

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, December 16, 1983

at 9:00 A.M., 10:30 A.M., 2:00 P.M. and 3:00 P.M.

The following were present and constituted a quorum:

Jack Guthman  
Chairman

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

MINUTES OF MEETING

December 16, 1983

Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on November 18, 1983 (as submitted and signed by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

APPLICANT: City of Chicago, Department of Housing  
 APPEARANCES FOR: Maureen Gallagher  
 APPEARANCES AGAINST:

CAL. NO. 362-83-S  
 MAP NO. 16-D  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1148-58 E. 65th 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, the City of Chicago Department of Housing, for St. Martin de Porres, Inc., owner, filed November 14, 1983, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a temporary shelter care home in a one and two-story brick building, in an R5 General Residence District, on premises at 1148-58 E. 65th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 25, 1983 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 1983; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds in this case that the proposed use is to be located in an R5 General Residence District; that the proof presented indicates that the City of Chicago Department of Housing has received funds from the U.S. Government for building rehabilitation and that the City of Chicago Department of Housing is sponsoring rehabilitation work on the building at the subject site on behalf of St. Martin de Porres, Inc.; that the establishment of the use requested at this site is necessary for the public convenience to provide shelter for women and children who, because of physical abuse or economic reasons, are temporarily without shelter; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed shelter care home in that the rehabilitation of the building will make it safer and more habitable for the occupants; that the proposed use will be a positive improvement in the area and will not cause substantial injury to the value of other property in the neighborhood it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a temporary shelter care home

MINUTES OF MEETING

December 16, 1983

Cal. No. 362-83-S

in a one and two story brick building, on premises at 1148-58 E. 65th Street, upon condition that the building is brought into compliance with building code regulations 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: General Parking Corporation  
 APPEARANCES FOR: Steven N. Klein  
 APPEARANCES AGAINST:

CAL. NO. 363-83-S  
 MAP NO. 1-E  
 MINUTES OF MEETING  
 December 16, 1983.

PREMISES AFFECTED-- 401-39 E. Ontario 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
Abstain		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, General Parking Corporation, for the Chicago Tribune Company, owner, filed November 8, 1983, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 140-stall self-park public parking lot for the parking of private passenger automobiles, in a C3-6 Commercial-Manufacturing District, on premises at 401-39 E. Ontario Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 7, 1983 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 9.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 1983; and

WHEREAS, the district maps show that the premises are located in a C3-6 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds in this case that the proposed use is to be located in a C3-6 Commercial-Manufacturing District; that on October 15, 1963 the Board approved a special use application for the establishment of a parking lot for the parking of private passenger automobiles at the subject site in Cal. No. 451-63-S; that the proposed use is necessary at this location for the public convenience in that this is a high density area with a great need for public parking facilities; that the public health, safety and welfare will be adequately protected in the design and operation of the parking lot which is improved and which will be operated under the conditions hereinafter set forth; that the said parking lot will be compatible with existing improvements in the area and will not cause substantial injury to other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved, and the Zoning Administrator is authorized to permit the establishment of a 140-stall self-park public parking lot for the parking of private passenger automobiles, on premises at 401-39 E. Ontario

MINUTES OF MEETING

December 16, 1983  
Cal. No. 363-83-S

Street, upon condition 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 ingress shall be from N. McClurg Court and from E. Ontario Street; that egress shall be from E. Ontario Street; that striping shall be provided; that the hours of operation shall be limited to the hours between 6 A.M. and 12 P.M., daily; that the lot shall be securely locked at all times when not in operation; 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: New Miracle Temple C.O.G.I.C.  
 APPEARANCES FOR: Chester L. Blair  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 5455 W. Division Street  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 364-83-S  
 MAP NO. 3-L  
 MINUTES OF MEETING  
 December 16, 1983

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, New Miracle Temple C.O.G.I.C., owner, filed November 7, 1983, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a 1-story brick commercial building, in a B4-1 Restricted Service District, on premises at 5455 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 1983 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 meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 1983; 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 in this case the proposed use is to be located in a B4-1 Restricted Service District; that the proof presented indicates that a church at this location is necessary for the public convenience to continue to meet the needs of the 90-member congregation who reside in the area; that the public health, safety and welfare will be adequately protected in the operation of the proposed church which will provide needed services in the community and which will provide adequate off-street parking; and that the proposed use will be compatible with the mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a church in a one-story brick commercial building, on premises at 5455 W. Division Street, upon condition that off-street parking shall be provided at the rear of the building at 5456-62 W. Division Street; 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: New Miracle Temple, C.O.G.I.C.  
 APPEARANCES FOR: Chester L. Blair  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 5456-62 W. Division Street  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 365-83-S  
 MAP NO. 3-L  
 MINUTES OF MEETING  
 December 16, 1983

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, New Miracle Temple C.O.G.I.C., owner, filed November 7, 1983, an application for a special use under the zoning ordinance for the approval of the location and the leasing of 10 parking spaces at the rear of a one-story brick dry cleaning building, on premises at 5456-62 W. Division Street, to satisfy the parking requirements for a proposed church at 5455 W. Division Street, in a B4-1 Restricted Service District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 1983 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 meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 1983; 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 in this case that the proposed use is to be located in a B4-1 Restricted Service District; that on December 16, 1983 the Board approved an application for a special use for the New Miracle Temple C.O.G.I.C. for the establishment of a church at 5455 W. Division Street and incorporates the testimony of that application into the record, Cal. No. 364-83-S; that the proof presented indicates that the proposed use is necessary for the public convenience at this location in order to provide the required off-street parking for the said church; that the public health, safety and welfare will be adequately protected in that the parking area at the rear of the dry cleaning building is leased by the applicant church under terms agreed to by the parties and that its substantial use by the applicant church will take place when the dry cleaning business is not in operation; that the use of the premises as an off-site parking area, which is existing, will be compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the leasing of ten parking spaces at the rear of a one-story

