

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on January 21, 1983
at 9:00 A.M. and 2:00 P.M.

The following were present and constituted a quorum:

Jack Guthman
Chairman
Michael J. Howlett
Thomas P. Keane

Absent-
George J. Cullen
John P. Kringas

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Mr. Keane moved to approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on December 17, 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, Howlett and Keane. Absent- Cullen and Kringas.

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

APPLICANT: Wer Industrial Division of Emerson Electric Co.

CAL. NO. 1-83-S

APPEARANCES FOR: Robert Schuman

MAP NO. 5-J

MINUTES OF MEETING

January 21, 1983

APPEARANCES AGAINST:

PREMISES AFFECTED— 1752 N. Harding 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, Wer Industrial, a division of Emerson Electric Company, owner, filed November 15, 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 R3 General Residence District, on premises at 1752 N. Harding Avenue, for the use of a business located at 1750 N. Springfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 15, 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 7.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on December 27, 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 a parking lot at this location is necessary for the public convenience to provide off-street parking for employees of the applicant company; that the public health, safety and welfare will be adequately protected in the design and operation of the parking lot to be improved and operated under the conditions hereinafter set forth; and that the use of the premises as a parking lot, with provision for landscaping and a slatted fence along the south lot line, 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 1752 N. Harding Avenue,

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for the use of a business located at 1750 N. Springfield Avenue, upon condition that 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 a strip of land 18 feet in width along the east 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 ingress and egress shall be from N. Harding Avenue; that the alley abutting the facility may not be used for ingress nor egress; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the lot shall be fenced; that the fence along the south lot line shall be slatted; that the hours of operation of the parking lot shall be limited to the hours between 7 A.M. and 5 P.M., Mondays through Fridays, and from 7 A.M. until 1 P.M. on Saturdays; that the lot shall be securely locked at all other times; 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 by the applicant.

APPLICANT: Pleasant Green M.B. Church

CAL. NO. 2-83-Z

APPEARANCES FOR: J. Tobias Dixon

MAP NO. 14-F

MINUTES OF MEETING

January 21, 1983

PREMISES AFFECTED— 140 W. 59th 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
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Pleasant Green M.B. Church, owner, filed November 15, 1982, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a one-story church building whose front yard will be 5 instead of 20 feet, whose side yards will be 1 foot each instead of 12 feet each, and with off-street parking for 23 instead of 28 automobiles, on premises at 140 W. 59th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 7.8-3 and 7.7-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on December 27, 1983; 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 applicant church had been established at this location for the past 21 years; that the church building had been demolished because of its deteriorating condition; that it is proposed to construct a new church on the existing foundation and therefore it is necessary to seek the variations requested, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one-story church building whose front yard will be 5 instead of 20 feet, whose side yards will be 1 foot each instead of 12 feet each and with off-street parking for 23 instead of 28 automobiles, on premises at 140 W. 59th Street, upon condition that off-street parking for 16 automobiles shall be provided at 5838 S. LaSalle Street, and that all applicable ordinances of the City of Chicago shall be complied before a permit is issued.

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

APPLICANT: Pleasant Green M.B. Church
 APPEARANCES FOR: J. Tobias Dixon
 APPEARANCES AGAINST:

CAL. NO. 3-83-S
 MAP NO. 14-F
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 5838 S. LaSalle 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, Pleasant Green M.B. Church, owner, filed November 15, 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 R3 General Residence District, on premises at 5838 S. LaSalle Street, to fulfill the parking requirements for a church to be erected at 140 W. 59th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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 7.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on December 27, 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 a parking lot at this location is necessary for the public convenience to fulfill the parking requirements for the church to be constructed at 140 W. 59th Street; 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 use of the premises as a parking lot, with provision for landscaping and fencing along the north lot line, will be compatible with the 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 accessory off-site parking lot for the parking of private passenger automobiles, on premises at 5838 S. LaSalle Street, to fulfill the parking requirements for the church to be erected at 140 W. 59th Street, upon condition

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that 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 a strip of land 20 feet wide along the east property 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 a fence shall be erected along the north lot line; 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 the applicant has complied with all of the provisions of this resolution.

