

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, September 21, 1984

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
Thomas P. Keane

MINUTES OF MEETING

September 21, 1984

Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on August 24, 1984 (as submitted by the Secretary) as the minutes of said meeting:

The motion prevailed by yeas and nays as follows:

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

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: James Kuhlmeier
 APPEARANCES FOR: Niel Beaulieu
 APPEARANCES AGAINST:

CAL. NO. 316-84-Z
 MAP NO. 15-O
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 7422 W. Ardmore 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, James Kuhlmeier, for Commercial National Bank, Tr. #632, on August 14, 1984, filed an application for a variation of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of a one-story 10 feet by 21 feet addition to the rear of a two-story brick single family dwelling whose rear yard will be 10 feet instead of 30 feet, on premises at 7422 W. Ardmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 13, 1984 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 7.9-2 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 September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R2 Single Family Residence District; that the proof presented indicates that the property in question cannot yield a reasonable return nor 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 requested consisting of a family room and eating area is necessary to meet the needs of the applicant's family; that the plight of the owner is due to a 25 feet recorded building lot line restriction imposed on the entire street side frontage of the unusually shaped subject site and the limited depth available for addition; that the variation, if granted, will not alter the essential character of the locality in that the proposed one-story addition will be set back ten feet from the north lot line and 13 feet from the west lot line and will not impair an adequate supply of light and air to adjacent property; 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

MINUTES OF MEETING

September 21, 1984

Cal. No. 316-84-Z

ordinance and that a variation be and it hereby is granted to permit the erection of a one-story 10 feet by 21 feet addition to the rear of a two-story brick single family dwelling whose rear yard will be 10 feet instead of 30 feet, on premises at 7422 W. Ardmore 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: Chris H. George, Architect
 APPEARANCES FOR: Chris H. George
 APPEARANCES AGAINST:

CAL. NO. 317-84-Z
 MAP NO. I-F
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED-- 500 N. Clark 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Chris H. George, Architect, for Pioneer Bank & Trust Company, Tr. #5315, owner, on August 17, 1984, filed an application for a variation of the zoning ordinance to permit, in a C3-5 Commercial-Manufacturing District, the use of a recently constructed three-story building as a restaurant on the first floor and offices above with no loading berth, on premises at 500 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 13, 1984 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 9.10-3 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 September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that the proof presented indicates that the 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 provision for a loading berth within the first floor which contains 4,000 square feet of area would replace needed floor space and would be incompatible with the proposed restaurant; that the plight of the owner is due to unique circumstances in that the recently constructed three-story building at the northwest corner of N. Clark Street and W. Illinois Street covers the entire lot and has no alley access; that the applicant has obtained by easements an alternative off-street loading area in the adjacent property at 506-08 N. Clark Street and that the waiver of the one loading berth will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it is hereby granted to permit the use of a recently constructed

MINUTES OF MEETING

September 21, 1984

Cal. No. 317-84-Z

three-story building as a restaurant on the first floor and offices above with no loading berth, on premises at 500 N. Clark 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:

Washington/Halsted Associates-1983, an Indiana limited partnership

CAL. NO. 318-84-Z

APPEARANCES FOR:

Charles G. Clark

MAP NO. 1-G

MINUTES OF MEETING

September 21, 1984

APPEARANCES AGAINST:

PREMISES AFFECTED—

30 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Washington/Halsted Associates-1983, an Indiana limited partnership, owner, on August 14, 1984, filed an application for a variation of the zoning ordinance to permit, in a C3-3 Commercial-Manufacturing District, the erection of a two-story printing plant and office building with one loading berth instead of the required two, on premises at 30 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 30, 1984 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 9.10-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

WHEREAS, the district maps show that the premises are located in a C3-3 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C3-3 Commercial-Manufacturing District, that the applicant proposes to erect a two-story printing plant and office building; that the first floor, consisting of 28,000 square feet, will be occupied by a light printing operation and the second and third floors, approximately 36,225 square feet, will be used for office space; 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 valuable production area for the printing operation would be lost with provisions for two loading berths; that the plight of the owner is due to unique circumstances in that the space needed to facilitate truck movement for two loading berths would eliminate several on-site automobile parking spaces necessary for employee parking; that the variation, if granted, will not alter the essential character of the locality in that the second and third floors of the proposed building is office space and not the type of activity that generates a need for a loading berth; and that provision for one loading berth is sufficient to serve the proposed light printing operation; it is therefore

MINUTES OF MEETING

September 21, 1984

Cal. No. 318-84-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story printing plant and office building with one loading berth instead of the required two, on premises at 30 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: Camerino Gongalez
 APPEARANCES FOR: Mark Kupiec
 APPEARANCES AGAINST:

CAL. NO. 319-84-S
 MAP NO. 6-I
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 2606-08 S. Troy Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Camerino Gongalez, owner, on August 21, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for the parking of private passenger automobiles for the use of a restaurant located at 3149 W. 26th Street, partly in an R3 General Residence District and partly in a B4-2 Restricted Service District, on premises at 2606-08 S. Troy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 13, 1984 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 7.4-1(4) and 7.4-1(6)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

WHEREAS, the district maps show that the premises are located partly in an R3 General Residence District and partly in a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located partly in an R3 General Residence District and partly in a B4-2 Restricted Service District; that the proof presented indicates that the proposed parking lot is necessary for the public convenience at this location to provide off-street parking for the use of a restaurant located at 3149 W. 26th Street; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed facility to be improved and operated under the conditions hereinafter set forth; and that the proposed use will relieve parking congestion on W. 26th Street 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 establishment of an off-site parking lot for the parking of private passenger automobiles, on premises at 2606-08 S. Troy Street, for the use of a restaurant located at 3149 W. 26th Street, upon condition that no use shall be made of the premises for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that

MINUTES OF MEETING

September 21, 1984

Cal. No. 319-84-S

no commercial vehicles shall be parked upon said lot at any time; that a front yard set-back of 20 feet from the east property line at the southeast corner of the lot shall not contain parking and shall be landscaped; that the balance of the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material; that adequate drainage shall be provided by the use of drainage tiles within the property running to an established City of Chicago sewer; that the drainage shall not run directly into city streets; that a solid screening fence not less than 5 feet nor more than 7 feet in height shall be erected and maintained on the south lot line of the property; that with the exception of the entrance, steel plate beam guard rails shall be erected and maintained on the periphery of the lot; that striping shall be provided; that lighting shall be provided which reflects away from residential property; that ingress and egress shall be from S. Troy Street and at least 20 feet distant from the abutting R3 Residence District; that the alley abutting the facility shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the hours of operation shall be limited to the hours between 7 A.M. and 10 P.M. and that the entry to the lot shall be securely locked with a chain or other device at all other hours; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to maintain the property continuously in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution shall have been complied with.