MINUTES OF MEETING

December 16, 1983

Cal. No. 365-83-S

brick dry cleaning building, on premises at 5456-62 W. Division Street, to satisfy the parking requirements for a proposed church at 5455 W. Division Street, upon condition that the lease shall at all times be subject to Section 5.8-5 of the zoning ordinance and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Sugar & Spice Day Care Center, Inc.  
 APPEARANCES FOR: William E. Brooks  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 623 S. Wabash Avenue  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 366-83-S  
 MAP NO. 2-E  
 MINUTES OF MEETING  
 December 16, 1983

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, Sugar & Spice Day Care Center, Inc., for LaSalle National Bank, Tr. No. 10-39518-09, owner, filed November 4, 1983, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a day care center in a portion of the first floor of a 10-story brick commercial building, in a C3-6 Commercial-Manufacturing District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 1983 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 1983; and

WHEREAS, the district maps show that the premises are located in a C3-6 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds in this case that the proposed use is to be located in a C3-6 Commercial-Manufacturing District; that the proof presented indicates that the proposed use is to be located in the south half of the first floor of the ten-story commercial building on the subject site; that the applicant has applied for incorporation by the State of Illinois as a not-for-profit corporation on August 4, 1983; that the applicant seeks to establish a Class I (infants to one-year) and a Class II (toddlers) day care center at the subject site; that the proposed center will operate between the hours of 7 A.M. and 6 P.M.; that staff, consisting of five persons, including a required licensed nurse, will supervise approximately 25 children during the hours of operation; that the desired 5 children to 1 staff member ratio will be maintained as the number of children attending increases; that the staff remains on the premises until all children have been picked up by their parents; that the proposed use is necessary for the public convenience at this location in that it will provide needed supervisory services for children of parents who work in the immediate area; that the public health, safety and welfare will be adequately protected in the design and operation of the day care center which will be operated in conformance with all applicable day care center licensing requirements of the City of Chicago and the

MINUTES OF MEETING

December 16, 1983

Cal. No. 366-83-S

State of Illinois; that the proposed use will not cause substantial injury to the value of other property in the area in that it will be consistent with the types of improvements in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and that the Zoning Administrator is authorized to approve the establishment of a day care center in a portion of the first floor of a ten-story brick commercial building, on premises at 623 S. Wabash Avenue; and be it further

RESOLVED, that the application for a special use is approved upon condition that the applicant obtains the required City of Chicago and State of Illinois licenses for a Class I and Class II day care center and that the special use shall be null and void if the applicable licenses are denied or discontinued.

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

APPLICANT: Herbert Pinzke  
 APPEARANCES FOR: Herbert Pinzke  
 APPEARANCES AGAINST:

CAL. NO. 367-83-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED-- 1935 N. Kenmore 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, Herbert Pinzke, owner, filed October 20, 1983 an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2nd story addition, 23.96 feet x 38.50 feet, on the rear portion of a one-story single family residence with no rear yard instead of 30 feet, and no side yards instead of 2.4 feet each, on premises at 1935 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 13, 1983 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 7.9-4 and 7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the property in question cannot yield a reasonable return nor 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 of the size proposed is necessary to meet the needs of the family of the applicant; that the plight of the owner is due to unique circumstances in that the existing building occupies the rear two thirds of the lot and is presently in the required side yards and the entire required rear yard that the variations, if granted, will not alter the essential character of the locality in that the proposed additions maintain the non-conforming building lines of the existing residence on the site and is located in an area where many improvements are situated in required rear yards; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority granted upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd floor addition

MINUTES OF MEETING

December 16, 1983

Cal. No. 367-83-Z

23.96 ft. x 38.50 ft., on the rear portion of a one-story single family residence, with no rear yard instead of 30 feet and no side yards instead of 2.4 feet each, on premises at 1935 N. Kenmore 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: Glenview State Bank, Trustee under Tr. No. 2533 CAL. NO. 368-83-Z  
 APPEARANCES FOR: William Ryan MAP NO. 17-G  
 APPEARANCES AGAINST: MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1401-29 W. Pratt Boulevard  
 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, Glenview State Bank, Trustee under Tr. No. 2533, owner, filed October 27, 1983, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the legalization of one apartment in an existing 4-story 29-apartment building whose lot area is 25,675 sq. ft. instead of 26,100 sq. ft. and with on-site parking for 26 automobiles instead of 29, on premises at 1401-29 W. Pratt Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 19, 1983 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.5-4, 7.12-2(9), 11.7-4(2) and 11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 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 in this case that the proposed use is to be located in an R4 General Residence District; that on April 25, 1968 the Board denied a variation for the erection of a four-story brick 31-dwelling unit building on a lot whose area was 25,681 instead of 27,900 sq. ft. on the subject site in Cal. No. 79-68-Z; that the proof presented indicates that at some time in the past the building contained 28 dwelling units and that one of the units was later divided, resulting in the 29th unit; that the applicant acquired the building on September 4, 1980 as a 29-dwelling unit building with 26 on-site parking spaces; that the property in question cannot yield a reasonable return not be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that elimination of one unit would require major reconstruction at a prohibitive cost to the applicant; that the plight of the owner is due to unique circumstances in that the applicant is currently involved in selling the dwelling unit under Articles of Agreement and this transaction will be in jeopardy if the applicant is compelled to eliminate the dwelling unit that has already existed for some time; that the variation, if granted, will not alter the essential character of the