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

APPLICANT: Alfonso Navarro
 APPEARANCES FOR: Alfonso Navarro
 APPEARANCES AGAINST:

CAL. NO. 4-83-Z
 MAP NO. 16-L
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 6418 S. LaPorte 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, Alfonso Navarro, owner, filed December 2, 1982, an application for a variation of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of a second floor addition by the dormering of the upper floor of a one-story brick residence whose south side yard will be 3 feet 2 inches and whose north side yard will be 2 feet 10 inches instead of combined side yards of 9 feet, on premises at 6418 S. LaPorte Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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 7.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on December 27, 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 an addition, consisting of additional bedrooms, a recreation room and a bathroom, is necessary to meet the needs of the family of the applicant; that the plight of the owner is due to the code requirements that increases the required side yards with the erection of a second floor addition; and that the variation, if granted, will not alter the essential character of the locality in that the proposed use is compatible with the existing improvements in the area, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a second floor addition by the dormering of the upper floor of a one-story brick residence whose south side yard will be 3 feet 2 inches and whose north side yard will be 2 feet 10 inches instead of combined side yards of 9 feet, on premises at 6418 S. LaPorte 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: Fifth City Industrial Promotion Corporation

CAL. NO. 5-83-S

APPEARANCES FOR: Camillo F. Volini

MAP NO. 2-J

APPEARANCES AGAINST:

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PREMISES AFFECTED— 212 S. Kedzie Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

Application approved.

THE RESOLUTION:

WHEREAS, Fifth City Industrial Promotion Corporation, owner, filed December 7, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of an automobile laundry in conjunction with an automobile service center and retail auto parts facility, in a C1-3 Restricted Commercial District, on premises at 212 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 10, 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 9.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on December 27, 1982; and

WHEREAS, the district maps show that the premises are located in a C1-3 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C1-3 Restricted Commercial District; that on April 20, 1979 the Board approved the establishment of an automobile laundry in conjunction with an automotive service center and retail auto parts facility on the subject site; that due to funding complexities, the development did not proceed within the allotted time; that there have been no significant changes in the confines of the neighborhood; that the funding is now in place; that the proposed use is necessary for the public convenience at this location in that there are no such facilities in the immediate area; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed automobile laundry with ingress limited to a driveway on Jackson Boulevard and egress onto Kedzie Avenue; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that it represents the rehabilitation of property undertaken by a community organization which is an arm of the organization responsible for the rehabilitation of 205 units in the area, it is therefore

RESOLVEDp that the application for a special use be and it hereby is approved and the

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Zoning Administrator is authorized to permit the establishment of an automobile laundry in conjunction with an automotive service center and retail auto parts facility, on premises at 212 S. Kedzie Avenue, upon condition that the alley immediately west of the subject site shall be vacated, which area shall be used as an access area to the laundry; that egress from the auto laundry shall be onto Kedzie Avenue with a right turn only permitted, 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: Robert F. and Margaret E. Dziedzic

CAL. NO. 6-83-Z

APPEARANCES FOR: Robert F. Dziedzic

MAP NO. 9-P

APPEARANCES AGAINST:

MINUTES OF MEETING

January 21, 1983

PREMISES AFFECTED— 3704 N. Pioneer Avenue

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

ACTION OF BOARD—

THE VOTE

Variation granted.

THE RESOLUTION:

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

WHEREAS, Robert F. and Margaret E. Dziedzic, owners, filed December 9, 1982, an application for a variation of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of a second floor addition, 20 by 30 feet, on the rear of a one-story brick single family residence whose north side yard is approximately 2 feet 10 inches and whose south side yard is 3 feet instead of combined side yards of 7.8 feet, on premises at 3704 N. Pioneer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 3, 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 January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on December 27, 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 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 an addition, consisting of two bedrooms and a bathroom, is necessary to meet the needs of the family of the applicants; that the plight of the owner is due to the code requirements that increases the side yard requirements with the erection of the second floor addition; that that the variations, if granted, will not alter the essential character of the locality in that the use is compatible with the existing improvements in the area, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a second floor addition, 20 by 30 feet, on the rear of a one-story brick family residence whose north side

MINUTES OF MEETING

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Cal. No. 6-83-Z

yard is approximately 2 feet 10 inches and whose south side yard is 3 feet instead of combined side yards of 7.8 feet, on premises at 3704 N. Pioneer 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: Peoples Auto Parking Company

CAL. NO. 7-83-S

APPEARANCES FOR: Thomas F. Baryl

MAP NO. 2-F

APPEARANCES AGAINST:

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January 21, 1983

PREMISES AFFECTED— 601-31 S. Clark Street and 81-89 W. Harrison Street.

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued until
March 18, 1983.