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

APPLICANT: Casa Central
 APPEARANCES FOR: Richard J. Roddewig
 APPEARANCES AGAINST:

CAL. NO. 320-84-S
 MAP NO. 3-I
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 1401 N. California Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Casa Central, owner, on August 24, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the continued operation of a nursing home in a three-story brick building, in an R5 General Residence District, on premises at 1401 N. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 24, 1984 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 7.6-5, 7.7-5, 7.8-5, 7.9-5, 7.3-5 and 7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R5 General Residence District; that the proof presented indicates that the existing building on the subject site has been occupied for over 20 years by the Park View Nursing Home for the Aged; that the applicant proposes to continue the use of the building as a 96-bed intermediate and skilled care nursing home; that the said facility is necessary for the public convenience at this location to provide quality nursing care facilities for the Spanish-speaking community; that the public health, safety and welfare will be adequately protected in the said use which will meet all state and city requirements for the operation of nursing homes; that the said use is compatible with the mixed residential and institutional improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is located; 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 continued operation of a 96-bed intermediate and skilled care nursing home in a three-story brick building, on premises at 1401 N. California 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: Casa Central
 APPEARANCES FOR: Richard J. Roddewig
 APPEARANCES AGAINST:

CAL. NO. 321-84-Z
 MAP NO. 3-I
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 1401 N. California 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Casa Central, owner, on August 24, 1984, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a three-story 9 feet by 21 feet 8 inches fire stair enclosure to a three-story brick nursing home which will be located in the required north rear yard and the installation of a ramp for handicapped which will be located in the required south front yard, on premises at 1401 N. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 24, 1984 reads:

"Application not approved. Requested certification does not conform to the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.6-5, 7.7-5, 7.8-5, 7.9-5, 7.3-5 and 7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R5 General Residence District; that on September 21, 1984 the Board approved a special use application, Cal. No. 320-84-S, for the continued operation of a 96-bed intermediate and skilled care nursing home by the applicant Casa Central, in the three-story brick building at 1401 N. California Avenue; 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 the applicant is required by state and city law to enclose the fire stairs and provide an access ramp for handicapped persons; that the plight of the owner is due to the need to meet city and state health and code requirements; that the variations, if granted, will not alter the essential character of the locality in that the proposed fire stair enclosure is located in a court yard area and does not extend the north side of the building and the handicapped access ramp conforms to the south front line of the existing building; it is therefore

MINUTES OF MEETING

September 21, 1984

Cal. No. 321-84-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance, and that a variation be and it hereby is granted to permit the erection of a three-story 9 feet by 21 feet 8 inches fire stair enclosure to a three-story brick nursing home which will be located in the required north rear yard and the installation of a ramp for handicapped which will be located in the south front yard, on premises at 1401 N. California Avenue.

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

APPLICANT: 1st Security Federal Savings Bank
 APPEARANCES FOR: Julian E. Kulas
 APPEARANCES AGAINST:

CAL. NO. 322-84-S
 MAP NO. 3-I
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 820 N. Western Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, 1st Security Federal Savings Bank, owner, on August 23, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of drive-through facilities in conjunction with a proposed one-story bank building in a B4-2 Restricted Service District, on premises at 820 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 31, 1984 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 8.3-4 and 8.4-4(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

WHEREAS, the district maps show that the premises are located in a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-2 Restricted Service District; that on November 14, 1983 the City Council of the City of Chicago rezoned the subject site from B1-2 to B4-2, which district allowed establishments of the "drive-in" type; that on July 1, 1984, a new ordinance became effective which requires a special use under the zoning ordinance for establishments of the "drive-in" or "drive-through" type in B4 districts; that the applicant proposes to construct a four-lane drive-through bank facility with ingress from W. Rice Street, a one-way street going west, and egress on to N. Western Avenue; that the hours of operation of the drive-through facility will be limited to the hours between 7 A.M. and 7 P.M., Mondays through Saturdays; that the proof presented indicates that the proposed facility is necessary for the public convenience at this location to provide a convenient banking service for the local residential and business community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility to be operated under the conditions hereinafter set forth; and that the proposed use is compatible with the 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

MINUTES OF MEETING

September 21, 1984
Cal. No. 322-84-S

Zoning Administrator is authorized to approve the establishment of drive-through facilities in conjunction with a proposed one-story bank building, on premises at 820 N. Western Avenue, upon condition that ingress to the facility shall be from W. Rice Street and egress shall be on to N. Western Avenue; that a one faced lighted "Enter Only" sign shall be erected at the entrance on W. Rice Street and lighted "Stop - Do Not Enter" signs shall be erected at the exits facing N. Western Avenue; that the hours of operation shall be limited to the hours between 7 A.M. and 7 P.M., Mondays through Saturdays; that the drive-through facility shall be securely locked at all other times; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Cragin Federal Savings & Loan Association
 APPEARANCES FOR: Daniel J. Vena
 APPEARANCES AGAINST:

CAL. NO. 323-84-S
 MAP NO. 7-O
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 7225 W. Belmont Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Cragin Federal Savings & Loan Association, owner, on August 20, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of drive-through facilities in conjunction with a proposed full service branch savings and loan building, in a B4-1 Restricted Service District, on premises at 7225 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 12, 1984 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 8.3-4 and 8.3-4(A)(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-1 Restricted Service District; that on July 1, 1984 a new ordinance became effective which requires a special use under the zoning ordinance for establishments of the "drive-in" or "drive-through" type in B4 districts; that the applicant proposes to erect a full-service branch savings and loan with drive-through facilities; that the proof presented indicates that the proposed use will be located on the southwest corner of N. Oconto Avenue and W. Belmont Avenue; that the City Council of the City of Chicago has passed an ordinance making N. Oconto Avenue a two-way street from the intersection of N. Oconto Avenue and W. Belmont Avenue to the alley abutting the subject site on its south lot line in order to provide entry to the drive-through facilities from N. Oconto Avenue; that customers will exit the facility on to W. Belmont Avenue and proceed on Belmont Avenue in an easterly direction; that there will be no left turn on to Belmont Avenue upon leaving the premises; that the hours of operation of the proposed drive-through facilities will be limited to the hours between 9 A.M. and 6 P.M., Mondays through Thursdays, 9 A.M. and 8 P.M., Fridays and 8:30 A.M. and 12:30 P.M., Saturdays; that the proposed facility is necessary for the public convenience at this location to provide