MINUTES OF MEETING

December 16, 1983

Cal. No. 368-83-Z

locality in that it is consistent 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 district regulations of the zoning ordinance, and that a variation be and it hereby is granted to permit the legalization of one apartment in an existing four-story 29-apartment building whose lot area is 25,675 sq. ft. instead of 26,100 sq. ft. and with on-site parking for 26 automobiles instead of 29, on premises at 1401-29 W. Pratt Boulevard, 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: Ted Panek  
 APPEARANCES FOR: David Spitz  
 APPEARANCES AGAINST:

CAL. NO. 369-83-Z  
 MAP NO. 3-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1535 W. Fry 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, Ted Panek, owner, filed October 26, 1983, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story brick addition, 10 ft. x 20.5 ft., to the front of a two-story four-apartment building with no front yard instead of 15 ft., on premises at 1535 W. Fry Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 1983 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 7.7-4 and 7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the building on the subject site contained four apartments when purchased by the applicant in 1949; that the proof presented indicates that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that a variation of the front yard is necessary to provide a second means of ingress and egress to meet code requirements; that the plight of the owner is due to unique circumstances in that without the variation requested a second means of ingress and egress would infringe upon living space; that the variation, if granted, will not alter the essential character of the neighborhood in which it is located in that the proposed addition will be in line with several other residences in the block; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story brick addition, 10 ft. x 20.5 ft. to the front of a two-story four-apartment building with no front yard

MINUTES OF MEETING  
December 16, 1983  
Cal. No. 369-83-Z

instead of 15 feet, on premises at 1535 W. Fry 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: Joseph Mariottini  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 370-83-Z  
 MAP NO. 5-I  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 2411-13 W. Moffat Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Joseph Mariottini, for Bickerdike Redevelopment Corp., owner, filed November 29, 1983, an application for a variation of the zoning ordinance, to permit, in an R3 General Residence District, the legalization of a two-story building containing two attached dwelling units whose front yard is 16.48 feet instead of 20 feet and whose east and west side yards are 3.9 feet instead of 5 feet, on premises at 2411-13 W. Moffat Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 28, 1983 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, 7.7-3 and 11.7-4(1)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 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 in this case that the said use is located in an R3 General Residence District; that the proof presented indicates that the applicant has constructed a two-story building containing two attached dwelling units, 40 ft. x 31.40 ft., on a lot having a 125 ft. depth and a 47.96 ft. width; that the plight of the owner is due to unique circumstances in that a spotted survey obtained by the applicant indicated that the cement contractor had incorrectly set back the building's foundation on the lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the cost of bringing the front and side yards into conformance with the zoning requirements would impose a severe financial burden on the applicant; that the variations, if granted, will not alter the essential character of the locality in that the subject building is located in a block in which many of the improvements do not comply with the front and side yard requirements of the zoning ordinance; it is therefore

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

MINUTES OF MEETING

December 16, 1983

Cal. No. 370-83-Z

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 legalization of a two-story building containing two attached dwelling units whose front yard is 16.48 feet instead of 20 feet and whose east and west side yards are 3.9 feet instead of 5 feet, on premises at 2411-13 W. Moffat Street, upon condition that all applicable ordinances of the City of Chicago are complied with before a permit is issued.

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

APPLICANT: Joseph Mariottini  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 371-83-Z  
 MAP NO. 5-I  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1740-42 N. Washtenaw 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, Joseph Mariottini, for Bickerdike Revelopment Corp., owner, filed November 29 1983 an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the legalization of a two-story building containing two attached dwelling units whose front yard is 16.45 feet instead of 20 feet, on premises at 1740-42 N. Washtenaw Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 28, 1983 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 7.7-3 and 11.7-4(1).

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 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 in this case that the said use is located in an R3 General Residence District; that the proof presented indicates that the applicant has constructed a two-story building containing two attached dwelling units, 31.41 ft. by 39.81 ft., on a lot having a 125 ft. depth; that the plight of the owner is due to unique circumstances in that a spotted survey obtained by the applicant indicated that the cement contractor had incorrectly set back the building's foundation on the lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the cost of bringing the front yard into conformance with the zoning requirements would impose a severe financial burden on the applicant; that the variation, if granted, will not alter the essential character of the locality in that the subject building is located in a block in which many of the improvements do not comply with the front yard requirements of the zoning ordinance, 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

MINUTES OF MEETING

December 16, 1983

Cal. No. 371-83-Z

and that a variation be and it hereby is granted to permit the legalization of a two-story building containing two attached dwelling units whose front yard is 16.45 feet instead of 20 feet, on premises at 1740-42 N. Washtenaw 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: Joseph Mariottini  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 372-83-Z  
 MAP NO. 5-I  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1748-50 N. Washtenaw Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Joseph Mariottini, for Bickerdike Redevelopment Corp., filed November 29, 1983, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the legalization of a two-story building containing two attached dwelling units whose front yard is 16.54 feet instead of 20 feet, on premises at 1748-50 N. Washtenaw Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 28, 1983 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 7.7-3 and 11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on November 28, 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 in this case that the said use is located in an R3 General Residence District; that the proof presented indicates that the applicant has constructed a two-story building containing two attached dwelling units, 31.3 ft x 39.75 ft., on a lot having a 125 ft. depth; that the plight of the owner is due to unique circumstances in that a spotted survey obtained by the applicant indicated that the cement contractor had incorrectly set back the building's foundation on the lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the cost of bringing the front yard into conformance with the zoning requirements would impose a severe financial burden on the applicant; that the variation, if granted, will not alter the essential character of the locality in that the subject building is located in a block in which many of the improvements do not comply with the front yard requirements of the zoning ordinance; 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