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: Peoples Auto Parking Company

CAL. NO. 8-83-S

APPEARANCES FOR: Thomas F. Baryl

MAP NO. 2-F

MINUTES OF MEETING
January 21, 1983

APPEARANCES AGAINST:

PREMISES AFFECTED— 551-71 W. Monroe Street, 101-24 S. Jefferson Street, 552-62 W. Adams
SUBJECT— Street and 126-34 S. Clinton Street.
Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued until
March 18, 1983.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

APPLICANT: Interventions
APPEARANCES FOR: Ethan Bensinger
APPEARANCES AGAINST:

CAL. NO. 9-83-S
MAP NO. 5-G
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 1943-45 N. Sheffield Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued until
February 25, 1983.

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: Interventions
APPEARANCES FOR: Ethan Bensinger
APPEARANCES AGAINST:

CAL. NO. 10-83-S
MAP NO. 5-G
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 1948 N. Sheffield Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

Case continued until
February 25, 1983.

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

APPLICANT: John W. Bonds, Jr.
APPEARANCES FOR: John W. Bonds, Jr.
APPEARANCES AGAINST:

CAL. NO. 11-83-A
MAP NO. 16-G
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED-- 954 W. 71st 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 W. Bonds, Jr., for Jim Payne, owner, filed November 16, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a delicatessen and ice cream shop in a one-story brick store building, in an R4 General Residence District, on premises at 954 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 182 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 January 21, 1983; 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 store on the subject site has been occupied by business uses, the last use having been a grocery store; that the change of use to a delicatessen and ice cream shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance, 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 delicatessen and ice cream shop in the one-story brick store building, on premises at 954 W. 71st Street, upon condition that there shall be no pin ball machines or other automatic amusement machines on the premises; that the hours of operation shall be limited to the hours between 6:00 A.M. and 6:00 P.M.; 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: Khalil I. Khio

CAL. NO. 12-83-A

APPEARANCES FOR: None

MAP NO. 13-H

APPEARANCES AGAINST:

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January 21, 1983

PREMISES AFFECTED— 1918 W. Winnemac Avenue

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

ACTION OF BOARD—

THE VOTE

Case dismissed for want
of prosecution.

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: Sharon and Donald Burgess
APPEARANCES FOR: Robert Higgins
APPEARANCES AGAINST:

CAL. NO. 13-83-A
MAP NO. 16-K
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 6330 S. Kilpatrick Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to
March 18, 1983.

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: Thomas McCarty
 APPEARANCES FOR: Thomas McCarty
 APPEARANCES AGAINST:

CAL. NO. 14-83-A
 MAP NO. 15-G
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 5725 N. Glenwood 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, Thomas McCarty, for Pat Pianetto, owner, filed November 19, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant in a one-story brick store building, in a B1-2 Local Retail District, on premises at 5725 N. Glenwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 19, 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 January 21, 1983; and

WHEREAS, the district maps show that the premises are located in a B1-2 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 proposed use is to be located in a B1-2 Local Retail District; that the proof presented indicates that the store on the subject site is one unit of a three-store complex; that the premises have been occupied previously by business uses, the last use having been storage for another business in the three-store complex; that the change of use to a restaurant is a proper substitution of use under Section 6.4-7 of the zoning ordinance; 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 restaurant in a one-story brick store building, on premises at 5725 N. Glenwood Avenue, 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: Mildred Irvin
 APPEARANCES FOR: Warren E. Spitz, Mildred Irvin
 APPEARANCES AGAINST:

CAL. NO. 15-83-A
 MAP NO. 22-F
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 8846 S. Yale 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, Mildred Irvin, owner, filed November 22, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a one-and-a-half story frame building as two apartments, in an R2 Single Family Residence District, on premises at 8846 S. Yale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 15, 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 January 21, 1983; 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 said use is located in an R2 Single Family Residence District; that the proof presented indicates that the one-and-a-half story frame building on the subject site has been occupied as two apartments since prior to the time of the passage of the 1942 comprehensive amendemnt to the zoning ordinance; 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-and-a-half story frame building, on premises at 8846 S. Yale 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: Joseph Repetny

CAL. NO. 16-83-A

APPEARANCES FOR: Joseph Repetny

MAP NO. 14-I

APPEARANCES AGAINST:

MINUTES OF MEETING

January 21, 1983

PREMISES AFFECTED— 5955 S. Kedzie 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.

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, Joseph Repetny, owner, filed November 24, 1982, an appeal from the Office of the Zoning Administrator in refusing to permit the continued operation of an automobile body and fender shop in a one-story brick garage building, in a B2-1 Restricted Retail District; on premises at 5955 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 23, 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 January 21, 1983; and

WHEREAS, the district maps show that the premises are located in a B2-1 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in a B2-1 Restricted Retail District; that the proof presented indicates that the subject site has been occupied as an automobile body and fender shop since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; 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 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 automobile body and fender shop in a one-story brick garage building, on premises at 5955 S. Kedzie Avenue, upon condition that the hours of operation shall be limited to the hours between 8:00 A.M. and 5:00 P.M., Monday through Friday and 9:00 A.M. and 12:00 Noon, 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: Francisco Ambriz
 APPEARANCES FOR: Charlie Poppell, Francisco Ambriz
 APPEARANCES AGAINST: Roy Escamilla, et al.

