

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, February 15, 1985

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

The following were present and constituted a quorum:

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

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Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on January 18, 1985 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

APPLICANT: Louis Kosover
 APPEARANCES FOR: Curt Rodin
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1931 W. Foster Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 55-85-S
 MAP NO. 13-H
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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, Louis Kosover, for 1st National Bank of Skokie, Tr. #51501T, owner, on December 28, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a self-service laundrette in the east portion of a one-story mini-shopping center, in a B2-2 Restricted Retail District, on premises at 1931 W. Foster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 20, 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 February 15, 1985 after due notice thereof by publication in the Chicago Tribune on January 28, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B2-2 Restricted Retail District; that on December 18, 1981 the Board approved a special use for the establishment of a laundrette in a proposed one-story brick store building on the subject site; that the testimony in that case, Cal. No. 375-81-S, is hereby made a part of the record in this case; that the proof presented indicates that the proposed use is necessary for the public convenience at this location to provide a service for the occupants of the residential buildings in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed laundrette which will be operated in compliance with the regulations of the Department of Inspectional Services of the City of Chicago; and that the proposed use will be compatible with the types of uses to be established in the mini-shopping center and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a self-service laundrette in the east portion of a one-story mini-shopping center, on premises at 1931 W. Foster Avenue,

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Cal. No. 55-85-S

upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 10 P.M.; that during said hours of operation an attendant shall be stationed within the launderette at all times; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that all future owners of the subject site launderette shall at all times be bound to the constraints of said operation as stated herein.

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

APPLICANT: City Homes, Inc. and Balkan Associates, Inc. CAL. NO. 56-85-Z
 APPEARANCES FOR: Thomas E. Maletto MAP NO. 5-G
 APPEARANCES AGAINST: MINUTES OF MEETING
 February 15, 1985
 PREMISES AFFECTED-- 1800-10 N. Fremont Street and 900-10 W. Willow 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, City Homes, Inc. and Balkan Associates, Inc., for Aetna Bank, Tr. #10-3054, owner, on December 12, 1984, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story 12-dwelling unit townhouse building with no provision for a loading berth, on premises at 1800-10 N. Fremont Street and 900-10 W. Willow Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 23, 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 7.11-4 and 7-11.3(2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985, after due notice thereof by publication in the Chicago Tribune on January 28, 1985; and

WHEREAS, the district maps shows 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 applicant proposes to erect a two-story 12 dwelling unit townhouse development on the subject site; that purchasers of this type of housing require enclosed garage parking as part of their residence; 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 provision of a loading berth would be economically unfeasible and would eliminate the desired garage space for four of the 12 dwelling units; that the plight of the owner is due to the desire of the developer to provide enclosed garage parking as part of each townhouse unit, and that each dwelling unit will have a separate entry thereby eliminating the need for a loading berth; that the proposed townhouse development is designed to be sold as single family dwelling units with separate entries and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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Cal. No. 56-85-Z

does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story 12 dwelling unit townhouse building with no provision for a loading berth, on premises at 1800-10 N. Fremont Street and 900-10 W. Willow 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: John Herling
 APPEARANCES FOR: John J. Pikarski
 APPEARANCES AGAINST:

CAL. NO. 57-85-Z
 MAP NO. 9-L
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED-- 5221-23 W. Eddy 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, John Herling, for John and Joan L. Herling, owners, on December 10, 1984, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the division of a 75 feet by 125.25 feet improved zoning lot into two zoning lots with an existing one-story frame single family residence to remain on the west 36 feet with a proposed lot area of 4,509 square feet instead of 5,000 square feet and the east 39 feet to be improved with a two-story two dwelling-unit building with a proposed lot area of 4,884 square feet instead of 5,000 square feet, on premises at 5221-23 W. Eddy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 18, 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 7.5-3, 7.5-5 and 7.8-3(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985 after due notice thereof by publication in the Chicago Tribune on January 28, 1985; 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 subject site is a 75 feet by 125.25 feet zoning lot currently improved with a single family residence on the west 36 feet; that the applicant seeks to divide the subject lot into two zoning lots, retaining the existing single family residence on a proposed 4,509 square feet lot and erect a two-story two dwelling unit building on a proposed 4,884 square feet lot; that the proof presented indicates that the property in question cannot yield a reasonable return nor be put to a reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the subject lot's east 49 feet is an unimproved side yard and that there is a demand for vacant residential lots in the area; that the plight of the owner is due to the unusually wide lot width and the desire to erect a two dwelling unit building on the unused portion of the lot; and that the variations, if granted, will not alter the essential character of the locality in that the proposed subdivision and erection of the proposed two-story two dwelling unit building on the proposed 4,884 square feet lot will be consistent with the existing subdivided lots in the block; it is