MINUTES OF MEETING

December 16, 1993

Cal. No. 372-83-Z

and that a variation be and it hereby is granted to permit the legalization of a two-story building containing two attached dwelling units whose front yard is 16.54 feet instead of 20 feet, on premises at 1748-50 N. Washtenaw 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: Adalberto Nieves  
 APPEARANCES FOR: Adalberto Nieves  
 APPEARANCES AGAINST:

CAL. NO. 373-83-A  
 MAP NO. 5-I  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 2108 N. Albany 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, Adalberto Nieves, owner, filed November 14, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize a one-and-a-half story frame building as two apartments, in an R3 General Residence District, on premises at 2108 N. Albany Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 7, 1983 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 December 16, 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 in this case that the said use is located in an R3 General Residence District; that the proof presented indicates that the 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 a one-and-a-half story frame building, on premises at 2108 N. Albany 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: Avis M. Landon  
 APPEARANCES FOR: Avis M. Landon  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 956 N. Central Park Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.  
 ACTION OF BOARD—

CAL. NO. 374-83-A  
 MAP NO. 3-J  
 MINUTES OF MEETING  
 December 16, 1983

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, Avis M. Landon, for Mr. Newman, owner, filed November 9, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 956 N. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 28, 1983 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 7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 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 in this case that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that the non-conforming store in the building on the subject site has been occupied by a hardware store and that the change of use to a grocery store 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 grocery store in a two-story brick store and apartment building, on premises at 956 N. Central Park Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., daily; that there shall be no automatic amusement machines on the premises; 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: Hipolito Baez and Genoveva Baez  
 APPEARANCES FOR: Genoveva Baez  
 APPEARANCES AGAINST:

CAL. NO. 375-83-A  
 MAP NO. 5-I  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1709 N. Troy 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, Hipolito Baez and Genoveva Baez, owners, filed October 14, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize a 4th apartment in the basement of a three-story brick three-apartment building, in an R3 General Residence District, on premises at 1709 N. Troy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 9, 1983 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.5-3 and 7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 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 in this case that the said use is located in an R3 General Residence District; that the proof presented indicates that the basement in the building on the subject site has been occupied as an apartment 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 basement as an apartment, 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 basement of a three-story three-apartment building, on premises at 1709 N. Troy Street, as a 4th apartment, 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: Nicola Radogna

CAL. NO. 376-83-A

APPEARANCES FOR: Nicola Radogna

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 2449 N. Central 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, Nicola Radogna, for Catherine Radogna, owner, filed October 17, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant in the store on the first floor of a two-story brick store and apartment building, in an R3 General Residence District, on premises at 2449 N. Central Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 14, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that on December 17, 1982 the Board sustained an appeal permitting the establishment of a hardware store in the store in the building on the subject site, in Cal. No. 358-82-A, which use was recently discontinued; 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 deli restaurant in the store on the first floor of a two-story brick store and apartment building, on premises at 2449 N. Central Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 8 P.M., daily; that there shall be no automatic amusement machines on the premises; 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: Maged Ahmad Rahman and Sylvia Logan  
APPEARANCES FOR: Sylvia Logan  
APPEARANCES AGAINST:

CAL. NO. 377-83-A  
MAP NO. 26-F  
MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 256 W. 111th Street  
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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, Maged Ahmad Rahman and Sylvia Logan, for Sylvia Logan, owner, filed October 17, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a grocery store in a three-story brick store and apartment building, in an R3 General Residence District, on premises at 256 W. 111th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 12, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that on April 22, 1977 the Board denied an appeal for the establishment of a restaurant in the store in the building on the subject site, Cal. No. 86-77-A, finding that the store had been vacant and unoccupied by business uses for six years; that no business uses have been established in the store in the building since 1977; that under Section 6.4-5 of the zoning ordinance the Board has no authority to permit the re-establishment of a business use at this site; 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: William A. Smith  
 APPEARANCES FOR: William A. Smith  
 APPEARANCES AGAINST:

CAL. NO. 378-83-A  
 MAP NO. 18-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 936 W. 79th 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, William A. Smith, for Richard Hinton, owner, filed November 1, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of an automatic self-service launderette in a one-story brick store building, in a B2-2 Restricted Retail District; on premises at 936 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 25, 1983 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 8.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983; and

WHEREAS, the district maps show that the premises are located in a B2-2 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds in this case that the proposed use is to be located in a B2-2 Restricted Retail District; that the proof presented indicates that the launderette had been in continuous operation at the subject site for the last twenty years; that the launderette was rendered non-conforming when on September 26, 1979, the City Council of Chicago rezoned the site from B4-2 to B2-2; that the previous owner failed to secure the proper city license; 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 re-establishment of an automatic self-service launderette in a one-story brick store building, on premises at 936 W. 79th Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: John Opiola  
 APPEARANCES FOR: John Opiola  
 APPEARANCES AGAINST:

CAL. NO. 379-83-A  
 MAP NO. 9-L  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 5258 W. Roscoe 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, John Opiola, for John and Helen Opiola, owners, filed October 17, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a non-conforming basement store into an apartment in a two-story brick store and six-apartment building, in an R3 General Residence District, on premises at 5258 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 13, 1983 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.5-3 and 7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 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 in this case that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that the building on the subject site has been occupied as a store and six apartments; that it is proposed to convert a non-conforming basement store into an apartment which 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 conversion of a non-conforming basement store into an apartment in a two-story brick store and six apartment building for a total of seven apartments, on premises at 5258 W. Roscoe 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: Lucious Boykin

APPEARANCES FOR: None

APPEARANCES AGAINST:

CAL. NO. 380-83-A

MAP NO. 4-J

MINUTES OF MEETING

December 16, 1983

PREMISES AFFECTED— 3542 W. Cermak Road

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

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

APPLICANT: Milton M. Olson

CAL. NO. 381-83-A

APPEARANCES FOR: Milton M. Olson

MAP NO. 18-J

APPEARANCES AGAINST:

MINUTES OF MEETING

December 16, 1983

PREMISES AFFECTED— 7144 S. Harding 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, Milton M. Olson, owner, filed October 18, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the reconstruction of an existing detached accessory garage increasing the size and height for additional storage of a mini motor-home vehicle, in an R2 Single Family Residence District, on premises at 7144 S. Harding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 14, 1983 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 5.6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 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 in this case that the proposed use is to be located in an R2 Single Family Residence District; that the proof presented indicates the appellant owns a mini-motor home vehicle and seeks to reconstruct the existing detached accessory garage on premises by increasing its floor area and height and installing a 10 ft. x 10 ft. overhead door to accommodate said vehicle; that no violation of the zoning ordinance exists provided that the proposed garage does not exceed 15 feet in height and 576 sq. ft. in floor area; 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 reconstruction of an existing detached accessory garage by increasing the floor area and height and the installation of a 10 ft. x 10 ft. overhead door for additional storage of a mini-motor home vehicle, on premises at 7144 S. Harding Avenue, upon condition that the proposed garage shall not exceed 15 ft. in height and 576 sq. ft. in floor area, 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: Jacinto Moyet

CAL. NO.382-83-A

APPEARANCES FOR:

MAP NO.3-J

APPEARANCES AGAINST:

MINUTES OF MEETING

December 16, 1983

PREMISES AFFECTED— 1340 N. Homan Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to  
January 20, 1984.

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: Wilhelmina Brown  
 APPEARANCES FOR: Wilhelmina Brown  
 APPEARANCES AGAINST:

CAL. NO. 383-83-A  
 MAP NO. 14-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED-- 5517 S. Green Street (rear)

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
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Wilhelmina Brown, owner, filed October 26, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile repair shop in the one-story brick garage at the rear of a lot improved with a one-and-a-half story frame residence, in an R3 General Residence District, on premises at 5517 S. Green Street (rear); and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 13, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that on September 16, 1983 the Board denied an appeal by the appellant for the establishment of an automobile repair shop in the garage on the subject site, in Cal. No. 278-83-A, finding that the garage had been occupied as a storage garage for scavenger trucks and that under Section 6.4-7 of the zoning ordinance the establishment of an automobile repair shop was not a proper substitution of use in a residential zone; that no further evidence was presented to indicate that an automobile repair shop was ever legally established in the garage on the subject site; that under Section 6.4-7 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: Arthur Madlocks  
 APPEARANCES FOR: Arthur Madlocks  
 APPEARANCES AGAINST:

CAL. NO. 384-83-A  
 MAP NO. 20-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 8310 S. Halsted 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, Arthur Madlocks, for Percy Moss, owner, filed October 27, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of an automobile repair and body and fender shop in a one-story brick garage building, in a B2-1 Restricted Retail District, on premises at 8310 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 14, 1983 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 December 16, 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 in this case that the proposed use is to be located in a B2-1 Restricted Retail District; that the proof presented indicates that on December 19, 1980 the Board sustained an appeal permitting the continued operation of an automobile body shop at the subject site, in Cal. No. 326-80-A; that due to fire damage the premises have been closed for repairs and that the appellant now desires to reopen the business; 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 and it hereby is reversed and he is authorized to permit the re-establishment of an automobile repair and body and fender shop in a one-story brick garage building, on premises at 8310 S. Halsted Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 7 P.M., Mondays through Saturdays; 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: John H. Slimak, Architect  
 APPEARANCES FOR: John H. Slimak  
 APPEARANCES AGAINST:

CAL. NO. 385-83-A  
 MAP NO. 4-K  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1217 S. Kedvale 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, John H. Slimak, Architect, for John Smith, owner, filed October 31, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the enclosure of a three-story porch on an existing 8 ft. x 23 ft. 8 in. foundation at the rear of a three-story brick three-apartment building which will exceed the allowable floor area and will be partially located in the required side yard, in an R4 General Residence District, on premises at 1217 S. Kedvale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 27, 1983 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 7.6-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the proposed enclosure of a three-story porch on an existing 8 ft. x 23 ft. 8 in. foundation located at the rear of and partially in the required side yard of a three-story brick three-apartment building would exceed the allowable floor area ratio; that 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: Zodiac Enterprises, Inc.  
 APPEARANCES FOR: Thomas J. Murphy, John Fennig  
 APPEARANCES AGAINST:

CAL. NO. 386-83-A  
 MAP NO. 1-E  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 505 N. Michigan Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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, Zodiac Enterprises, Inc., for 505 North Michigan Avenue Associates, owner, filed October 25, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to approve an arcade license for video game machines located within the upper lobby and above in a multi-story hotel building, in a B6-7 Restricted Central Business District, on premises at 505 N. Michigan Avenue, which, it is alleged, is a permitted accessory use; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 17, 1983 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 8.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983; and

WHEREAS, the district maps show that the premises are located in a B6-7 Restricted Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds in this case that the proposed use is to be located in a B6-7 Restricted Central Business District; that the proof presented indicates that the appellant seeks to install in excess of five automatic amusement machines within the upper lobby area in a multi-story hotel building; that the amusement machines will be principally for entertainment and amusement of the guests of the hotel; that the machines will not be visible from the main lobby area; that there will be no advertising, display or identification signs within the main lobby or outside the building which indicate the presence of amusement devices within the premises; that the proposed use is a customary amenity found in modern-day hotels and contributes to the comfort and convenience of the guests of the hotel and therefore is a permitted accessory use; 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 approve a Public Place of Amusement - Class II Arcade License for video game machines located within the upper lobby area in a multi-story hotel building, on premises at 505 N. Michigan Avenue, upon condition that the automatic amusement machines shall be for the use of hotel guests only;

