
 MAP NO. 13-L
 MINUTES OF MEETING
 March 12, 1982

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.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Roy E. MacIntyre, owner, filed February 4, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a 1-1/2 story brick building as three apartments, in an R3 General Residence District, on premises at 5231 W. Strong Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 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 March 12, 1982; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R3 General Residence District; that the proof presented indicates that the subject site has been occupied as three apartments since prior to the time of the passage of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as three apartments, provided the building is brought into compliance with building code regulations, it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize the use of the 1-1/2 story brick building, on premises at 5231 W. Strong Avenue, as three apartments, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance, and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Herbert Feazell
APPEARANCES FOR: Herbert Feazell
APPEARANCES AGAINST:

CAL. NO. 70-82-A
MAP NO. 18-F
MINUTES OF MEETING
March 12, 1982

PREMISES AFFECTED— 7203-05 S. Halsted Street
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

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane
John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Herbert Feazell, owner, filed February 8, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a pool hall in a one-story brick store building, in a B2-2 Restricted Retail District, on premises at 7203-05 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A 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 March 12, 1982; and

WHEREAS, the district maps show that the premises are located in a 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, finds that in this case the said use is located in a B2-2 Restricted Retail District; that the proof presented indicates that the subject site had been occupied as a pool hall which use recently was discontinued; that there was no intent to abandon the use of the premises as a pool hall, the equipment having remained intact in the premises; that no violation of the zoning ordinances 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 re-establishment of a pool hall in the one-story brick store building, on premises at 7203-05 S. Halsted Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., Monday through Saturday; upon condition that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Peter Kalamanas
 APPEARANCES FOR: Peter Kalamanas
 APPEARANCES AGAINST:

CAL. NO. 71-82-A
 MAP NO. 5-G
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 1952 N. Halsted Street.
 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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Peter Kalamanas, owner, filed February 11, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the sale of garden supplies, including fire wood, in an existing floral shop in a one-story brick store building, in an R4 General Residence District, on premises at 1952 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 12, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R4 General Residence District; that the proof presented indicates that on March 16, 1979 the Board sustained an appeal permitting the establishment of a floral shop in the one-story brick store building on the subject site, Cal. No. 65-79-A; that the sale of garden supplies and fire wood is accessory to the operation of a floral shop; 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 sale of garden supplies and fire wood in the floral shop, on premises at 1952 N. Halsted Street, upon condition that the garden supplies and fire wood may be displayed and stored in the yard of subject site, 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: Eugene Billings
 APPEARANCES FOR: Charles W. Pulliam
 APPEARANCES AGAINST:

CAL. NO. 72-82-A
 MAP NO. 18-F
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 7221 S. Halsted Street.
 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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Eugene Billings, owner, filed February 11, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the continued operation of an auto body and fender shop in a one-story brick building, in a B2-2 Restricted Retail District, on premises at 7221 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 5, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A 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 March 12, 1982; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in a B2-2 Restricted Retail District; that the proof presented indicates that the body and fender shop was established in the building on the subject site in the year 1968 at which time the block was zoned C1-2; that the rezoning of the property to B2-2 on September 26, 1979 made the business non-conforming although the use has never ceased; 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 continued operation of an auto body and fender shop in the one-story brick building, on premises at 7221 S. Halsted Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Bobby Ferguson
 APPEARANCES FOR: Charles W. Pulliam
 APPEARANCES AGAINST:

CAL. NO. 73-82-A
 MAP NO. 16-F
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 326 W. 71st 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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Bobby Ferguson, owner, filed February 16, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a tavern on the first floor of a two-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 326 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 20, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 8.2-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982; and

WHEREAS, the district maps show that the premises are located in a 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, finds that in this case the proposed use is located in a B2-2 Restricted Retail District; that the proof presented indicates that the use of the premises as a tavern has been discontinued in excess of two years; that under Section 6.5-2 of the zoning ordinance the Board has no authority to permit the use requested, 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: Rogers Park Partnership
 APPEARANCES FOR: David P. De Yoe
 APPEARANCES AGAINST: Robert W. Matanky
 PREMISES AFFECTED— 7737-43 N. Paulina Street.
 SUBJECT— Application for the approval of a special use.

CAL. NO. 74-82-S
 MAP NO. 19-H
 MINUTES OF MEETING
 March 12, 1982

ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, the Rogers Park Partnership, for the LaSalle National Bank, Trust No. 103239, owner, filed February 16, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of an accessory off-site parking lot for the parking of private passenger automobiles, in an R4 General Residence District, on premises at 7737-43 N. Paulina Street, for the use of residents of the apartment buildings located at 1710-20, 1658-68 and 1634-44 W. Juneway Terrace, 7651-57 and 7639-47 N. Ashland Avenue, 7740-42 and 7741-43 N. Marshfield Avenue, 7717-23 N. Paulina Street, 1700-10 and 1646-56 W. Jonquil Terrace 7638-46 and 7628-36 N. Bosworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the Rogers Park Partnership is acquiring twelve buildings, containing 304 dwelling units, in the neighborhood surrounding the subject site and has embarked upon a community rehabilitation and redevelopment program involving the rehabilitation and remodeling of apartment buildings with provision for landscaping and off-street parking for the purpose of revitalizing the neighborhood; that on January 22, 1982 the Board approved a special use to establish an accessory parking lot, containing 24 spaces, at 7711-15 N. Paulina Street, and at this time the applicant is seeking permission to establish a second accessory lot on the subject site, containing 34 spaces; that a parking lot at this location is necessary for the public convenience to provide residents of the community with secure