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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 division of a 75 feet by 125.25 feet improved zoning lot into two zoning lots with an existing one-story frame single family residence with a 3 feet 1-1/2 inches west side yard to remain on the west 36 feet having a lot area of 4,509 square feet instead of 5,000 square feet and the erection of a two-story two dwelling unit building on the east 39 feet having a lot area of 4,844 square feet instead of 5,000 square feet, on premises at 5221-23 W. Eddy 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: John Finitzo
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 6435 and 6439 S. Harlem Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 58-85-Z
 MAP NO. 16-N
 MINUTES OF MEETING
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ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, John Finitzo, for American National Bank, Tr. #46278, owner, on December 18, 1984, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a one-story single family residence at 6435 S. Harlem Avenue on a 37.5 feet by 120 feet zoning lot whose lot area will be 4,500 square feet instead of 5,000 square feet and the erection of a one-story single family residence at 6439 S. Harlem Avenue on a 30.41 feet by 120 feet zoning lot whose side yards will be 3 feet instead of 5 feet each, on premises at 6435 and 6439 S. Harlem Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 18, 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(5), 7.5-2, 7.8-1(1), 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 February 15, 1985 after due notice thereof by publication in the Chicago Tribune on January 28, 1985; 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 that the proposed use is to be located in an R3 General Residence District; that the proof presented indicates that the applicant currently owns two lots of record; that the lot at 6435 S. Harlem Avenue measures 42.91 feet by 120 feet and the lot at 6439 S. Harlem Avenue measures 25 feet by 120 feet; that the applicant is seeking to reduce the required minimum lot size of the 6435 S. Harlem Avenue lot to 4,500 square feet and to add the remaining 5.41 frontage feet to the lot at 6439 S. Harlem Avenue, thus creating two zoning lots with 37.5 and 30.41 frontage feet respectively; that the applicant seeks to erect a 24 feet wide single family residence on each of the said lots; 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 to erect a residence on the 25 by 120 feet lot of record in compliance with the side yard requirements would necessitate reducing the building width to 20 feet, thereby reducing its desirability and consequently its saleability; that the plight of the owner is due

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to unique circumstances in that by increasing the 25 by 120 feet lot of record at 6439 S. Harlem Avenue to 30.41 by 120 feet thereby increases the side yard requirement from 2.5 feet each to 5 feet each and that the proposed 24 foot wide residence could not be built without the requested variations; and that the variations, if granted, will not alter the essential character of the locality in that the proposed development creates two lots more similar in size and thereby will be consistent with the existing lot sizes in the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one-story single family residence only, on premises at 6435 S. Harlem Avenue, on a 37.5 feet by 120 feet zoning lot whose lot area will be 4,500 square feet instead of 5,000 square feet and the erection of a one-story single family residence only, on premises at 6439 S. Harlem Avenue, on a 30.41 feet by 120 feet zoning lot whose side yards will be 3 feet instead of 5 feet each, 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: Merrill Avenue Baptist Church
 APPEARANCES FOR: Richard Bloom
 APPEARANCES AGAINST: Doris A. Morrow, Lily Rhodes
 PREMISES AFFECTED— 9100 S. Merrill Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 59-85-Z
 MAP NO. 22-C
 MINUTES OF MEETING
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ACTION OF BOARD—

Variation denied.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Merrill Avenue Baptist Church, owner, on January 3, 1985, 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 and basement 38 feet by 78 feet addition to the west and south sides of an existing one-story and basement brick church building whose south side yard will be 1 foot instead of 15 feet and whose west rear yard will be 1 foot instead of 30 feet, on premises at 9100 S. Merrill Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 21, 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 7.8-3(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985 after due notice thereof by publication in the Chicago Tribune on January 28, 1985; and

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

WHEREAS, that 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 applicant church has been located at the subject site since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the applicant's proposed addition will encroach 29 feet into the required rear yard and 14 feet into the required south side yard; that no proof was presented that indicates a particular hardship exists nor that the applicant could not design an addition in compliance with the yard requirements of the zoning district; that the proposed site plan depicts a 16 automobile parking area at the southeast portion of the lot with four parking spaces located in the required front yard, prohibited under Section 7.12(7) of the zoning ordinance, and an insufficient 11 foot aisleway for access to the proposed 60° parking spaces; that the proposal constitutes an over-building for the lot size; it is therefore

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

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

APPLICANT: John J. Plezbert
APPEARANCES FOR: John J. Plezbert
APPEARANCES AGAINST:

CAL. NO. 60-85-Z
MAP NO. 2-G
MINUTES OF MEETING
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PREMISES AFFECTED— 1245 W. Flourney Street

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

ACTION OF BOARD—

Case taken under
advisement

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: Russell Scimeca
 APPEARANCES FOR: Pat Frank DeLeo
 APPEARANCES AGAINST: R.H. Markowitz
 PREMISES AFFECTED— 2014 N. Sheffield Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 61-85-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 February 15, 1985

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, Russell Scimeca, owner, on January 21, 1985, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story six dwelling unit townhouse building with no rear yard instead of 30 feet, on premises at 2014 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 14, 1985 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 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985 after due notice thereof by publication in the Chicago Tribune on January 28, 1985; 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 applicant proposes to erect a two-story six dwelling unit townhouse development on the subject site; that the design of the said townhouse dwelling units incorporates self-contained automobile garage and family rooms in the basement, living rooms, dining rooms and kitchens on the first floor, bedrooms on the second floors and mezzanines and roof decks above; 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 requested rear yard variation is necessary to provide open space for the contemporary life-style design desired in the development; that the plight of the owner is due to the contemporary design necessary to make the proposed development viable; and that the variation, if granted, will not alter the essential character of the locality in that the proposed development will be consistent with the existing improvements in the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the 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 six dwelling unit townhouse building with no rear yard instead of 30 feet, on premises at 2014 N. Sheffield 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: Royal R. Faubion
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 62-85-Z
MAP NO. 2-F
MINUTES OF MEETING
February 15, 1985

PREMISES AFFECTED— 633-41 S. Plymouth Court
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Case continued to
March 15, 1985.