CAL. NO. 17-83-A
 MAP NO. 6-J
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 3000-02 S. Trumbull Avenue

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

ACTION OF BOARD—

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

THE VOTE

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, Francisco Ambriz, owner, filed November 24, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a tavern and banquet hall in a one and two-story brick store and apartment building, in an R3 General Residence District, on premises at 3000-02 S. Trumbull Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 15, 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 January 21, 1983; 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 evidence presented indicates that the tavern and banquet hall on the subject site have been vacant and unoccupied in excess of one year; that under Section 6.4-5 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: The Pastry Corner, Inc.
 APPEARANCES FOR: William G. Gardner, James Basile
 APPEARANCES AGAINST:

CAL. NO. 18-83-A
 MAP NO. 32-B
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 13400 S. Burley 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, The Pastry Corner, Inc., for Chester and Sophie Michna, owners, filed December 2, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a bakery on the first floor of a two-story brick store and apartment building, in an R3 General Residence District, on premises at 13400 S. Burley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 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 7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983; 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 store on the first floor of the subject site has been occupied by various businesses, the last use having been a grocery store; that the change of use to a retail bakery is a proper substitution of use under Section 6.4-7 of the zoning ordinance; 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 ia authorized to permit the establishment of a retail bakery on the first floor of a two-story brick store and apartment building, on premises at 13400 S. Burley Avenue, 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: Romona L. Hunt
 APPEARANCES FOR: Romona L. Hunt
 APPEARANCES AGAINST:

CAL. NO. 19-83-A
 MAP NO. 3-M
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 839 N. Parkside 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, Romona L. Hunt, owner, filed December 7, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a two-story frame building as two apartments, in an R3 General Residence District, on premises at 839 N. Parkside Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 2, 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 January 21, 1983; 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 two-story frame building on the subject site has been occupied as two apartments since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; 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 two-story frame building, on premises at 839 N. Parkside 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: Roderick C. Ciombor
 APPEARANCES FOR: Roderick C. Ciombor, Guillermo Guzman
 APPEARANCES AGAINST:

CAL. NO. 20-83-A
 MAP NO. 12-H
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 4858 S. Wood 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, Roderick C. Ciombor, for Guillermo Guzman, owner, filed December 8, 1982; an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a two-story frame building as three apartments, in an R3 General Residence District; on premises at 4858 S. Wood Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983; 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 two-story frame building on the subject site has been occupied as three apartments since prior to December 30, 1955; 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 two-story frame building, on premises at 4858 S. Wood Street, 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: Spanish Mennonite Church
 APPEARANCES FOR: William C. Butcher
 APPEARANCES AGAINST:

CAL. NO. 186-81-S and
 187-81-S
 MAP NO. 12-H
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 1649 W. 51st Street and 5137 S. Paulins Street.
 SUBJECT— Applications for the approval of special uses.

ACTION OF BOARD—

UPON REMAND:
 Applications denied.

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 Spanish Mennonite Church, filed on May 20, 1981 an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a one and two-story brick building, in a B4-1 Restricted Service District, on premises at 1649 W. 51st Street, Cal. No. 186-81-S, and a special use 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 R3 General Residence District, on premises at 5137 S. Paulina Street, to fulfill the parking requirements for the church to be established at 1649 W. 51st Street, Cal. No. 187-81-S; and

WHEREAS, the Zoning Board of Appeals heard the cases on July 17, 1981 and entered resolutions denying the special use applications, finding in Cal. No. 186-81-S that on October 26, 1979 the Board had denied the special use request of the Illinois Mennonite Church to establish a church in the building at 1649 W. 51st Street, Cal. No. 254-79-S, and denied a requested variation seeking to establish the said church which lacked off-street parking, Cal. No. 255-79-Z; that notwithstanding such denials the applicant church had been established in the building at 1649 W. 51st Street since that time; that the request to establish a church at 1649 W. 51st Street, Cal. No. 186-81-S, was predicated upon fulfilling the parking requirements by establishing an off-site parking lot, in an R3 General Residence District, on a 25 foot lot at 5137 S. Paulina Street; that Section 8.11-1 of the zoning ordinance provided that required off-street parking may be provided as a Special Use under certain conditions, one of which is that parking spaces accessory to a use in a B District may be located in any B, C or M District but may not be located in an R District, except as allowed in Section 7.4-1(4); that the proposed parking lot did not qualify as a parking lot that may be approved as a Special use under Section 7.4-1(4); that the Board had no authority to permit the establishment of a church without the required off-street parking, and finding in Cal. No. 187-81-S that the Board had no authority to permit the establishment of a parking lot in an R3 District for a church to be established in a B District under Sections 8.11-1 and 7.4-1(4) of the zoning ordinance; and