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March 12, 1982

Cal. No. 74-82-S

parking facilities and to remove the congestion in the streets; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot with provision for adequate lighting and landscaping, and located on a corner lot, will not cause substantial injury to the value of other property in the neighborhood, it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an accessory off-site parking lot for the parking of private passenger automobiles, on premises at 7737-43 N. Paulina Street, for the use of residents of the apartment buildings located at 1710-20, 1658-68 and 1634-44 W. Juneway Terrace, 7651-57 and 7639-47 N. Ashland Avenue, 7740-42 and 7741-43 N. Marshfield Avenue, 7717-23 N. Paulina Street, 1700-10 and 1646-56 W. Jonquil Terrace and 7638-46 and 7628-36 N. Bosworth Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon the said lot at any time; that a strip of land 15 feet wide along the west lot line and a strip of land 3 feet 6 inches wide along the south lot line shall be landscaped; that the balance of 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; that adequate drainage shall be provided by the use of drainage tiles within the property running to an established City of Chicago sewer; that the drainage shall not run directly into city streets; that lighting shall be provided which will be deflected away from abutting residential properties; that ingress and egress shall be from N. Paulina Street; that the alley abutting the facility may not be used for ingress nor for egress; that guard rails shall be erected along the east lot line; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to maintain the property continuously in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

APPLICANT: Rogers Park Partnership

CAL. NO. 75-82-Z

APPEARANCES FOR: David P. De Yoe

MAP NO. 19-H

APPEARANCES AGAINST:

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March 12, 1982

PREMISES AFFECTED— 7737-43 N. Paulina Street.

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

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane
John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, the Rogers Park Partnership, for the LaSalle National Bank, Trust No. 103239, owner, filed February 16, 1982, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the illumination of a parking lot between the hours of 10 P.M. and 7 A.M., on premises at 7737-43 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.12(8)d."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 22, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the applicant desires to use the subject property as a parking lot to serve apartment buildings which the partnership owns in the area and is seeking a variation to permit the parking lot to be open on a 24 hour a day basis and to keep the parking lot lighted between the hours of 10 P.M. and 7 A.M.; that the property in question cannot yield a reasonable return nor can it be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the parking lot could not adequately serve the lessees of the lot if there were a limit on the hours of use and illumination; that the plight of the owner is due to the need for a well lighted safe parking lot; and that the illumination, which will be shielded, 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

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March 12, 1982
Cal. No. 75-82-Z

upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the illumination of a parking lot between the hours of 10 P.M. and 7 A.M., on premises at 7737-4 3 N. Paulina Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Charles Smyrneos
 APPEARANCES FOR: Charles Smyrneos
 APPEARANCES AGAINST:

CAL. NO. 76-82-A
 MAP NO. 3-G
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 1084 N. Milwaukee 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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Charles Smyrneos, owner, filed February 17, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a store into an apartment in a two-story brick store and one-apartment building which lacks off-street parking, in an R4 General Residence District, on premises at 1084 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1982; and

WHEREAS, the district maps show that the premises are located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is located in an R4 General Residence District; that the proof presented indicates that the conversion of a store into an apartment is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that the appellant has a right to convert the store into an apartment on the subject site, provided the building is brought into compliance with building code regulations, it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a store into an apartment in the two-story brick store and one-apartment building which lacks off-street parking, on premises at 1084 N. Milwaukee Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Michael Murphy
 APPEARANCES FOR: Mark Kupiec
 APPEARANCES AGAINST:

CAL. NO. 39-82-Z
 MAP NO. 10-K
 MINUTES OF MEETING
 March 12, 1982

PREMISES AFFECTED— 4600 S. Kedvale Avenue.

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

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane
 John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Michael Murphy, for Anthony Sipiara, owner, filed January 26, 1982, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a two-story brick two-apartment building on a lot whose area is 4525 instead of 5000 square feet, on premises at 4600 S. Kedvale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 26, 1982 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.5(5) and 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on February 19 and March 12, 1982 after due notice thereof by publication in the Chicago Sun-Times on February 1, 1982; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that the plan presented to the Board at the public hearing on March 12, 1982 indicates a two-apartment building with a garden apartment at the first or basement level, 2 feet below grade, and the second apartment at the second floor level; that the property in question cannot yield a reasonable return nor can it be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that it would be economically unfeasible to erect a single family residence at this site at this time; 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 in that the proposed two-apartment building, which will be located on a corner lot, will be of a height and size comparable to the existing structures in the block, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred

MINUTES OF MEETING
March 12, 1982
Cal. No. 39-82-Z

upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story brick two-apartment building on a lot whose area is 4525 instead of 5000 square feet, on premises at 4600 S. Kedvale Avenue, upon condition that plans in triplicate shall be identified as Plan No. 3469 approved by the Zoning Board of Appeals before a permit is issued, and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

March 12, 1982

Cal. No. 74-81-Z

Mr. Stuart H. Glicken, for the NHS Development Company, presented a request for an extension of time in which to obtain permits for the construction of five two-unit townhouses, on premises at 2009-29 W. 21st Street, for which side yard variations were granted by the Board on March 10, 1981, and an extension of time granted on August 28, 1981, in Cal. No. 74-81-Z.

Chairman Guthman moved that the request be granted and the time extended until September 20, 1982. The motion prevailed by yeas and nays as follows:

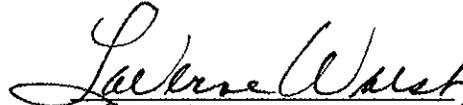
Yeas- Guthman, Cullen, Keane and Kringas. Nays-None.
Absent-Howlett.

MINUTES OF MEETING

March 12, 1982

Mr. Kringas moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on Friday, April 16, 1982 at 9:00 A.M.


Secretary