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: Royal R. Faubion

CAL. NO. 63-85-S

APPEARANCES FOR:

MAP NO. 2-F

APPEARANCES AGAINST:

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February 15, 1985

PREMISES AFFECTED— 722-32 S. State Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
March 15, 1985.

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: United Life Church

CAL. NO. 64-85-S

APPEARANCES FOR: Gregory V. Miller

MAP NO. 3-J

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 815-19 N. Pulaski Road

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, United Life Church, owner, on January 18, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 240-seat church and day care center in a one-story brick building, in a B4-1 Restricted Service District, on premises at 815-19 N. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 17, 1985 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985 after due notice thereof by publication in the Chicago Tribune on January 28, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-1 Restricted Service District; that the proof presented indicates that the applicant church had been located at the subject site for the past five years; that said church was destroyed by fire in February, 1984; that the proof presented indicates that a church and day care center is necessary for the public convenience at this location to continue to meet the needs of the 150-member congregation who reside in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed church and day care center which will provide needed services in the community and adequate off-street parking; and that the proposed use will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 240-seat church and day care center in a one-story brick building, on premises at 815-19 N. Pulaski Road, upon condition that off-street parking shall be provided at 820 N. Pulaski Road; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: United Life Church
 APPEARANCES FOR: Gregory V. Miller
 APPEARANCES AGAINST:
 PREMISES AFFECTED-- 820 N. Pulaski Road
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 65-85-S
 MAP NO. 3-K
 MINUTES OF MEETING
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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, United Life Church, owner, on January 18, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 20 private passenger automobiles, in a C1-1 Restricted Commercial District, on premises at 820 N. Pulaski Road, to satisfy the parking requirements for a proposed 240-seat church and day care center at 815-19 N. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 17, 1985 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 9.11-1 and 9.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985 after due notice thereof by publication in the Chicago Tribune on January 28, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C1-1 Restricted Commercial District; that on February 15, 1985 the Board approved a special use application, Cal. No. 64-85-S, for the establishment of a 240-seat church and day care center in a one-story building located at 815-19 N. Pulaski Road; that the proof presented indicates that the proposed parking lot is necessary for public convenience at this location to satisfy the parking requirements for the applicant church; 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; that the proposed use is located directly north and across N. Pulaski Avenue from the proposed church 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 accessory parking lot for the parking of 20 private passenger automobiles to satisfy the parking requirements for a proposed 240-seat church and day care center to be located at 815-19 N. Pulaski Road, on

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Cal. No. 65-85-S

premises at 820 N. Pulaski Road, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed with a 6 foot high open wire fence; that steel beam guard rails approximately 2 feet in height shall be erected within the fenced area along the north and south sides; that the parking stalls shall be designated with striping; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be from N. Pulaski Road; that the public 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 lot shall be securely locked at all times when services and activities are not being conducted at the applicant church and day care center; 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 and with Section 5.8-5 of the zoning ordinance. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

APPLICANT: Harold A. Stahl, Architect-Agent
 APPEARANCES FOR: Harold A. Stahl
 APPEARANCES AGAINST: Dolores Stingley

CAL. NO. 66-85-A
 MAP NO. 10-I
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 4225 S. Campbell Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Harold A. Stahl, Architect-Agent, for David Krasowski, owner, on December 28, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of a two-story frame building as four dwelling units, in an R3 General Residence District, on premises at 4225 S. Campbell Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 18, 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 7.5-3 and 7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985; 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 prior to the time of the passage of the 1942 comprehensive amendment to the zoning ordinance; that the 1942 comprehensive amendment to the zoning ordinance rezoned the subject site to duplex; that four dwelling units could not have legally been established in the subject site building since that time; that the appellant has a right to use the subject premises as three dwelling units only; 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: Nancy Kay
 APPEARANCES FOR: Nancy Kay
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 3757 N. Sheffield Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 67-85-A
 MAP NO. 9-G
 MINUTES OF MEETING
 February 15, 1985

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, Nancy Kay, owner, on December 17, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a food catering establishment, with off-premises delivery, in a store in a two-story brick building, in a B4-2 Restricted Service District, on premises at 3757 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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 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 February 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-2 Restricted Service District; that the proof presented indicates that the appellant has operated a traditional food catering business, including off-premises delivery, in the store in the building on the subject site for the past five years; that a food catering establishment is a permitted use in a B4 district; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a food catering establishment, with off-premises delivery, in a store in a two-story brick building, on premises at 3757 N. Sheffield 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: Carolyn P. Henley
 APPEARANCES FOR: Carolyn P. Henley
 APPEARANCES AGAINST:

CAL. NO. 68-85-A
 MAP NO. 16-C
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 2126 E. 71st Street

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Carolyn P. Henley, for The Phoenix Group, owner, on December 14, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand store for the resale of designer and fine quality clothing and accessories in a one-story brick store building, in a B3-3 General Retail District, on premises at 2126 E. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 8, 1984 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194 A of the Municipal Code of Chicago, specifically, Section 8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985; and