WHEREAS, the Spanish Mennonite Church filed suit in the Circuit Court of Cook County, Docket No. 81 S 18611, asking the court to judicially review the record and reverse the orders of the Board entered on July 17, 1981; and

WHEREAS, on October 7, 1982 Judge Lester D. Foreman issued an Order remanding the case to the Zoning Board of Appeals for the purpose of taking whatever additional evidence either party chose to offer on factual questions concerned with the applications for special use,

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Cal. Nos. 186-81-S and 187-81-S

of considering any questions of law raised by either party, and of making whatever decisions with respect thereto that would be appropriate; and

WHEREAS, a further hearing was held on January 21, 1983, pursuant to the Order of the Court, at which time counsel representing the applicant presented his arguments on the interpretation of the zoning ordinance and raised the question of the constitutionality of the Board's action; that the Board, having considered the arguments presented on January 21, 1983 with reference to interpretation of the zoning ordinance, finds that no facts were presented which would cause the Board to reach a decision contrary to the ones previously rendered, and further, that it is not the function of the Board to rule on the question of constitutionality, it is therefore

RESOLVED, that the Board affirms its denial of the special use applications to establish a church in the one and two-story brick building, in a B4-1 Restricted Service District, on premises at 1649 W. 51st Street, and to establish an accessory off-site parking lot for the parking of private passenger automobiles, in an R3 General Residence District, on premises at 5137 S. Paulina Street, to fulfill the parking requirements for the proposed church at 1649 W. 51st Street.

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

APPLICANT: The Faith Williams Healing Temple

CAL. NO. 21-83-S

APPEARANCES FOR: Daniel A. Tunick

MAP NO. 5-L

APPEARANCES AGAINST: Austin Business Council, Northeast Austin Org., et al

MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 5350 W. North Avenue.

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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 Faith Williams Healing Temple, for Henry P. Collins, owner, filed December 13, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in the one and two-story brick building, in a B4-1 Restricted Service District, on premises at 5350 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 10, 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 8.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on December 27, 1982; and

WHEREAS, the district maps show that the premises are located in a B4-1 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-1 Restricted Service District; that the proof presented indicates that the Austin Business Council, the Northeast Austin Organization, as well as eleven businesses located in the 5300 block of W. North Avenue, filed their objection to the establishment of a church at this location indicating that the chances of revitalizing a viable business area would be curtailed by the establishment of a church at this location; that the proposed use would cause substantial injury to the value of other property in the neighborhood and is not in the public interest, 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: Waste Management of Illinois, Inc.
 APPEARANCES FOR: Sharon M. Sullivan
 APPEARANCES AGAINST:

CAL. NO. 22-83-A
 MAP NO. 3-G
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 850 W. Division Street through to 1039 W. Weed 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.

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, Waste Management of Illinois, Inc., owner, filed December 14, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the continued operation of a paper recovery and waste transfer station in a one-story metal building and a one and two-story brick building, in an M3-4 Heavy Manufacturing District, on premises at 850 W. Division Street through to 1039 W. Weed Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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 10.4-2 (4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983; and

WHEREAS, the district maps show that the premises are located in an M3-4 Heavy 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:

1. That the subject site, consisting of approximately 6.69 acres, is an elongated rectangular shaped parcel, bounded approximately by Division Street on the south, the North Branch Canal on the east, Weed Street on the north, and Hooker Street on the west, and is commonly known as 850 W. Division Street.

2. That the said parcel is situated in an M3-4 Heavy Manufacturing District, in an area characterized by heavy industry and known as Goose Island, which is identified as the area bounded by the east and west branch of the Chicago River, starting approximately at Chicago Avenue and extending north to North Avenue. The surrounding area is composed principally of manufacturing plants and commercial buildings, many of which are vacant.

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Cal. No. 22-83-A

3. That Waste Management of Illinois, Inc. purchased the subject site from Lissner Corporation in December, 1972 and has utilized the same for a paper recovery and waste transfer facility since that acquisition.