MINUTES OF MEETING  
December 16, 1983  
Cal. No. 386-83-A

that there shall be no advertising, display or identification signs within the main lobby or outside the building which indicate the presence of amusement devices within the premises; 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: Anthony J. Fornelli  
 APPEARANCES FOR: Anthony J. Fornelli  
 APPEARANCES AGAINST:

CAL. NO. 387-83-A  
 MAP NO. 2-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1005 S. Racine 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, Anthony J. Fornelli, for Cosmopolitan National Bank, Tr. #21173, owner, filed October 31, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize a three-story brick three-apartment building with residential use on the ground floor, in a B4-2 Restricted Service District, on premises at 1005 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 26, 1983 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 December 16, 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 in this case the said use is located in a B4-2 Restricted Service District; that the proof presented indicates that the building on the subject site has been occupied as three 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 three apartments with residential use on the ground floor, 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 three-story brick building, on premises at 1005 S. Racine Avenue, as three apartment with residential use on the ground floor, 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: Felipe J. Najar  
 APPEARANCES FOR: Felipe J. Najar  
 APPEARANCES AGAINST:

CAL. NO. 388-83-A  
 MAP NO. 7-I  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 3057 N. Troy 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
Jack Guthman	X		
George J. Cullen	X		
Michael J. Howlett	X		
Thomas P. Keane	X		
John P. Kringas			X

THE RESOLUTION:

WHEREAS, Felipe J. Najar, for Benigno E. Carabez, owner, filed October 31, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to approve an existing advertising sign on the north wall of a three-story brick apartment building, in an R3 General Residence District, on premises at 3057 N. Troy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 30, 1983 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. 7.10-1 and 11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 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 in this case that the said use is located in an R3 General Residence District; that the proof presented indicates that on the north wall of the three-story brick building is a large non-illuminated sign painted on the wall advertising Midwest Appliance Parts Co.; that the appellant's father-in-law, owner of the premises, leases the building on the subject site to Midwest Appliance Parts Co.; that the sign has been at the subject site prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to approve an existing advertising sign on the north wall of a three-story brick apartment building, on premises at 3057 N. Troy Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Robert Kamin (Contractor)  
 APPEARANCES FOR: Robert Kamin  
 APPEARANCES AGAINST:

CAL. NO. 389-83-A  
 MAP NO. 28-I  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 11130 S. Artesian 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, Robert Kamin (Contractor), for William Neimoth, owner, filed November 3, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a one-story 16 ft. x 28.5 ft. addition to the rear of a one-and-a-half story brick single family residence on a zoning lot containing an additional one-story frame residence at the rear, in an R2 Single Family Residence District, on premises at 11130 S. Artesian Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 26, 1983 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 6.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 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 in this case that the proposed use is to be located in an R2 Single Family Residence District; that the proof presented indicates that the proposed addition will be to the rear of a one-and-a-half story brick single family residence for the purpose of providing living space for the appellant's aged aunt; that the proposed addition will comply with the maximum floor area ratio and side yard requirements; 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 erection of a one story, 16 ft. x 28.5 ft. addition to the rear of a one-and-a-half story brick single family residence on a zoning lot containing an additional one-story frame residence at the rear, on premises at 11130 S. Artesian 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: Allen A. Bendkowski  
APPEARANCES FOR: Allen A. Bendkowski  
APPEARANCES AGAINST: Susan Nuccio

CAL. NO. 390-83-A  
MAP NO. 5-F  
MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 1970 N. Lincoln Avenue  
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Case continued to  
January 20, 1984.

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: Nilda Flores  
 APPEARANCES FOR: Nilda Flores  
 APPEARANCES AGAINST:

CAL. NO. 391-83-A  
 MAP NO.4-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1344 W. 18th Place

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, Nilda Flores, for Helen Domenella, owner, filed November 3, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant in the store on the first floor of a four-story brick store and apartment building, in an R4 General Residence District, on premises at 1344 W. 18th Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the store in the building on the subject site has been previously occupied by a bakery; 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 the store on the first floor of a four-story brick store and apartment building, on premises at 1344 W. 18th Place, upon condition that there shall be no automatic amusement machines on the premises; that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., daily, 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: Hulene R. McKinley  
 APPEARANCES FOR: Mark Jones, Hulene R. McKinley  
 APPEARANCES AGAINST: Mrs. Albert Reese, S. Vaughan

CAL. NO. 392-83-A  
 MAP NO. 12-H  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1472 W. 113th Place

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, Hulene R. McKinley, owner, filed November 3, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize a one-story brick building as three apartments, in an R2 Single Family Residence District, on premises at 1472 W. 113th Place, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 3, 1983 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 December 16, 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 in this case that the said use is located in an R2 Single Family Residence District; that the proof presented indicates that prior to the time of the passage of the 1942 Comprehensive Amendment to the zoning ordinance the district in which the building on the subject site is located was zoned for apartments; that the proof presented indicates that the building was occupied as four apartments prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance at which time the district was zoned R2 Single Family Residence; that the appellant has a right to continue the occupancy of the building as three apartments, providing 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 one-story brick building, on premises at 1472 W. 113th Place, as three apartments, upon condition that the building is brought into compliance 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: Walter F. Robinson  
 APPEARANCES FOR: Walter F. Robinson  
 APPEARANCES AGAINST:

CAL. NO. 393-83-A  
 MAP NO. 12-H  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 5403 S. Winchester 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
Jack Guthman	X		
George J. Cullen	X		
Michael J. Howlett	X		
Thomas P. Keane	X		
John P. Kringas			X