WHEREAS, the district maps show that the premises are located in a B3-3 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B3-3 General Retail District; that the proof presented indicates that the appellant proposes to sell used designer and fine quality clothing and accessories, a B4 use, in the subject store in the one-story brick building on the subject site which also contains a plumbing supply store, a C1 use; that the expansion of the non-conforming use throughout the building is permitted under Section 6.4-6 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a second-hand store for the resale of designer and fine quality clothing and accessories in a one-story brick store building, on premises at 2126 E. 71st 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: Learmo Martin
 APPEARANCES FOR: Learmo Martin
 APPEARANCES AGAINST:

CAL. NO. 69-85-A
 MAP NO. 20-G
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 8100 S. Halsted Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Learmo Martin, for Naser Taiym, owner, on December 12, 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 former service station building, in a B2-1 Restricted Retail District, on premises at 8100 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 5, 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 February 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B2-1 Restricted Retail District; that the proof presented indicates that the non-conforming building on the subject site was constructed and occupied as a service station under the C1-2 zoning in effect until January 31, 1973 when the district was rezoned to B2-1; that the change of use to an automobile repair shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an automobile repair shop in a former service station building, on premises at 8100 S. Halsted Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M.; 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 permit is issued.

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

APPLICANT: Michael Gawrych and Karen Cawrych
 APPEARANCES FOR: Karen Gawrych
 APPEARANCES AGAINST: Richard Owsiany
 PREMISES AFFECTED— 7547 W. Myrtle Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 70-85-A
 MAP NO. 15-O
 MINUTES OF MEETING
 February 15, 1985

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, Michael Gawrych and Karen Gawrych, owners, on January 15, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit, in an R2 Single Family Residence District, the on-site parking of a pick-up truck on the rear of a lot improved with a 1-1/2 story brick residence, on premises at 7547 W. Myrtle Avenue, which parking of said vehicle is alleged to be a permitted accessory use; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 19, 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 7.12(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985; 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 appellants own a pick-up truck which has a State of Illinois Business license plate; that Section 7-12 of the zoning ordinance provides that accessory on-site parking in an R2 District shall be solely for the parking of private passenger automobiles of the occupants of the residences; 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: Allyn Klusendorf
 APPEARANCES FOR: Allen M. Kahn, Allyn Klusendorf
 APPEARANCES AGAINST:

CAL. NO. 71-85-A
 MAP NO. 7-L
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 5008 W. Barry 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, Allyn Klusendorf, owner, on December 28, 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 storage of a pick-up truck in a one-story frame garage on the rear of a lot improved with a one-story brick residence, on premises at 5008 W. Barry Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 17, 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 7.12(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985; 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 the appellant owns a pick-up truck which he uses as transportation in lieu of an automobile; that Section 7-12 of the zoning ordinance provides that accessory on-site parking in a residence district shall be solely for the parking of private passenger automobiles of the occupants of the residences; 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: Mary and Ron Chamness
 APPEARANCES FOR: Mary Chamness
 APPEARANCES AGAINST: Dave Marcheschi, et al.

CAL. NO. 72-85-A
 MAP NO. 9-N
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 3415 N. Natoma 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, Mary and Ron Chamness, owners, on December 24, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a cattery license for the breeding and sale of cats boarded in a garage on the rear of a lot improved with a residence, in an R2 Single Family Residence District, on premises at 3415 N. Natoma Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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 7.3-2, 3.2, 7.12-1(4), 5.5 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 February 15, 1985; 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 appellants breed and raise high quality Persian cats on the premises; that said cats are shown at cat shows and used as models; that the appellants breed the cats to obtain potential show quality kittens and that the balance of the litters are sold; that the sale of said kittens to the public through newspaper advertising constitutes a business enterprise, notwithstanding the appellants' contention that the operation is a hobby; that the appellant admitted in testimony that kittens were sold on the premises; that under Section 7.3 of the zoning ordinance the Board has no authority to permit a business use in a residence district; it is therefore

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

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

APPLICANT: Farrokh Shahlapour
 APPEARANCES FOR: Farrokh Shalapour
 APPEARANCES AGAINST: Gloria Fields, et al.

CAL. NO. 73-84-A
 MAP NO. 7-J
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 3236 W. Fullerton 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, Farrokh Shahlapour, owner, on December 12, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a machine shop license for the establishment of a metal stamping and tool and die business in a one-story brick store building, in a B4-2 Restricted Service District, on premises at 3236 W. Fullerton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 5, 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 February 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-2 Restricted Service District; that the proof presented indicates that the appellant proposes to re-establish a metal stamping and tool and die business in the rear portion of the one-story brick store building on the subject site; that a tool and die machine shop requires Commercial or Manufacturing zoning; that the subject site has been zoned Business since 1942; that no evidence was presented indicating that a tool and die machine shop business was ever legally established at the subject site or that there has been a continuity of said use or like manufacturing at the subject site since 1942; that under Sections 6.4-5 and 6.4-7 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Johnny Miller

CAL. NO. 74-85-A

APPEARANCES FOR: None

MAP NO. 16-H

APPEARANCES AGAINST:

MINUTES OF MEETING

February 15, 1985

PREMISES AFFECTED— 6605 S. Hamilton Avenue

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

ACTION OF BOARD—

THE VOTE

Case dismissed for want of prosecution.