4. That there are two structures on the subject site, one at the north end of the subject site, approximately 42,210 square feet, which dates back to 1916 and is used for paper recycling and a second structure south thereof, approximately 249,357 square feet, which is approximately ten years old and is used for paper recycling and waste transfer.

5. That prior to December, 1972, Lissner Corporation owned the subject site for 17 years and operated a paper recovery facility thereon; and, for approximately 10 to 15 years prior thereto, Thomas Paper Stock owned and also operated the same for paper recovery.

6. That since their acquisition of the subject property in December, 1972, Waste Management has operated a paper recovery and waste transfer station facility pursuant to all necessary City of Chicago and State of Illinois permits. In addition to acquisition and operating costs, Waste Management built a 3,024 square foot one-story addition to the older structure in 1977. Appellant's investment in the site in reliance on the underlying zoning classification and issued construction and licensing permits is in excess of two million (\$2,000,000.00) dollars.

7. That the City of Chicago is estopped from denying the continued use of the subject site for a paper recovery and waste transfer station because of Appellant's substantial investment in reliance on the underlying zoning classification and issued construction and licensing permits, and the actual operation of a paper recovery and waste transfer station on the subject site, all prior to the Zoning Administrator's interpretation of the Chicago Zoning Ordinance as requiring special use authorization for the operation of a waste transfer station.

8. That having determined that the City is estopped from denying the continued use of the subject site for a waste transfer station, it is not necessary for this Board to determine whether, under the terms of the Chicago Zoning Ordinance, a waste transfer station is a permitted use, which is the opinion of the Commissioner of the Department of Planning, or a special use, which is the opinion of the Zoning Administrator.

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 paper recovery and waste transfer station in the one-story metal building and the one and two-story brick building, on premises at 850 W. Division Street through to 1039 W. Weed Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with in the said operation.

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

APPLICANT: Daniel L. Houlihan & Associates, Ltd.
APPEARANCES FOR: Sharon Sullivan
APPEARANCES AGAINST:

CAL. NO. 23-83-A
MAP NO. 12-K
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 4937 S. Kostner Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to
March 18, 1983.

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: George Gonzalez
 APPEARANCES FOR: George Gonzalez
 APPEARANCES AGAINST:

CAL. NO. 24-83-A
 MAP NO. 5-J
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 2342 N. St. Louis 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, George Gonzalez, owner, filed November 30, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an auto repair shop in a one-story brick building on rear of lot improved with a one-and-a-half story frame residence, in an R3 General Residence District, on premises at 2342 N. St. Louis Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 9, 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 7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983; 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 on May 10, 1960 the Board sustained an appeal permitting the establishment of a shop for imprinting rolled cellophane, polyethylene foil paper and materials used in the production of packaging and bags in the one-story building at rear of the subject site, Cal. No. 249-60-A, and on October 15, 1982 the Board denied an appeal seeking to establish an auto body shop in that same building, Cal. No. 297-82-A; that the substitution of an automobile repair shop, excluding body and fender repair and engine rebuilding, for the previous printing shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; 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 an auto repair shop in a one-story brick building on rear of lot improved

MINUTES OF MEETING

January 21, 1983

Cal. No. 24-83-A

with a one-and-a-half story frame residence, on premises at 2342 N. St. Louis Avenue, upon condition that the hours of operation shall be limited to the hours between 9:00 A.M. and 5:00 P.M., Monday through Saturday; that there shall be no body or fender work or engine rebuilding in the operation; that all repair work shall be done within the building; 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: Eduardo Rosillo
 APPEARANCES FOR: Charlie Poppell
 APPEARANCES AGAINST:

CAL. NO. 25-83-A
 MAP NO. 6-J
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 3017 S. 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

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, Eduardo Rosillo, owner, filed November 30, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a two-and-a-half story brick building as three apartments, in an R3 General Residence District; on premises at 3017 S. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 29, 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 January 21, 1983; 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 two-and-a-half story brick building on 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 a two-and-a-half story brick building, on premises at 3017 S. Central Park 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: David R. McCoy

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED— 3001 W. Jackson Boulevard

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

ACTION OF BOARD—

Case continued to
February 25, 1983.