MINUTES OF MEETING

September 21, 1984

Cal. No. 323-84-S

convenient banking services for the local residential and business communities; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility to be operated under the conditions hereinafter set forth; and that the proposed use is compatible with the 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 approve the establishment of drive-through facilities in conjunction with a proposed full service branch savings and loan building, on premises at 7225 W. Belmont Avenue, upon condition that ingress to the drive-through facilities shall be from N. Oconto Avenue and egress shall be on to W. Belmont Avenue; that there shall be no left turn permitted on to Belmont Avenue; that a lighted "Enter Only" sign shall be erected at the entrance on N. Oconto Avenue and a lighted "Stop - Do Not Enter" sign facing W. Belmont Avenue shall be erected at the exit on W. Belmont Avenue; that a lighted "Right Turn Only" sign facing south shall be erected at the W. Belmont Avenue exit area; that the hours of operation of the proposed drive-through facilities shall be limited to the hours between 9 A.M. and 6 P.M., Mondays through Thursdays; 9 A.M. and 8 P.M., Fridays and 8:30 A.M. and 12:30 P.M., Saturdays; that the drive-through facility shall be securely locked at all other times; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Reynold's Institute Church-Baptist

CAL. NO. 324-84-S

APPEARANCES FOR:

MAP NO. 20-F

APPEARANCES AGAINST:

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 8031-33 S. Halsted Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
November 9, 1984

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Jon & Lorna Stovall

CAL. NO. 325-84-Z

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 2219 N. Bissell Street

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

ACTION OF BOARD—

Under advisement,
decision October 19, 1984.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

APPLICANT: W-C Parking Corporation
 APPEARANCES FOR: Manuel Robbins
 APPEARANCES AGAINST: Bess Lawrence, et al.
 PREMISES AFFECTED-- 14 E. Cedar Street
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 326-84-S
 MAP NO. 3-E
 MINUTES OF MEETING
 September 21, 1984

ACTION OF BOARD--

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, W-C Parking Corporation, for Bernard A. Heerey, owner, on August 24, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a public attendant parking lot for the parking of private passenger automobiles, in an R5 General Residence District, on premises at 14 E. Cedar Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 22, 1984 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 7.4-5 and 7.4-4(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R5 General Residence District; that on April 13, 1959 the Board approved a special use application for the establishment of a parking lot at the subject site for the use of residents of the immediate vicinity on a monthly basis, Cal. No. 32-59-S; that a parking lot has been in continuous operation at the subject site since 1959; that the applicant seeks to convert the use of the existing parking lot from parking on a monthly basis only to a general public parking lot with some spaces rented on a monthly basis; that the proposed use is necessary for the public convenience at this location in that this is a high density area with a great need for public parking; that the public health, safety and welfare will be adequately protected in the design and operation of the parking lot to be improved and operated under the conditions herein-after set forth; and that the proposed use which has been established since 1959 is compatible with the existing uses 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 establishment of a public attendant parking

MINUTES OF MEETING

September 21, 1984

Cal. No. 326-84-S

lot for the parking of private passenger automobiles, on premises at 14 E. Cedar Street, upon condition that no use shall be made of the premises for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that adequate drainage shall be provided by the use of drainage tiles within the property running to an established City of Chicago sewer; that the drainage shall not run directly into city streets; that ingress and egress shall be from E. Cedar Street; that there shall be no ingress nor egress from E. Elm Street; that the existing fencing on the periphery of the lot shall be maintained; that lighting shall be provided at the east side of the lot entrance on E. Cedar Street which shall be deflected away from abutting residential properties; that there shall be an attendant on duty 24 hours daily; that there shall be no parking of automobiles awaiting entry to the lot on the public sidewalks; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to maintain the property continuously in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution shall have been complied with.

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

APPLICANT: Joel B. Spinner
 APPEARANCES FOR: David Heller
 APPEARANCES AGAINST:

CAL. NO. 327-84-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 2023 N. Sedgwick 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Joel B. Spinner, owner, on August 8, 1984, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a two-story 4 feet 7 inches by 26 feet addition to the south side of a two-story brick three-apartment building with no south side yard instead of 3.4 feet, on premises at 2023 N. Sedgwick Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 27, 1984 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 7.8-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on September 3, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R5 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 the variation requested is needed to expand the dining room area and provide an additional bathroom to meet the needs of the family of the applicant; that the plight of the owner is due to unique circumstances in that it is necessary to situate the proposed addition in the south side yard to maximize its personal use and benefit; and that the variation, if granted, will not alter the essential character of the locality in that the majority of the residential improvements in the block do not comply with the 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, 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 4 feet 7 inches by 26 feet addition to the south side of a two-story brick three-apartment building with no south side yard instead of 3.4 feet, on premises at 2023 N. Sedgwick Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Rudnick & Wolfe

CAL. NO. 328-84-S

APPEARANCES FOR:

MAP NO. 1-E

APPEARANCES AGAINST:

MINUTES OF MEETING

September 21, 1984

PREMISES AFFECTED— 130 E. Randolph Drive

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
October 19, 1984.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

APPLICANT: St. Francis de Paula Church

CAL. NO. 329-84-S

APPEARANCES FOR:

MAP NO. 18-D

APPEARANCES AGAINST:

MINUTES OF MEETING

September 21, 1984

PREMISES AFFECTED— 7811 S. Ellis Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Under advisement,
decision October 19, 1984.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Louis Horace
 APPEARANCES FOR: Louis Horace
 APPEARANCES AGAINST:

CAL. NO. 330-84-A
 MAP NO. 12-G
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED-- 5001 S. Racine 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Louis Horace, for Eugene Kriwiel, owner, on August 2, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a motor vehicle repair license for an existing automobile repair shop in a one-story brick former automobile service station building, in an R3 General Residence District, on premises at 5001 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 30, 1984 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R3 General Residence District in a former automobile service station building occupied by an existing automobile repair shop; that the proof presented indicates that the premises has been continuously occupied by motor vehicle repair and related services; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to approve a motor vehicle repair license for an existing automobile repair shop in a one-story brick former automobile service station building, on premises at 5001 S. Racine Avenue, upon condition that the hours of operation shall be limited to the hours between 8:30 A.M. and 5:30 P.M., Mondays through Saturdays; that there shall be no body or fender work, engine rebuilding or spray painting done on the premises; 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: Joe Wiley
 APPEARANCES FOR: H. Hess Rubin
 APPEARANCES AGAINST:

CAL. NO. 331-84-A
 MAP NO. 18-G
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 7356 S. Morgan 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Joe Wiley, for Betty Taylor, owner, on August 6, 1984, filed 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 former automobile service station building, in an R3 General Residence District, on premises at 7356 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 6, 1984 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is located in an R3 General Residence District; that the proof presented indicates that the non-conforming brick service station building 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.

APPLICANT: West Side Mentally Retarded Children's Aid/Austin Special CAL. NO. 332-84-A
 APPEARANCES FOR: Roy H. Bergquist MAP NO. 3-J
 APPEARANCES AGAINST: Charles Jatt, et al. MINUTES OF MEETING
 September 21, 1984
 PREMISES AFFECTED— 1419 N. Pulaski Road
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, West Side Mentally Retarded Children's Aid/Austin Special, for Pat and Richard Patla, owners, on August 8, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a two-story brick two-dwelling unit building to a family home for not more than four developmentally disabled adults, in a C2-1 General Commercial District, on premises at 1419 N. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 29, 1984 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 9.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984; and

WHEREAS, the district maps show that the premises are located in a C2-1 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C2-1 General Commercial District; that the proof presented indicates that the non-conforming building on the subject site was formerly owned and occupied by a board member of the applicant organization with his handicapped daughter; that upon the death of the owner the daughter asked the appellant organization to purchase the building and use it as a home for developmentally disabled persons; that the appellant is seeking to convert the building to a family home for the developmentally disabled, which is defined in the zoning ordinance as " a community based residential home for not more than four developmentally disabled persons who together with an appropriate number of staff function as a single family"; that a "family home" for the developmentally disabled as defined in the zoning ordinance is allowed only in R1 through R8 Residence Districts; that the prior use of the building on the subject site was a private residence by a family with a disabled family member and not as a "family home" as defined in the zoning ordinance; that "family homes" are not permitted in Commercial Districts and 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: Steven Mitchell
 APPEARANCES FOR: Steven Mitchell
 APPEARANCES AGAINST:

CAL. NO. 333-84-A
 MAP NO. 12-G
 MINUTES OF MEETING
 September 21, 1984.

PREMISES AFFECTED— 1338-40 W. 52nd Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Steven Mitchell, owner, on August 14, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a two-story brick coach house at the rear of a lot as two dwelling units on a lot improved additionally with a three-story brick three-dwelling unit building, in an R4 General Residence District, on premises at 1338-40 W. 52nd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 3, 1984 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 5.5 and 7.5-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R4 General Residence District; that the proof presented indicates that the building at the rear of the lot has been occupied as two dwelling units since prior to the time of the passage of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as two dwelling units, provided that the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize the use of a two story brick coach house at the rear of a lot, on premises at 1338-40 W. 52nd Street, as two dwelling units on a lot improved additionally with a three-story brick three-dwelling unit building, 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: Bruce Lund
 APPEARANCES FOR: Melvin Brandt
 APPEARANCES AGAINST: Michael J. Allen

CAL. NO. 334-84-A
 MAP NO. 9-H
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 3352 N. Marshfield Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Bruce Lund, for Gunther Wurmbach, owner, on August 16, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a prototype model making shop in a one-story brick commercial building, in an R4 General Residence District, on premises at 3352 N. Marshfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 14, 1984 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that on June 20, 1980 the Board sustained an appeal permitting the establishment of a business for the grinding, polishing and retail sale of optical lenses in the non-conforming building on the subject site, Cal. No. 142-80-A; that the said business did not commence operation; that the building has been vacant and unoccupied by any operating business since the year 1980; 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: National Car Rental Systems, Inc.
 APPEARANCES FOR: Lawrence J. Suffredin
 APPEARANCES AGAINST:

CAL. NO. 335-84-A
 MAP NO. 7-F
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 3115 N. Broadway
 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, National Car Rental, System, Inc, for Chicago Title & Trust Co., Tr.#53698, on August 8, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an automobile rental office with accessory auto storage within a five-story brick garage building, in a B4-4 Restricted Service District, on premises at 3115 N. Broadway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 4, 1984 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 September 21, 1984; and

WHEREAS, the district maps show that the premises are located in a B4-4 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-4 Restricted Service District; that the proof presented indicates that the building on the subject site has been occupied by an automobile parking garage since the 1920's and is a permitted use in a B4 zone; that the appellant has leased an office and 20 parking spaces in the building since 1970; that the remaining parking spaces are for public parking; that business offices and on-site storage of automobiles within a building are permitted uses in a B4 zone; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit an automobile rental office with accessory auto storage within a five-story brick garage building, on premises at 3115 N. Broadway, 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: Chicago Lutheran Hospital Association

CAL. NO. 336-84-A

APPEARANCES FOR:

MAP NO. 3-J

APPEARANCES AGAINST:

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 1060 N. Kedzie Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
October 19, 1984.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Henry McMillian
 APPEARANCES FOR: Henry McMillian
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 5360 S. Peoria Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 337-84-A
 MAP NO. 12-G
 MINUTES OF MEETING
 September 21, 1984

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Henry McMillian, for Clarence McMillian, owner, on August 20, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a grocery store in the store on the first floor of a two-story frame store and apartment building, in an R3 General Residence District, on premises at 5360 S. Peoria Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 13, 1984 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R3 General Residence District; that on August 25, 1978 the Board sustained an appeal permitting the establishment of a grocery and candy store in the building on the subject site, Cal. No. 193-78-A; that the proof presented indicates that the non-conforming store in the building has been occupied as a grocery store; that the prior occupant did not obtain a 1983 license; that the re-establishment of a grocery store is proper under Section 6.4-5 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a grocery store in the store on the first floor of a two-story frame store and apartment building, on premises at 5360 S. Peoria Street, upon condition that there shall be no automatic amusement machines on the premises; that the hours of operation shall be limited the hours between 7 A.M. and 8:30 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: William and Sarah Johnson, Jr.
 APPEARANCES FOR: William and Sarah Johnson, Jr.
 APPEARANCES AGAINST:

CAL. NO. 338-84-A
 MAP NO. 2-H
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 2304 W. Jackson Boulevard
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, William and Sarah Johnson, Jr., owners, on August 7, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a carry-out restaurant in a one-story brick building used as an office for an existing public parking lot, in an R5 General Residence District, on premises at 2304 W. Jackson Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 6, 1984 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R5 General Residence District; that the proof presented indicates that the use of the subject site as a public parking lot was approved by the Board as a special use on October 30, 1962, Cal. No. 534-62-S; that the appellants are seeking to establish a carry-out restaurant, a B2 use, in the building used as an office for the existing public parking lot; that under Section 7.3-5 of the zoning ordinance, the Board has no authority to permit the establishment of a business use in a residential zone; 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: Abdel and Ann Haj

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED— 2632 W. Pope John Paul II Drive (W. 43rd Street)

SUBJECT—

ACTION OF BOARD—

Case continued to
October 19, 1984.

CAL. NO. 339-84-A

MAP NO. 10-I

MINUTES OF MEETING
September 21, 1984

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Peter Hlepar

APPEARANCES FOR:

APPEARANCES AGAINST:

CAL. NO. 340-84-A

MAP NO. 11-M

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 6117 W. Montrose Avenue

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

ACTION OF BOARD—

Case continued to
October 19, 1984.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Tony's
 APPEARANCES FOR: Anthony D'Alberti
 APPEARANCES AGAINST:

CAL. NO. 341-84-A
 MAP NO. 8-H
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 3300 S. Bell 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Tony's, for Bruno Skorniak, owner, on August 1, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of food in an existing tavern, in an R3 General Residence District, on premises at 3300 S. Bell Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 31, 1984 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R3 General Residence District in a non-conforming building on the subject site occupied by an existing licensed tavern; that the dispensing of sandwiches from a steam table to the customers of the tavern is an accessory use; 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 food in an existing tavern, on premises at 3300 S. Bell Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 2 A.M., Mondays through Saturdays and 12 Noon and 2 A.M., Sundays; 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: Harriet Spearman
 APPEARANCES FOR: Harriet Spearman
 APPEARANCES AGAINST: M. Bonnett

CAL. NO. 342-84-A
 MAP NO. 22-D
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 1200 E. 93rd Street

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Harriet Spearman, for Milton Coleman, Jr., on August 15, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve grocery and milk licenses for an existing candy store in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 1200 E. 93rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 14, 1984 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 September 21, 1984; 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, finds that in this case the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that an inspection of the building on the subject site indicated that it was occupied by a licensed tavern and social hall, which uses were corroborated by testimony of the appellant; that the sale of grocery items and milk in an existing tavern is not an appropriate accessory use; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

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

APPLICANT: Charles Murphy
 APPEARANCES FOR: Charles Murphy
 APPEARANCES AGAINST:

CAL. NO. 343-84-A
 MAP NO. 20-B
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 8400 S. Kingston 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Charles Murphy, owner, on August 22, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of food in an existing grocery store in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 8400 S. Kingston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 16, 1984 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 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R3 General Residence District in a non-conforming store in the building on the subject site occupied by an existing licensed grocery store; that the dispensing of sandwiches from a microwave oven in an existing grocery store in an accessory use; 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 from a microwave oven in an existing grocery store in a two-story brick store and apartment building, on premises at 8400 S. Kingston Avenue, upon condition that there shall be no table service of food on the premises; 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: Conception Matos
 APPEARANCES FOR: Conception Matos
 APPEARANCES AGAINST:

CAL. NO. 344-84-A
 MAP NO. 3-H
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 1441 N. Paulina Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Conception Matos, owner, on August 8, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a non-conforming store to a dwelling unit in a three-story brick store and two-dwelling unit building, in an R4 General Residence District, on premises at 1441 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 27, 1984 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 7.5-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the building on the subject site has been occupied as a non-conforming store and two-dwelling unit building since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the conversion of a non-conforming store to a dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming store to a dwelling unit in a three-story brick store and two dwelling unit building, with no additional parking required, on premises at 1441 N. Paulina Street, upon condition that plans and permits are obtained indicating 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: Harold A. Stahl, Architect
 APPEARANCES FOR: Harold A. Stahl, Architect
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1648 S. Allport Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 345-84-A
 MAP NO. 4-G
 MINUTES OF MEETING
 September 21, 1984

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Harold A. Stahl, Architect, for Manuel Tammyo, owner, on August 21, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a non-conforming store to a dwelling unit in a two-story brick store and three-dwelling unit building, in an R4 General Residence District, on premises at 1648 S. Allport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 15, 1984 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 and 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the building on the subject site has been occupied as a non-conforming store and three dwelling unit building since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the conversion of a non-conforming store to a dwelling unit is a proper substitution of use in Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming store to a dwelling unit in a two-story brick store and three-dwelling unit building, with no additional parking required, on premises at 1648 S. Allport Avenue, upon condition that plans and permits are obtained indicating 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: Erna Dornseif
 APPEARANCES FOR: George Dornseif
 APPEARANCES AGAINST:

CAL. NO. 346-84-A
 MAP NO. 11-J
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 4305 N. Lawndale 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Erna Dornseif, owner, on August 23, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a three-story frame building as three-dwelling units, in an R3 General Residence District, on premises at 4305 N. Lawndale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 16, 1984 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 7.12-1(4), 7.5-3, 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 September 21, 1984; and

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

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

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize the use of a three-story frame building, on premises at 4305 N. Lawndale Avenue, as three dwelling units, 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.

APPLICANT: S. Krkljus
 APPEARANCES FOR: S. Krkljus
 APPEARANCES AGAINST:

CAL. NO. 347-84-A
 MAP NO. 11-H
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 2149 W. Leland 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, S. Krkljus, owner, on August 13, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of a two-and-a-half story frame building as three dwelling units, in an R3 General Residence District, on premises at 2149 W. Leland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 10, 1984 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 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R3 General Residence District; that the proof presented indicates that the building on the subject site has been occupied as three dwelling units 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 dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the use of a two-and-a-half story frame building, on premises at 2149 W. Leland Avenue, as three dwelling units, 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.