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: John R. Amos

CAL. NO. 75-85-A

APPEARANCES FOR: John R. Amos

MAP NO. 16-H

APPEARANCES AGAINST:

MINUTES OF MEETING
February 15, 1985

PREMISES AFFECTED— 6243 S. Normal Boulevard

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, John R. Amos, for Antioch B. Church, owner, on December 19, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a barber shop in an existing store in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 6243 S. Normal Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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, 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 February 15, 1985; 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 appellant was relocated by the Department of Urban Renewal to the building on the subject site; that the appellant has occupied the existing non-conforming store in the building on the subject site as a barber shop since 1983 at the direction of the Department of Urban Renewal; that the records of the Board indicate the subject site building was originally built as stores and offices and that in 1973 the Board sustained an appeal to permit the establishment of a restaurant in one of the existing stores; that the appellant has a right to continue the use of the existing non-conforming store as a barber shop; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a barber shop in an existing store in a two-story brick store and apartment building, on premises at 6243 S. Normal Boulevard, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 6 P.M., Tuesdays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Marija Linas
 APPEARANCES FOR: Rima Skorubskas
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 5958 S. Western Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 76-85-A
 MAP NO. 14-I
 MINUTES OF MEETING
 February 15, 1985

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, Marija Linas, for Marquette National Bank Tr. #6541. owner, on December 27, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of a lot for motor vehicle sales, in a B2-2 Restricted Retail District, on premises at 5958 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 8.3-2 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 February 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B2-2 Restricted Retail District; that the proof presented indicates that the subject site had been occupied by a motor vehicle sales lot from 1974 to January 1, 1985 and that the premises are presently vacant; that on March 8, 1978 the district was rezoned from C2-2 to B2-2 which made the use non-conforming; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the use of a lot for motor vehicle sales, on premises at 5958 S. Western Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the appellant has a right to use the subject site premises for motor vehicle sales for a new lessee commencing on any date prior to December 31, 1985 and that if no lessee is found for the premises within the time period stated herein, the use of the premises shall revert to a use permitted in the B2-2 District.

APPLICANT: Thomas J. Waldron
 APPEARANCES FOR: Thomas J. Waldron
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 5455 N. Ravenswood Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 77-85-A
 MAP NO. 13-H
 MINUTES OF MEETING
 February 15, 1985

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, Thomas J. Waldron, owner, on January 2, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of food as an accessory use in an existing tavern in a one-story brick building, in an R4 General Residence District, on premises at 5455 N. Ravenswood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 2, 1985 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 February 15, 1985; 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 in a non-conforming building occupied as a licensed tavern; that the proof presented indicates that the dispensing of food from an existing kitchen facility in an existing tavern is an accessory use as defined in Section 3.2 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 dispensing of food as an accessory use in an existing tavern in a one-story brick building, on premises at 5455 N. Ravenswood Avenue; upon condition that there shall be no expansion of the hours of operation of the existing tavern, limited to the hours between 11 A.M. and 2 A.M.; that there shall be no increase in the number of tables and chairs in the existing tavern; that the dispensing of food shall be limited to within the existing non-conforming tavern area within the existing non-conforming building and shall not be expanded beyond this area in any manner; and that the issuance of a food dispenser license for the subject site shall hereby be considered right to conduct only limited accessory food service as stated herein, and shall not be construed as a right to operate a restaurant.

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

APPLICANT: Stanley Guzik

CAL. NO. 78-85-A

APPEARANCES FOR: None

MAP NO. 8-H

APPEARANCES AGAINST:

MINUTES OF MEETING

February 15, 1985

PREMISES AFFECTED-- 3601 S. Paulina Street

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

ACTION OF BOARD--

THE VOTE

Case dismissed for want
of prosecution.

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Rafael Villagrana
 APPEARANCES FOR: Rafael Villagrana
 APPEARANCES AGAINST:

CAL. NO. 79-85-A
 MAP NO. 6-J
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 2758 S. Spaulding 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, Rafael Villagrana, owner, on January 10, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the sale of packaged snacks in an existing tavern in a one-story brick building, in an R3 General Residence District, on premises at 2758 S. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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 February 15, 1985; 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 occupied by a licensed tavern; that the proof presented indicates that the sale of packaged snacks to the customers of the existing 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 sale of packaged snacks as an accessory use in an existing tavern in a one-story brick building, on premises at 2758 S. Spaulding Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Man-Jo-Vin, Inc.
 APPEARANCES FOR: Albert Miceli
 APPEARANCES AGAINST:

CAL. NO. 80-85-A
 MAP NO. 9-H
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 3224 N. Damen Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Man-Jo-Vin, Inc, for Antonio Miceli and Alfred Miceli, owners, on January 14, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the wholesaling of food in an existing restaurant in a one-story brick store building, in an R4 General Residence District, on premises at 3224 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 26, 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 February 15, 1985; 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 in an existing non-conforming one-story brick building occupied by a licensed restaurant; that the appellant proposes to wholesale food items on a limited basis; that the existing restaurant operation will not be expanded in any way by the proposed wholesaling activity; that no delivery trucks will be used in the proposed activity; that the wholesaling of food on a limited scale is an accessory use; that no violation of the zoning ordinance exists nor is contemplated and the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the wholesaling of food as an accessory use in an existing restaurant in a one-story brick store building, on premises at 3224 N. Damen 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: DeLamon Foods
 APPEARANCES FOR: Mohammad Salah
 APPEARANCES AGAINST:

CAL. NO. 81-85-A
 MAP NO. 3-L
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 1248 N.Lamon Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, DeLamon Foods, for Mohammad Salah, owner, on January 18, 1985, 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 1248 N. Lamon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1985 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 February 15, 1985; 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 the existing non-conforming store in the building on the subject site occupied by a licensed grocery store; that the proof presented indicates that the appellant desires to add as an accessory use the dispensing of carryout popcorn and nacho cheese snacks to the customers of the existing grocery store; 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 as an accessory use in an existing grocery store in a two-story brick store and apartment building, on premises at 1248 N. Lamon Avenue, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 8 P.M., Mondays through Saturdays and 7 A.M. and 5 P.M., Sundays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued; and be it further

RESOLVED, that the dispensing of food to the customers of the existing grocery store in

MINUTES OF MEETING

February 15, 1985

Cal. No. 81-85-A

the subject building shall hereby be limited to carryout popcorn and nacho cheese snacks only; that no full-service kitchen facility shall be opened for the preparation of food; that the dispensing of food shall be limited to within the existing first floor non-conforming grocery store and shall not be expanded in any manner; and that the issuance of a food dispenser license for the subject site shall be considered a right to conduct only limited accessory food dispensing as stated herein.

APPLICANT: University of Chicago
 APPEARANCES FOR: Michael Murphy, Raymond W. Busch
 APPEARANCES AGAINST:

CAL. NO. 82-85-A
 MAP NO. 14-C
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED— 5540 S. Hyde Park Boulevard
 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, University of Chicago, owner, on December 20, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of a seven-story former hotel building as a 198-room University dormitory with no off-street parking, in an R6 General Residence District, on premises at 5540 S. Hyde Park Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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 7.3-6, 7.12-2(4) 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 February 15, 1985; and

WHEREAS, the district maps show that the premises are located in an R6 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R6 General Residence District; that the proof presented indicates that the 7-story building on the subject site was erected in 1925 as a 198-room hotel with no on-site parking; that the appellant purchased the hotel building in 1960 and converted the building to a 198-room dormitory; that Section 5.8-1(3) of the zoning ordinance provides that whenever the existing use of a building that was erected prior to the passage of the 1957 comprehensive amendment to the zoning ordinance is changed to a new use, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of the comprehensive amendment; that the zoning ordinance would require 66 parking spaces for a 198-room hotel; that 40 parking spaces are required for a 198 room dormitory; that the appellant has a right to use the 7-story building on the subject site as a 198-room dormitory, with no off-street parking required; 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

MINUTES OF MEETING

February 15, 1985

Cal. No. 82-85-A

of a seven story former hotel building as a 198-room University dormitory with no off-street parking, on premises at 5540 S. Hyde Park Boulevard, 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 808

APPLICANT: Greater Southwest Side Alliance for the Needy CAL. NO. 414-84-A
 APPEARANCES FOR: Almetta Moody MAP NO. 11-G
 APPEARANCES AGAINST: MINUTES OF MEETING
 February 15, 1985
 PREMISES AFFECTED-- 1138 W. 79th 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, Greater Southwest Side Alliance for the Needy, for Alex Moody, owner, on November 9, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand store in a two-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 1138 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 8, 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 8.3-1."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B2-2 Restricted Retail District; that the proof presented indicates that the store in the building on the subject site, formerly occupied by a tavern, a B4 use, has been vacant and unoccupied in excess of one year; that under Section 6.4-5 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Ezequiel Gomez

CAL. NO. 420-84-A

APPEARANCES FOR: Ezequiel Gomez

MAP NO. 4-H

APPEARANCES AGAINST:

MINUTES OF MEETING
February 15, 1985

PREMISES AFFECTED-- 2142 S. Paulina 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, Eaequiel Gomez, for Antonio Cruz, owner, on October 26, 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 garage building at the rear of a two-story brick apartment building, in an R4 General Residence District, on premises at 2142 S. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 1984 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chatper 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 February 15, 1985; 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 on December 12, 1983, in Cal. No. 394-85-A, the Board denied an appeal by the appelland seeking to establish an automobile repair shop in the one-story garage building on the subject site, finding that the non-conforming garage building on the subject site had been vacant and unoccupied in excess of one year; that no facts were presented that would cause the Board to change the decision previously rendered; 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: Urban Development Center
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 423-84-A
MAP NO. 20-H
MINUTES OF MEETING
February 15, 1985

PREMISES AFFECTED— 8248 S. Ashland Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Case dismissed for
want of prosecution.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Roberto Arocho
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 301-84-A
MAP NO. 11-H
MINUTES OF MEETING
February 15, 1985

PREMISES AFFECTED— 1610 W. Montrose Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to
April 19, 1985.