THE RESOLUTION:

WHEREAS, Walter F. Robinson, owner, filed November 4, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a one-story brick store building, in an R3 General Residence District, on premises at 5403 S. Winchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that the store in the building had been occupied by a resale shop; that the records of the licensing department indicates that a food purveyors license for the premises was issued in 1981; that the change of use to a grocery store 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 that the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a one-story brick store building, on premises at 5403 S. Winchester Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 9 P.M., daily, that there shall be no automatic amusement machines on the premises; that no alcoholic beverages may be sold on the premises; 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: Ezequiel Gomez  
 APPEARANCES FOR: Ezequiel Gomez  
 APPEARANCES AGAINST:

CAL. NO. 394-83-A  
 MAP NO. 4-H  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED-- 2142 S. Paulina Street

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

ACTION OF BOARD--

THE VOTE

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

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, Ezequiel Gomez, for Antonio Cruz, owner, filed November 4, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile repair shop in a one-story brick garage at the rear of a two-story brick apartment building, in an R4 General Residence District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 26, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the garage on the subject site has 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: Daniel M. Kuber  
APPEARANCES FOR: Daniel M. Kuber  
APPEARANCES AGAINST:

CAL. NO. 395-83-A  
MAP NO. 10-F  
MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 559 W. 42nd Place

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
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Daniel M. Kuber, for Roy E. and Daniel M. Kuber, owners, filed November 4, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a tavern at the rear of a grocery store in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 559 W. 42nd Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 4, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that the appellant is operating an existing grocery store, a use permitted in a B1 district, in the non-conforming store in the building on the subject site; that under Section 7.3 of the zoning ordinance the Board has no authority to permit the establishment of a tavern, a minimum B4 use, at the rear of the grocery store; 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: Herbert H. Henderson  
 APPEARANCES FOR: Herbert H. Henderson  
 APPEARANCES AGAINST: S. Vaughan

CAL. NO. 396-83-A  
 MAP NO. 28-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 11360 S. Throop Street

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Herbert H. Henderson, owner, filed November 4, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize a one-story frame building as three apartments, in an R2 Single Family Residence District, on premises at 11360 S. Throop Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 5, 1983 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 December 16, 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 in this case that the said use is located in an R2 Single Family Residence District; that the proof presented indicates that the building on the subject site was moved to its present location in 1955 at which time the zoning was duplex which allowed a maximum of two apartments; that the 1957 comprehensive amendment to the zoning ordinance rezoned the subject site to single family; that three apartments could not have legally been established on the subject site and that the appellant has a right to no more than two apartments; 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: Chase House, Inc.

CAL. NO. 397-83-A

APPEARANCES FOR: Helen Haugsnes

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING

December 16, 1983

PREMISES AFFECTED— 4301 N. Sheridan Road

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, Chase House, Inc., for Buena Memorial Presbyterian Church, owner, filed November 8, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a day care center in the basement of a one and two-story brick church building, in an R5 General Residence District, on premises at 4301 N. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 19, 1983 reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.3-5, 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds in this case that the proposed use is to be located in an R5 General Residence District; that the proof presented indicates that the appellant is applying for the proper city and state licenses as a Head Start day care center; that the proposed use will be located in the basement of the subject site, a pre-existing church building which is non-conforming as to parking requirements; that a maximum of 40 children will attend the day care center and will be under the supervision of eight adults, of which six will be on duty at all times during which time the center is open; that the legal pre-existing non-conforming church was built prior to the passage of the 1923 zoning ordinance which did not require off-street parking at that time; that the proposed use will operate during hours that will not coincide with church activities; and that under Section 5.8-1(3) of the zoning ordinance the proposed use requires no additional off-street parking; 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

MINUTES OF MEETING

December 16, 1983

397-83-A

the establishment of a day care center in the basement of a one and two-story brick church with no off-site parking required, on premises at 4301 N. Sheridan Road, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 5 P.M., and be it further

RESOLVED, that the appeal is sustained on condition that the appellant obtains the proper licenses issued by the City of Chicago and the State of Illinois for a day care center; and that the appeal of said day care center shall be null and void if said licenses are denied or discontinued

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Richard J. Wojcik  
 APPEARANCES FOR: Richard J. Wojcik  
 APPEARANCES AGAINST:

CAL. NO. 398-83-A  
 MAP NO. 4-H  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1801 W. 19th 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, Richard J. Wojcik, owner, filed November 8, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of sandwiches in an existing tavern in a two-story frame store and apartment building, in an R4 General Residence District, on premises at 1801 W. 19th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 7, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the appellant operates a duly licensed tavern in the non-conforming store in the building on the subject site and desires to add, as an accessory use, the dispensing of sandwiches; 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 dispensing of sandwiches in an existing tavern in a two-story frame store and apartment building, on premises at 1801 W. 19th Street, upon condition that all applicable ordinances of the City of Chicago are complied with before a license is issued.

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

APPLICANT: Calvin Edge

CAL. NO. 399-83-A

APPEARANCES FOR:

MAP NO. 1-L

APPEARANCES AGAINST:

MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 158-60 N. Laramie Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to  
January 20, 1984.

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: Nathaniel H. Simpson, Jr.

CAL. NO.400-83-A

APPEARANCES FOR: Martin Murphy

MAP NO.20-D

APPEARANCES AGAINST:

MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 1122 E. 87th Street

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

ACTION OF BOARD—

THE VOTE

Case continued to  
January 20, 1984.