APPLICANT: Glen Richter, d/b/a Sheffield Bug Haus
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:

CAL. NO. 348-84-A
 MAP NO. 5-G
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 2116 N. Halsted Street (rear)
 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Glen Richter, d/b/a Sheffield Bug Haus, for George Heck, owner, on August 7, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a motor vehicle repair license for an existing automobile repair shop in a one-story brick garage at the rear of a lot improved additionally with a three-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 2116 N. Halsted Street (rear); and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 7, 1984 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 September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in a B2-2 Restricted Retail District in an existing non-conforming one-story brick garage building at the rear of the lot; that the proof presented indicates that the automobile repair shop was established at the subject site prior to the down-zoning on February 29, 1984 from C1 to B2, which rendered the use of the subject building non-conforming; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to approve a motor vehicle repair license for an existing automobile repair shop in a one-story brick garage at the rear of a lot improved additionally with a three-story brick store and apartment building, on premises at 2116 N. Halsted Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M., Mondays through Fridays and 8 A.M. and 12 Noon, Saturdays; that there shall be no body or fender work, spray painting or engine rebuilding on the premises; 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: Grace Episcopal Church

CAL. NO. 36-84-S

APPEARANCES FOR: Charles Byrum

MAP NO. 2-F

APPEARANCES AGAINST:

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 637-41 S. Dearborn 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Grace Episcopal Church, owner, on January 17, 1984 filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a community center with ancillary church activities in a three-story brick building, in a C3-6 Commercial-Manufacturing District, on premises at 637-41 S. Dearborn Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 15, 1984 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held September 21, 1984 after due notice thereof by publication in the Chicago Tribune on January 20, 1984; 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 that in this case the proposed use is to be located in a C3-6 Commercial-Manufacturing District; that the proof presented indicates that the applicant and Community Resources Corporation of Illinois, as agent for the owners of properties described in Exhibit A as identified and made a part of this record, have negotiated an Agreement relating to the use of the subject premises which permits the applicant to use its premises as it desires and which also protects the interests and rights of the owners of properties described in Exhibit A; that the parties have agreed to the conditions set forth in that Agreement which limits, in part, the use of the premises to that of a community center with meeting rooms, day care facility, educational and senior citizen activities and programs, offices, bible study courses and a chapel for the conduct of worship services; that the proof presented indicates that the proposed community center with ancillary church activities is necessary for the public convenience at this location to provide needed services in the community; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use which will be operated under the conditions of the Agreement; and that the establishment of a community center with ancillary church activities will be compatible with the existing business and residential improvements in the area and will not cause substantial

MINUTES OF MEETING

September 21, 1984
Cal. No. 36-84-S

injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a community center with ancillary church uses including a chapel and conduct of worship services in a three-story brick building at 637-41 S. Dearborn Street, upon the condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and upon the condition that the limitations as to use set forth in the Agreement previously identified as Exhibit A, which Agreement is attached hereto, shall be adhered to by the applicant.

EXHIBIT A

List of Property of which the Agent executing
the Agreement to which this Exhibit is Appended
is the Authorized Agent of the Owners with Authority
to Bind said Owners to the Agreement.

Properties:

Parking Lot; 601-631 S. Dearborn , Chicago, Illinois
Parking Lot; 638 S. Dearborn , Chicago, Illinois
Transportation Building; 542 S. Dearborn , Chicago, Illinois
Terminals Building; 537 S. Dearborn , Chicago, Illinois
Pontiac Building; 542 S. Dearborn , Chicago, Illinois
Old Franklin; 525 S. Dearborn , Chicago, Illinois
Duplicator; 524 S. Dearborn , Chicago, Illinois
Morton; 538 S. Dearborn , Chicago, Illinois

AGREEMENT

THIS AGREEMENT is entered into between GRACE EPISCOPAL CHURCH ("Grace"), owner of the premises commonly known as 637-41 South Dearborn Street, Chicago, Illinois (the "Premises") and COMMUNITY RESOURCES CORPORATION OF ILLINOIS, as agent for the owners of the properties described on Exhibit A attached hereto and made a part hereof (the "Owners") with full authority to bind the Owners to this Agreement.

W I T N E S S E T H:

WHEREAS, Grace has applied to the Zoning Board of Appeals of the City of Chicago for a special use under the Zoning Ordinance of the City of Chicago with respect to the Premises; and

WHEREAS, the Owners have objected to the special use as originally presented; and

WHEREAS, the parties have negotiated and compromised upon a special use which provides Grace with the type of use which it desires to put the Premises to, yet which protects the interest and rights of the Owners; and

WHEREAS, the parties wish to enter into this instrument for purposes of reducing their agreement to writing and further for introducing to the Zoning Board of Appeals of Chicago evidence that they have reached agreement in connection therewith.

NOW, THEREFORE, for and in consideration of the mutual covenants and obligations contained herein, it is hereby agreed between Grace and the Owners as follows:

1. The parties hereby agree that the highest and best use of the Premises is a special use under the C-3-6 Commercial District Zoning of the Zoning Ordinance of the City of Chicago for a community center with the following accessory activities in conjunction with the use as a community center:

- (i) meeting rooms;
- (ii) day care facility;
- (iii) educational programs and seminars;
- (iv) senior citizens' activities and programs;
- (v) bible study courses;
- (vi) maintenance of rector's offices and related administrative offices;
- (vii) chapel and conduct of worship services therein;
- (viii) meeting room usable as sanctuary or for general community activities;
- (ix) counseling activities;
- (x) general community activities.

2. The parties further agree as follows with regard to the proposed use as a community center with the accessory uses as described above:

- (i) The public's safety, health and welfare will be adequately protected in the design and operation of the community center;
- (ii) Adequate off street parking will be provided;

- (iii) The use will be compatible with existing business and residential improvements in the area;
- (iv) The use will not cause substantial injury to the value of other property in the neighborhood; and
- (v) The use will not interfere with any use now permitted in the area.

As such, the foregoing use is not objectionable to the Owners and the Owners are agreeable to the granting of the Special Use described herein.

3. The parties hereby agree that a copy of this Agreement may be submitted to the Zoning Board of Appeals of Chicago as evidence that the parties have reached an agreement in connection with the application for special use and may be put into the public record as evidence for such purposes.