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: Wayne F. Mikosz
 APPEARANCES FOR: Kenneth S. Freedman
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 3026 N. Kenmore Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 7-85-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 January 18, 1985 and
 February 15, 1985

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Wayne F. Mikosz, for LaSalle National Bank, Tr. #102348, owner, on November 21, 1984, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a three-story two dwelling-unit building whose front yard will be 9 feet 2 inches instead of 14.88 feet and whose north side yard will be 2-1/2 inches instead of 2-1/2 feet, on premises at 3026 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 25, 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 7.8-4(1), 7.7-4 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 January 18, 1985, after due notice thereof by publication in the Chicago Tribune on December 26, 1984, and continued for rebuttal to February 15, 1985; 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 this premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that a building of the width and length proposed is needed to obtain a livable modern layout of rooms; that the plight of the owner is due to the narrow lot width; and that the variations, if granted, will not alter the essential character of the neighborhood in that the subject site is located in a block in which the majority of the improvements do not comply with the front and north side yard requirements; 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 three-story two dwelling unit building whose front yard will be 9 feet 2 inches instead of 14.88 feet and whose north side yard will be 2-1/2 inches instead of 2-1/2 feet, on premises at 3026 N. Kenmore Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: William P. Talbert
 APPEARANCES FOR: Robert Cooley
 APPEARANCES AGAINST:

CAL. NO. 11-85-S
 MAP NO. 12-N
 MINUTES OF MEETING
 February 15, 1985

PREMISES AFFECTED-- 7050-54 W. Archer Avenue
 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, William P. Talbert, for Harris Trust and Savings Bank, Tr. #13512, owner, on December 17, 1984, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a two-story 20 feet by 152 feet 24-room motel addition at the rear of a lot improved with two one-story motel buildings which will be reduced from 18 to 13 rooms, in a C1-1 Restricted Commercial District, on premises at 7050-54 W. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 17, 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 9.4-1(10)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 1985 after due notice thereof by publication in the Chicago Tribune on December 26, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is presently improved with two one-story motel structures with a total of 18 rooms; that the applicant seeks to reduce the existing 18 motel rooms to 13 rooms and erect a two-story 24 room motel addition at the rear of the subject lot; that the proof presented indicates that the proposed motel addition is necessary for the public convenience at this location to provide additional accommodations for truck drivers and other travellers using W. Archer Avenue; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed motel addition which will provide off-street parking for the motel occupants and which addition will shield the abutting residence district to the north from the parking area; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that the proposed motel addition will be compatible with the existing business uses on W. Archer Avenue; it is therefore

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

MINUTES OF MEETING

February 15, 1985

Cal. No. 11-85-S

Zoning Administrator is authorized to approve the erection of a two-story 20 feet by 152 feet 24-room motel addition at the rear of a lot improved with two one-story motel buildings which will be reduced from 18 to 13 rooms, on premises at 7050-54 W. Archer 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: William Flood
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST: Michael P. Casey et al.
 PREMISES AFFECTED— 2434-2624 E. 134th Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 401-83-S
 MAP NO. 32-B
 MINUTES OF MEETING
 February 15, 1985

ACTION OF BOARD—

UPON REMAND:
 Application denied and the
 Resolution of January 13, 1984
 affirmed.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

WHEREAS, William Flood, for Illinois Central Gulf Railroad, owner, filed on October 24, 1983, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a sanitary landfill for the deposit of organic and inorganic waste materials, in an M3-2 Heavy Manufacturing District, on premises at 2434-2624 E. 134th Street; and

WHEREAS, the Zoning Board of Appeals heard said case on December 16, 1983 and January 13, 1984 and entered a resolution denying the special use application, in its Cal. No. 401-83-S, finding, in part, that the proposed 17.85 acre sanitary landfill at the subject site was not necessary for the public convenience at its location and not in the public interest; and

WHEREAS, William Flood, for Illinois Central Gulf Railroad, owner, filed suit in the Circuit Court of Cook County, Docket No. 84 L 50433, asking the court to judicially review the record and reverse the order of the Board entered on January 13, 1984; and

WHEREAS, on January 3, 1985, Judge James C. Murray issued an Order remanding the case to the Zoning Board of Appeals for the purpose of further hearings and findings regarding the current use, or the eventual use, of the previously approved 100 acre landfill site immediately adjacent to the north, and to consider the need and impact of the proposed use of the subject property in light of said use, or the eventual use, of the adjacent property, and for a decision, with respect thereto, that would be appropriate; and

WHEREAS, pursuant to said Court Remand, a further hearing was held by the Zoning Board of Appeals on February 15, 1985, after due notice thereof by publication in the Chicago Tribune on January 28, 1985; and

WHEREAS, the Zoning Board of Appeals, having fully heard additional testimony and arguments of the parties, finds that no facts were presented which would cause the Board to reach a decision contrary to its decision previously rendered; that the previously approved 100 acre sanitary landfill site adjacent to the north of the subject site, while not currently in operation, is still a legally viable site which will meet community needs if put into use; that the City of Chicago policy is to urge alternative waste disposal methods as recommended in the Department of Planning's "Waste Management Options for Chicago"; that no present need exists for an additional 17.85 acre landfill at this location; it is therefore

RESOLVED, that the Zoning Board of Appeals affirms its denial of the special use application to establish a sanitary landfill for the deposit of organic and inorganic waste materials, in an M3-2 Heavy Manufacturing District, on premises at 2434-2624 E. 134th Street.