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 808

APPLICANT: Alexander Malinowski

CAL. NO. 156-83-Z

APPEARANCES FOR: John Slimak

MAP NO. 4-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 2047 W. 19th Street

SUBJECT— Application to vary the requirements of the Zoning Ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Alexander Malinowski, for Alexander and Jeanette Malinowski, owners, filed April 15, 1983, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the installation of a counter-balanced fire escape on the east side of a three-story and basement brick six-apartment building which extends into the required east side yard, on premises at 2047 W. 19th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 15, 1983 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on May 31, 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 in this case that 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 as six apartments since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that in order to comply with building code regulations it is necessary to provide a second means of egress for the apartments in the building; necessitating the installation of the proposed fire escape in the required east side yard; that the plight of the owner is due to the limited space available to provide access to the second and third story apartments; that the variation, if granted, will not alter the essential character of the locality in that the proposed fire escape is open and will not impair light and air and that the majority of the improvements in the immediate area do not comply with the side yard requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

December 16, 1983

Calendar No. 156-83-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the district regulations of the zoning ordinance and that a variation be and it is hereby granted to permit the installation of a counter-balanced fire escape on the east side of a three-story and basement brick six-apartment building which extends into the required east side yard, on premises at 2047 W. 19th 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: Reuben Jefferson  
 APPEARANCES FOR: Reuben Jefferson  
 APPEARANCES AGAINST:

CAL. NO. 340-83-A  
 MAP NO. 22-D  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 8909½ S. Cottage Grove 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 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, Reuben Jefferson, for Charles Malcolm, owner, filed September 22, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a food dispenser license for a store on the first floor of a three-story brick store and apartment building, in an R4 General Residence District, on premises at 8909½ S. Cottage Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 12, 1983 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 December 16, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that on July 15, 1983, the Board sustained an appeal by the appellant permitting the establishment of a candy store in the store in the building on the subject site, in Cal. No. 215-83-A; that the appellant seeks to add carry out food to the existing candy store business and desires a food dispenser license; 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 approve a food dispenser license for a store on the first floor of a three-story brick store and apartment building, on premises at 8909½ S. Cottage Grove Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 10 P.M. daily, 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: Marc and Jack Berger  
 APPEARANCES FOR: Jack Berger  
 APPEARANCES AGAINST: Duncan Harris, et al.

CAL. NO. 291-83-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 December 16, 1983

PREMISES AFFECTED— 1856-64 N. Halsted Street

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

ACTION OF BOARD—

THE VOTE

Variation granted.

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

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

THE RESOLUTION:

WHEREAS, Marc and Jack Berger, for Exchange National Bank of Chicago, Tr. No. 33034, owner, filed August 17, 1983, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a three and four-story 12-apartment building whose front yard will be 5 instead of 15 feet, with side yards of 3 instead of 10 feet, whose rear yard will be 2.5 feet instead of 30 feet and with six enclosed parking spaces located in a portion of the required front yard, on premises at 1856-64 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 2, 1983 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 7.8-4, 7.7-4 and 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1983 after due notice thereof by publication in the Chicago Tribune on October 3, 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 in this case that the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that on March 21, 1980 the Board granted a variation for a portion of the subject site which permitted the erection of a three and four-story brick eight-unit townhouse whose front yard was five feet instead of 15 feet, and with side yards of four instead of 7.5 feet, whose rear yard was 25 feet instead of 30 feet and with parking in a portion of the required front yard, on the subject site in Cal. No. 48-80-Z which testimony is made part of the record; that the proposed development is for a lesser number of units than might be built under current zoning; that a lower density development is in keeping with the community and more desirable for the site; that a reasonable return, given the lower density, requires the variations requested and would be impossible economically, nor could a reasonable return be had if the site was used only under the conditions allowed by the regulations applicable in this district; that the Board finds that there are unique circumstances in this instance, both in terms of the lower density, the desirability of saving a tree on the site, and the quality design features of the court yard;

MINUTES OF MEETING

December 16, 1983

Cal. No. 291-83-Z

that neighboring property owners live in improvements similar to that contemplated and that therefore, the variation, upon being granted, will not alter the essential character of the locality; that further, a good many of the improvements in the area do not meet either the front, side or rear yard requirements; that evidence was presented indicating that the south-westerly two-story and garage portion of the proposed building which is 42 feet in width and 32 feet in height and situated 2.5 feet east of the 18 foot public alley does not impair an adequate supply of light and air, nor invade the privacy, of the sun deck area of the residential building located directly across the alley to the west; and that, in fact, a conventional apartment building at the site, which would be higher but would meet all set back and yard requirements, could conceivably have a negative effect on the light and air of adjacent properties; be it therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a three and four-story 12 apartment building whose front yard will be five instead of 15 feet, with side yards of three instead of ten feet, whose rear yard will be 2.5 feet instead of 30 feet and with six enclosed parking spaces located in a portion of the required front yard, on premises at 1856-64 N. Halsted 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: William Flood  
APPEARANCES FOR: John J. Pikarski, Jr.  
APPEARANCES AGAINST:

CAL. NO. 401-83-S  
MAP NO. 32-B  
MINUTES OF MEETING  
December 16, 1983

PREMISES AFFECTED— 2434-2624 E. 134th Street  
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
January 13, 1984.

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

December 16, 1983

Mr. Robert W. Moravec, owner, filed a request for an extension of time in which to obtain a new building permit for the erection of a two-story single family residence whose front yard will be 5 instead of 10 feet, whose rear yard will be 5 instead of 30 feet and on a lot whose area is 4759 instead of 5000 square feet, in an R2 Single Family Reside, on premises at 6024 W. Giddings Street, for which a variation was granted on November 17, 1978, in Cal. No. 262-78-Z.

Chairman Guthman moved that the request be granted and the time extended until May 17, 1984.

The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 16, 1983

Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on January 13, 1984.

*Marian Rest*  
Secretary