CAL. NO. 26-83-A

MAP NO. 2-I

MINUTES OF MEETING

January 21, 1983

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: Eleanor Guerra

CAL. NO. 27-83-A

APPEARANCES FOR: Eleanor Guerra

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING

January 21, 1983

PREMISES AFFECTED— 1832 W. Belmont Avenue

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

ACTION OF BOARD—

THE VOTE

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

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, Eleanor Guerra, for Mac Manxi, owner, filed December 9, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a business for the manufacture and distribution of candy in a two-story frame store and apartment building, in a B4-2 Restricted Service District, on premises at 1832 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 7, 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 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983; and

WHEREAS, the district maps show that the premises are 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, finds that in this case the proposed use is to be located in a B4-2 Restricted Service District; that the use proposed, the manufacture and distribution of candy, may be permitted in a commercial or manufacturing district; that the Board has no authority to permit the proposed use in a B4-2 District, 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: Ralph Pena
 APPEARANCES FOR: Ralph Pena
 APPEARANCES AGAINST:

CAL. NO. 28-83-A
 MAP NO. 5-M
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED-- 6230 W. North 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

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, Ralph Pena, owner, filed December 10, 1982, an appeal from the decision of the Zoning Administrator in refusing to permit the continued operation of an automobile service station and repair shop in a one-story brick building, in a B2-1 Restricted Retail District, on premises at 6230 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 6, 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 January 21, 1983; 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 a B2-1 Restricted Retail District; that the proof presented indicates that the subject site has been occupied as an automobile service station and automobile repair shop since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; 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 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 automobile service station and repair shop in a one-story brick building, on premises at 6230 W. North Avenue upon condition that the hours of operation shall be limited to the hours between 7:00 A.M. and 6:00 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: Rosalie Galassi
 APPEARANCES FOR: Rosalie Galassi
 APPEARANCES AGAINST:

CAL. NO. 29-83-A
 MAP NO. 9-L
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 5316 W. Waveland 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 sustained.

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, Rosalie Galassi, owner, filed December 13, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a two-story frame building as two apartments, in an R2 Single Family Residence District, on premises at 5316 W. Waveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 10, 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 February 15, 1980; 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 said use is located in an R2 Single Family Residence District; that the proof presented indicates that the two-story frame building on the subject site has been occupied as two 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 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 two-story frame building, on premises at 5316 W. Waveland 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: Orbie Cunningham Kennedy
APPEARANCES FOR: David Kugler, Orbie Cunningham Kennedy
APPEARANCES AGAINST: Wayne Robinson, Michael J. Murphy, et al

CAL. NO. 30-83-A
MAP NO. 12-C
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 1645 E. 53rd Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to
February 25, 1983.

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: Severn Kempner
 APPEARANCES FOR: Michael J. Hogan, Severn Kempner
 APPEARANCES AGAINST:

CAL. NO. 31-83-A
 MAP NO. 9-H
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED - 3312 N. Damen 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, Severn Kempner, for Ernesto M. Adan, owner, filed December 15, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a carpentry shop in a one-story brick building, in an R4 General Residence District, on premises at 3312 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 15, 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 January 21, 1983; 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 building on the subject site has been occupied by commercial uses, the last use having been a furniture repair shop; that the change of use to a carpentry shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; 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 carpentry shop in a one-story brick building, on premises at 3312 N. Damen Avenue, upon condition that the hours of operation shall be limited to the hours between 8:00 A.M. and 5:00 P.M., Monday through Friday and 8:00 A.M. and 12:00 Noon 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: Ashraf Ali

CAL. NO. 300-82-S

APPEARANCES FOR: James Wolf

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING

January 21, 1983

PREMISES AFFECTED— 1711-19 W. Division 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, Ashraf Ali, owner, filed September 20, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, partly in a B4-2 Restricted Service District and partly in a B5-2 General Service District, on premises at 1711-19 W. Division Street, to fulfill the parking requirements for a proposed medical center at 1714 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 8.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on October 15 and December 17, 1982 and January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on September 27, 1982; and

WHEREAS, the district maps show that the premises are located partly in a B4-2 Restricted Service District and partly in a B5-2 General 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, finds that in this case the proposed use is to be located partly in a B4-2 Restricted Service District and partly in a B5-2 General Service District; that the proof presented indicates that a parking lot at this location is necessary to fulfill the parking requirements for a medical center to be established at 1714 W. Division Street; that the public health, safety and welfare will be adequately protected in the design and operation of the parking lot to be improved and operated under the conditions hereinafter set forth; and that the use of the premises as a parking lot 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 accessory parking lot for the parking of private passenger automobiles, on premises at 1711-19 W. Division Street, to fulfill the parking requirements for a proposed medical center at 1714 W. Division Street, upon

MINUTES OF MEETING

January 21, 1983

Cal. No. 300-82-S

condition that 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 improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless materia; 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 concrete curbing or guard rails shall be erected on the periphery of the surfaced area; that ingress and egress shall be from W. Division Street; that the alley abutting the facility may not be used for ingress nor for egress; that the parking lot shall be securely locked at all times the medical center at 1714 W. Division Street is not in operation; that the driveways 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 appliant 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 the applicant has complied with all of the provisions of this resolution.