MINUTES OF MEETING

February 15, 1985

Cal. No. 422-84-A

Mr. E. Kenneth Wright, Jr., for Emma Spivey, presented a request to amend an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion and remodeling of a one-story brick automobile service station building for use as a food store, in an R2 Single Family Residence, on premises at 9040 S. Vincennes Avenue, which appeal was sustained by the Board on December 14, 1984, Cal. No. 422-84-A.

The amendment requested is to allow the said food store to operate between the hours of 7:00 A.M. and 11:30 P.M., Sundays through Thursdays and between the hours of 7:00 A.M. and 1:00 A.M., Fridays and Saturdays.

Chairman Guthman moved that the requested amendment be denied and that the appellant be allowed to file a new appeal application. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

February 15, 1985
Cal. No. 21-85-A

Mr. Edward A. Scott, for Henry Runge, presented a request for a rehearing on the appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of two one-story garage buildings as automobile repair including body work and painting on a lot additionally used for the sale of used cars, in an R3 General Residence District, on premises at 2214-22 S. Damen Avenue, which appeal was denied by the Board on January 18, 1985, Cal. No. 21-85-A.

Mr. Runge was not represented by counsel at the public hearing held on January 18, 1985. The request is made for a rehearing of the issues.

Chairman Guthman moved that the appellant be permitted to file a new appeal. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

February 15, 1985

Cal. No. 401-84-S

Mr. William E. Brooks, for Greater Omega Missionary Baptist Church, presented a request to refile the special use application for the approval of the location and the establishment of a church in a one-story brick building, in a C1-2 Restricted Commercial District, on premises at 6641-43 S. State Street, which special use was denied by the Board on December 14, 1984, Cal. No. 401-84-S.

The request to refile is for the purpose of providing new witnesses and testimony about property value and impact of the applicant church on the community.

Chairman Guthman moved that the applicant be permitted to file a new special use application. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
February 15, 1985
Cal. No. 394-84-S

Mr. Pat Frank DeLeo, for American Starter Drive Service, Inc., presented a request to amend the resolution adopted by the Zoning Board of Appeals on December 14, 1984, Cal. No. 394-84-S, which approved the establishment of an accessory off-street parking lot for the parking of private passenger automobiles, in an M1-3 Restricted Manufacturing District, on premises at 413 S. Peoria Street, for the use of a five-story industrial building located at 400-18 S. Green Street.

Mr. De Leo stated that on December 7, 1984, the City Council rezoned the five-story building site at 400-18 S. Green Street from Manufacturing to Commercial, to allow the conversion of said building for commercial use on the ground floor and approximately 68 dwelling units above. The amendment requested is to allow the approved parking lot at 413 S. Peoria Street to be used as a parking lot to satisfy the parking requirements for the proposed aforesaid conversion and to remove the time constraints as embodied in said resolution, in that residential parking would, of necessity, require 24-hour and daily access.

Chairman Guthman moved the request be granted and that the resolution of December 14, 1984, Cal. No. 394-84-S, be amended to permit the use of the lot at 413 S. Green Street for parking of private passenger automobiles to satisfy the parking requirements for the conversion of a five-story building at 400-18 S. Green Street to commercial use on the ground floor and approximately 68 dwelling units above and to permit the use of the lot for parking on a 24-hour daily basis, upon condition that all other requirements of the resolution shall be complied with. The motion prevailed by yeas and nays as follows:

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

The approved amendment is hereby made a part of resolution 394-84-S, adopted by the Board on December 14, 1984.

MINUTES OF MEETING

February 15, 1985

Cal. No. 194-84-Z

Mr. Jay Landman, General Partner, BLB Developers, owner, on January 11, 1985, presented a request for an extension of time in which to erect a two-story 12-unit townhouse on an irregularly shaped lot whose front yard will be 7 instead of 15 feet, whose north side yard will be 6 instead of 16.6 feet, whose rear yard will be 12 instead of 30 feet, and with no provision for a loading berth, on premises at 1867-83 N. Poe Street, approved by the Zoning Board of Appeals on June 15, 1984, Cal. No. 194-84-Z. Mr. Landman stated that the applicant, Chicago Capital Associates, was unable to secure the necessary funding and the owner has found another developer who intends to erect a two-story 12 unit or less townhouse which will comply with all the variations granted by the Board on June 15, 1984, in Cal. No. 194-84-Z.

On January 25, 1985, Mr. Patrick FitzGerald, the contract purchaser of the above property, presented an additional request for an extension of time to erect a two-story 11 unit townhouse building containing units of approximately 1,200 square feet each, which will adhere to the existing variations granted by the Board on June 15, 1984 in Cal. No. 194-84-Z and which will, in most cases, exceed those requirements, and will provide 11 parking spaces in an enclosed garage.

Chairman Guthman moved that the requests be granted and that the time to secure necessary permits to erect a two-story 12-dwelling unit (or less) townhouse building be extended to August 15, 1985, upon condition that the proposed two-story 12 dwelling unit (or less) townhouse building has, at minimum, a 7 foot front yard, a 6 foot north side yard and a 12 foot rear yard. The motion prevailed by yeas and nays as follows:

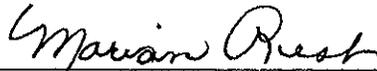
Yeas- Guthman, Cullen, Howlett and Keane. Nays- None.

MINUTES OF MEETING

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Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on March 15, 1985.


Secretary