IN WITNESS WHEREOF, the parties have entered into this Agreement this 20th day of September, 1984.

GRACE EPISCOPAL CHURCH

By: William C. Casady
COMMUNITY RESOURCES CORPORATION OF ILLINOIS

By: Ivan Himmel
Ivan Himmel, President
as Agent for the Owners of
the Properties described on
Exhibit A

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

APPLICANT: Ronald Kozil
 APPEARANCES FOR: Ronald Kozil
 APPEARANCES AGAINST:

CAL. NO. 287-84-Z
 MAP NO. 17-1
 MINUTES OF MEETING
 September 21, 1984

PREMISES AFFECTED— 2647 W. Lunt 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Ronald Kozil, for Cosmopolitan National Bank, Tr. #25787, owner, on July 25, 1984, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a two-story three-dwelling unit townhouse building on a lot whose area is 6,806 instead of 7,500 square feet, on premises at 2647 W. Lunt Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 11, 1984 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, 7.7-3, 11.7-4(1) and 11.7-4(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on August 6, 1984; 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 on October 26, 1979 the Board granted the applicant variations to construct a two-story three dwelling unit townhouse building on the subject site whose front yard would be 15 instead of 20 feet and whose lot area was 6,806 instead of 7,500 square feet, Calendar Number 247-79-Z; that on March 23, 1984 the Board denied the applicant's written request for an extension of time in which to obtain building permits to construct said building, finding that an inordinate amount of time had lapsed; that the applicant now seeks to proceed with the construction without seeking a front yard variation; that the testimony in the prior application, Calendar Number 246-79-Z, is made part of the record in this case; that the proof presented indicates that it would be economically unfeasible to build less than three units at this site; that the plight of the owner is due to the limited lot area; and that the variation, if granted, will not alter the essential character of the locality in that the proposed townhouse development will be compatible with the improvements in the area; it is therefore

MINUTES OF MEETING

September 21, 1984

Cal. No. 287-84-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story brick three-unit townhouse on a lot whose area is 6,806 instead of 7,500 square feet, on premises at 2647 W. Lunt Avenue, upon condition that this variation shall not be valid for a period longer than six months from the date of the resolution unless a building permit is obtained within such period and the erection of said building is started within such period.

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

APPLICANT: Schenck & Associates
 APPEARANCES FOR: Joe Markham
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 4835 N. Austin Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 286-84-S
 MAP NO. 12-M
 MINUTES OF MEETING
 September 21, 1984

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Schenck & Associates, for Neva-Don, Inc., owner, on July 24, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through service addition to an existing Kentucky Fried Chicken restaurant in a one-story brick building, in a B4-1 Restricted Service District, on premises at 4835 N. Austin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 11, 1984 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(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984 after due notice thereof by publication in the Chicago Tribune on August 6, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-1 Restricted Service District; that on May 9, 1984 the City Council of the City of Chicago passed an amendment to the zoning ordinance effective July 1, 1984 requiring a special use for "drive-in" or "drive-through" facilities in a B4 zone; that the proof presented indicates that the existing Kentucky Fried Chicken restaurant has been at the subject site for 16 years; that the national management company of the restaurant chain desires to remodel and update the facility by providing a drive-through service to consumers; that the proposed use is necessary for the public convenience at this location to allow consumer convenience during inclement weather and also allows elderly and handicapped persons to patronize the restaurant who are not able to use the conventional store operation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through addition which will provide lighted directional ingress and egress signs, thus avoiding traffic congestion, and solid fencing on the east and north lot lines which will prevent headlight glare to adjoining residential properties; and that the proposed drive-through facility will be an addition to an existing Kentucky Fried Chicken restaurant which has been at

MINUTES OF MEETING

September 21, 1984

Cal. No. 286-84-S

the subject site since 1968 and will not cause substantial injury to the value of other property in the neighborhood in which it is located; 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 drive-through service addition to an existing Kentucky Fried Chicken restaurant in a one-story brick building, on premises at 4835 N. Austin Avenue, upon condition that ingress to the drive-through facility shall be from entrances located on the southern portion of the lot and egress on to N. Austin Avenue from the northern portion; that lighted directional signs shall be erected at the entrances and exit; that the existing solid fence situated at the east end of the lot shall be extended north to the east-west alley and west along the north lot line for a distance of 70 feet; that the speaker system for the facility shall be set at a decibel level which will not escape the subject site; 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: Glenview Korean Presbyterian Church

CAL. NO. 223-84-A

APPEARANCES FOR:

MAP NO. 13-J

APPEARANCES AGAINST:

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 3300 W. Bryn Mawr Avenue

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

ACTION OF BOARD—

THE VOTE

Application withdrawn
upon motion by appellant.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Dennis McCarthy

CAL. NO. 248-84-A

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 2856 N. Racine Avenue

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

ACTION OF BOARD—

Case continued to
October 19, 1984.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Fred E. Spreitzer

CAL. NO. 277-84-A

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING

September 21, 1984

PREMISES AFFECTED— 1059 W. Wrightwood Avenue

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

ACTION OF BOARD—

Case continued to
October 19, 1984.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Roberto Arocho

CAL. NO. 301-84-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING

September 21, 1984

PREMISES AFFECTED— 1610 W. Montrose Avenue

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

ACTION OF BOARD—

Case continued to
October 19, 1984.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Gertrude Lempp Kerbis

CAL. NO. 121-84-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING
September 21, 1984

PREMISES AFFECTED— 355-39 W. Webster Avenue

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

ACTION OF BOARD—

Case continued to
November 9, 1984.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Illinois Scrap Processing, Inc.
 APPEARANCES FOR: Martin S. Gerber
 APPEARANCES AGAINST: George Murtaugh, Jr., et al.
 PREMISES AFFECTED— 3500-30 E. 93rd Street and 9301-49 S. Ewing Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 237-84-S
 MAP NO. 22-A
 MINUTES OF MEETING
 July 27, 1984 and
 September 21, 1984

ACTION OF BOARD—

Application denied for failure to receive three affirmative votes.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
		X
X		

THE RESOLUTION:

WHEREAS, Illinois Scrap Processing, Inc., for LaSalle National Bank, Tr. #102588, owner, on June 4, 1984, filed an application for a special use under Article 11.10-5 of the zoning ordinance for the approval of the deletion of the condition that the hours of operation for an existing scrap metal processing yard shall be limited to the hours between 7 A.M. and 7 P.M., Mondays through Saturdays and that there shall be no operation on Sundays nor recognized holidays, as specified in the Board's Resolution approved on June 20, 1980, in Calendar Number 129-80-S, and that, in lieu thereof, approval be given to permit said use to operate 24 hours every day, including Sundays and all holidays, in an M3-3 Heavy Manufacturing District, on premises at 3500-30 E. 93rd Street and 9301-49 S. Ewing Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 2, 1984 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 10.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 27, 1984, after due notice thereof by publication in the Chicago Tribune on July 9, 1984, Members Guthman, Cullen, Howlett and Keane present; and subsequently continued for rebuttal to its regular meeting held on September 21, 1984, Members Guthman, Cullen and Keane present, Member Howlett absent; and

WHEREAS, the district maps show that the premises are located in an M3-3 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, Chairman Guthman and Member Keane find that in this case the said use is located in an M3-3 Heavy Manufacturing District; that on June 20, 1980, Cal. No. 129-80-S, the Board approved a special use application by Illinois Scrap Processing, Inc. for the establishment of a scrap metal processing yard at 3500-30 E. 93rd Street and 9301-49 S. Ewing Avenue for the shredding of scrap automobiles with the installation of an office building, one sorting building, a centrally located shredder and one truck weighing scale, upon condition that the said use shall be conducted in compliance with the requirements of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency and the City of Chicago Environmental Division of the Department of Consumer Services; and that the said use shall be operated in compliance with the performance standards established under Article 10 of the zoning ordinance for the M3 District and that the hours of operation shall be limited to the hours between 7 A.M. and 7 P.M., Mondays through Saturdays and that there

MINUTES OF MEETING

July 27, 1984 and
September 21, 1984
Cal. No. 237-84-S

shall be no operations on Sundays nor on recognized holidays; that pursuant to Section 11.10-5 - Paragraph Three of the zoning ordinance, the applicant filed an application for a special use to amend said resolution to permit said use to operate 24 hours every day, including Sundays and all holidays; that the record of the proceedings in the June 20, 1980 hearing, Calendar Number 129-80-S, is hereby made part of the record in this case; that additional testimony presented by the applicant indicates the proposed expansion in hours of operation of the previously approved existing scrap metal processing yard to a 24-hour daily operation is necessary for the public convenience at this location to facilitate processing of the increased volume of scrap automobiles that the applicant, as a principal handler thereof, is experiencing at the subject site and, for which increase, additional employment will be provided; that the public health, safety and welfare will be adequately protected in the proposed expanded operation which shall be operated in compliance with the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency, and the City of Chicago Environmental Division of the Department of Consumer Services, and in compliance with the performance standards established in Article 10 of the zoning ordinance, all of which protect the rights of the owners of nearby non-conforming residential property; that the existing scrap metal processing yard is located in an M3-3 Heavy Manufacturing District in an area that has been zoned manufacturing since 1923 and that the expansion of its operation to 24 hours daily, including Sundays and holidays, will not cause substantial injury to the value of other property in the area.

) Upon being put to a vote, Member Keane concurred with Chairman Guthman's motion to grant the special use applied for. Member Cullen voted in the negative. It is therefore

RESOLVED, that the application to expand the hours of operation of an existing scrap metal processing yard to 24 hours per day, including Sundays and all holidays, is hereby denied for failure to receive three affirmative votes.

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

APPLICANT: Phase Four Transitional Living Services, Inc., an Illinois Corp.

CAL. NO. 288-84-S

APPEARANCES FOR:

MAP NO. 5-J

APPEARANCES AGAINST:

MINUTES OF MEETING

September 21, 1984

PREMISES AFFECTED— 2330 N. Kedzie Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
October 19, 1984,
for rebuttal.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Patricia Scott Albrecht and Irene Rago
 APPEARANCES FOR: Anthony J. Fornelli
 APPEARANCES AGAINST: Wallace Davis, Jr., et al.
 PREMISES AFFECTED— 2419 W. Erie Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 315-84-A
 MAP NO. 1-I
 MINUTES OF MEETING
 September 21, 1984

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Patricia Scott Albrecht and Irene Rago, for Irene Rago, owner, on July 11, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit, in an R3 General Residence District, the installation of a cremation chamber in a one-story brick building used as accessory storage for a funeral home at 624 N. Western Avenue, on premises at 2419 W. Erie Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 2, 1984 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 7.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 21, 1984; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that the non-conforming one-story brick building on the subject site has been in existence for over 50 years, prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, and continuously used for casket warehousing and funeral vehicle and automobile storage by a funeral home located directly east and across the public alley at 624 N. Western Avenue; that on February 21, 1984 the appellant received a Joint Construction and Operating Permit from the Illinois Environmental Protection Agency to construct and operate a multiple chambered crematory in the subject site building; that in attempting to secure a City of Chicago building permit for the crematory, the appellant was denied zoning approval by the Office of the Zoning Administrator on July 2, 1984; that the appellant is seeking to substitute a portion of the non-conforming use in the non-conforming building to that of a non-conforming crematory; that the pre-existing non-conforming use of the subject site building as that of casket warehousing and motor vehicle storage are first permitted in a C1 Restricted Commercial District, Section 9.3-1 B (14A) and (31); that Section 6.4-7 provides that the non-conforming use of a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which

MINUTES OF MEETING

September 21, 1984

Cal. No. 315-84-A

it is located, may be changed to a use permitted in the same district as the non-conforming use which presently occupies the building or structure or to a use permitted in a more restrictive district and that the R1 District shall be considered the most restrictive and the M3 District the least restrictive; that crematories are first permitted in a B4 Restricted Service District, Section 8.3-4 B(11); that the change from a non-conforming Commercial use to that of a non-conforming Business use is permitted under Section 6.4-7; and that the appellants have established the basis of their 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 installation of a cremation chamber in a portion of a non-conforming one-story brick building used for casket and motor vehicle storage, on premises at 2419 W. Erie Street, upon condition that no use shall be made of the crematory until such time a building permit is issued indicating compliance with all regulations of the Environmental Division of the Department of Consumer Services and all ordinances of the City of Chicago.

MINUTES OF MEETING
September 21, 1984

Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on October 19, 1984.

Marian Rest

Secretary