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

APPLICANT: C. B. Garrett
APPEARANCES FOR: Frank Pellegrini
APPEARANCES AGAINST:

CAL. NO. 304-82-S
MAP NO. 3-L
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 4843 W. Division Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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, C. B. Garrett, for Bernard B. and William J. Gaune, owners, filed September 28, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a one-story brick building, in a C1-1 Restricted Commercial District, on premises at 4843 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 9.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on November 19, 1982 and January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on November 1, 1982; and

WHEREAS, the district maps show that the premises are located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C1-1 Restricted Commercial District; that Division Street at this location is a viable commercial district improved with heavy commercial and manufacturing uses; that the establishment of a church in this commercial area would cause substantial injury to the value of other property in the neighborhood and is not in the public interest, 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: C. B. Garrett
APPEARANCES FOR: Frank Pellegrini
APPEARANCES AGAINST:

CAL. NO. 305-82-S
MAP NO. 3-L
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 4839 W. Division Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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, C. B. Garrett, for Bernard B. and William J. Gaune, owners, filed September 28, 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 a C1-1 Restricted Commercial District, on premises at 4839 W. Division Street, to fulfill the parking requirements for a church to be established at 4843 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 9.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on November 19, 1982 and January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on November 1, 1982; and

WHEREAS, the district maps show that the premises are located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C1-1 Restricted Commercial District; that the denial of special use application No. 304-82-S negates the need for the special use requested, 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: National Scavenger Service, Inc.

CAL. NO. 307-82-S

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 1800-58 W. Carroll Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued until
March 18, 1983.

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: Rising Star M.B. Church
 APPEARANCES FOR: Ernest Freeman
 APPEARANCES AGAINST:

CAL. NO. 312-82-S
 MAP NO. 16-F
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 401-11 W. 69th Street
 SUBJECT— Application for the approval of a special use.

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 Rising Star M.B. Church, owner, filed October 6, 1982, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a one-story brick building and the erection of a one-story addition, 35 by 34 feet, to the rear thereof, in a B4-2 Restricted Service District, on premises at 401-11 W. 69th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on November 19, 1982 and January 21, 1983 after due notice thereof by publication in the Chicago Sun-Times on November 1, 1982; and

WHEREAS, the district maps show that the premises are 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, finds that in this case the proposed use is to be located in a B4-2 Restricted Service District; that the proof presented indicates that the proposed use is necessary for the public convenience at this location to meet the needs of the congregation of the applicant church which has been operating at this location since the year 1975; that the public health, safety and welfare will be adequately protected in the operation of the said church which provides needed services in the community; and that the use of the premises as a church will not cause substantial injury to the value of other property in the neighborhood in that although the property is zoned B4-2, the improvements in the area are residential in nature, 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 church in the one-story brick building and the erection of a one-story addition, 35 by 34 feet, to the rear thereof, on premises at 401-11 W. 69th 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: The Body Wrap
 APPEARANCES FOR: John George, Eva Homer
 APPEARANCES AGAINST:

CAL. NO. 319-82-A
 MAP NO. 3-E
 MINUTES OF MEETING
 January 21, 1983

PREMISES AFFECTED— 200 E. Delaware Place
 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, The Body Wrap, for American National Bank and Trust Company of Chicago, Tr. #38370, filed October 4, 1982, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a facial and massage facility, accessory to a beauty shop, on the first floor of a 35-story 189-apartment building, in an R8 General Residence District, on premises at 200 E. Delaware Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 10, 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 7.3-8."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1983; and

WHEREAS, the district maps show that the premises are located in an R8 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 existing beauty salon on the first floor of the building on the subject site; that the appellant has operated The Body Wrap as an adjunct to the beauty shop since June of 1981; that the said use, which consists of giving facials, massages and herbal body wraps, is accessory to the beauty shop; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a facial and massage facility, accessory to a beauty shop, on the first floor of a 35-story 189-apartment building, on premises at 200 E. Delaware Place, upon condition that The Body Wrap always shall be operated in conjunction with the beauty shop; 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: Elsa M. Luna
APPEARANCES FOR: None
APPEARANCES AGAINST: Kathleen L. Takarsky

CAL. NO. 320-82-A
MAP NO. 5-K
MINUTES OF MEETING
January 21, 1983

PREMISES AFFECTED— 4120 W. North Avenue

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

ACTION OF BOARD—

Case dismissed for want
of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

MINUTES OF MEETING

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Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on Friday, February 25, 1983 at 9:00 A.M.


Secretary