

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, August 16, 1985

At 9:00 A.M., 10:00 A.M. and 2:00 P.M.

The following were present and constituted a quorum:

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

MINUTES OF MEETING

August 16, 1985

Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on July 19, 1985 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Cullen, Howlett 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: Michael C. Birnkrant, Jr.
 APPEARANCES FOR: Daniel L. Houlihan
 APPEARANCES AGAINST: Norman Schwartz, George Sikokis

CAL. NO. 257-85-Z
 MAP NO. 1-E
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 717 N. Michigan Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, Michael C. Birnkrant, Jr., for LaSalle National Bank, Tr. #103814, owner, on July 17, 1985, filed an application for a variation of the zoning ordinance to permit, in a B6-7 Restricted Central Business District, the erection of a 17-story addition to contain retail stores and offices atop a three-story building, with provision for two instead of three loading berths, on premises at 717 N. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 9, 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 8.10-2(2), 8.10-4 and 8.10-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site is improved with a three-story building containing 53,000 square feet of floor area and is fully tenanted; that the existing building is serviced by a single loading dock which is accessed off of N. St. Clair Street by means of a paved ingress and egress easement across the southerly 15 feet of the parcel of land which is contiguous to the east side of the subject site that the applicant proposes to construct a 17-story vertical addition to the existing structure containing 220,000 square feet of floor area for use by retail and professional office tenants; that three loading docks each 10 feet by 25 feet in area are required for the addition; that it is proposed to provide two loading docks each 14 feet by 32 feet in area; 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 to provide three loading berths of the size required would necessitate removal of existing tenant space and displacing of existing mechanical plenum; that the plight of the owner is due to unique circumstances in that access to the loading

MINUTES OF MEETING

August 16, 1985

Cal. No. 257-85-Z

area is constrained to the existing 15 feet ingress and egress easement which would negate the functionality of more than two loading docks; and that the variation, if granted, will not alter the essential character of the locality in that provision for two 14 feet by 32 feet loading docks will actually provide more than 100 square feet of loading area than the three 10 feet by 25 feet required loading docks would and, in reality, will make for more efficient and quicker deliveries; 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 17-story addition to contain retail stores and offices atop a three-story building with provision for two instead of three loading berths, on premises at 717 N. Michigan Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Martin Reinheimer
 APPEARANCES FOR: Martin Reinheimer
 APPEARANCES AGAINST:

CAL. NO. 258-85-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 1879-85 N. Maud Avenue and 1878-84 N. Poe Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, Martin Reinheimer, for Chicago Title and Trust Co., Tr. #1069489, owner, on June 18, 1985, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of 2 two and three-story three-dwelling unit townhouse buildings whose front yards will each be 2.5 feet instead of 6 feet; whose side yards will each be 3 feet instead of 7.5 feet and whose rear yards will each be 12 feet instead of 30 feet, on premises at 1879-85 N. Maud Avenue and 1878-84 N. Poe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 12 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 7.7-4, 7.8-4, 7.9-4 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 August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the subject site is a through lot having 75 feet frontages on N. Maud Street and N. Poe Street; that the proposed development is for a lesser number of dwelling units that could legally be built under current zoning regulations; that the proposed lower density development is more desirable for the site, but cannot yield a reasonable return without the variations requested; that the plight of the owner is due to unique circumstances in that any economically viable development on this through lot would require authorized variations; and that the variations, if granted, will be compatible with the existing townhouse character of the neighborhood and will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

August 16, 1985
Cal. No. 258-85-Z

2 two and three-story three-dwelling unit townhouse buildings whose front yards will each be 2.5 feet instead of 6 feet, whose side yards will each be 3 feet instead of 7.5 feet and whose rear yards will each be 12 feet instead of 30 feet, on premises at 1879-85 N. Maud Street and 1878-84 N. Poe 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: 7th Star M.B. Church

CAL. NO. 259-85-S

APPEARANCES FOR: Houston Burnside

MAP NO. 20-G

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 1322 W. 87th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, 7th Star M.B. Church, owner, on June 25, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 275-seat church building, in a B4-1 Restricted Service District, on premises at 1322 W. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 30, 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 August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 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 applicant church has been located at the subject site since 1969; that the applicant proposes to demolish the existing building on the subject site and erect a 275-seat church building, with available area for no more than 5 on-site parking spaces; that the proposed church requires 23 off-street parking spaces and proposes to satisfy the balance of the required parking by leasing an existing accessory parking lot located at 1325 W. 87th Street; that the lease limits the use of the existing parking spaces by the applicant church to Sundays only, between the hours of 11 A.M. and 1 P.M., for a period of 5 years with option to renew for an additional 5 years; that the said lease is unacceptable to the Board, finding it very narrow in scope without the flexibility the proposed church use would need in the event of expanded service hours or days, which would then place the church in the posture of violation of the parking requirements during such expanded service times; it is therefore

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

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

APPLICANT: 7th Star M.B. Church

CAL. NO. 260-85-S

APPEARANCES FOR: Houston Burnside

MAP NO. 22-G

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 1325 W. 87th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, 7th Star M.B. Church, for Sheldon Wing, owner, on June 25, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of existing accessory parking spaces, in a B4-1 Restricted Service District, on premises at 1325 W. 87th Street, to satisfy the parking requirements for a 275-seat church building proposed to be erected at 1322 W. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 30, 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 August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 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 applicant seeks to fulfill the required off-street parking requirements for a proposed 275-seat church by leasing existing parking spaces at 1325 W. 87th Street; that the terms of the lease limits the use by the applicant church of the existing parking spaces on the subject site to Sundays only, between the hours of 11 A.M. and 1 P.M., for a period of 5 years with option to renew for an additional 5 years; that the said lease is unacceptable to the Board, finding it very narrow in scope and without the flexibility that a church use needs; it is therefore

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

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

APPLICANT: The New Upper Room M.B. Church
 APPEARANCES FOR: Stephen H. Malato
 APPEARANCES AGAINST:

CAL. NO. 261-85-S
 MAP NO. 4-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 2701-07 W. Roosevelt 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, The New Upper Room M.B. Church, for The New Upper Room M.B. Church and the City of Chicago, owners, filed on June 27, 1985, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a one-story brick store building, in a C2-2 General Commercial District, on premises at 2701-07 W. Roosevelt Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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 9.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 1985; and

WHEREAS, the district maps show that the premises are located in a C2-2 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C2-2 General Commercial District; that the proof presented indicates that a church at this location is necessary to meet the needs of the church congregation who are presently meeting at 2736 W. Ogden Avenue; that the City of Chicago is seeking to acquire the 2736 W. Ogden Avenue site; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed church which will provide adequate off-street parking on the adjacent 63 feet by 75 feet lot at 2701-05 W. Cermak Road, which lot the applicant is presently negotiating to purchase from the City of Chicago; and that the use of the premises as a church will be compatible with the existing mixed commercial 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 approve the establishment of a church in a one-story brick store building, on premises at 2701-07 W. Roosevelt Road, upon condition that on-site parking of one parking space for every 12 seats in the church shall be provided; that the

MINUTES OF MEETING

August 16, 1985

Cal. No. 261-85-S

parking area 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 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 steel beam guard rails approximately 2 feet in height shall be erected along the east and south property lines; that each parking stall shall be designated with striping; that lighting shall be provided reflecting away from abutting residential property to the south; that ingress and egress shall be from W. Roosevelt Road; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three-foot straight flares on each approach. It shall be the responsibility of the applicant to improve said parking area in conformance with the provisions and standards hereby established under this order and under Section 5.8-6 of the zoning ordinance; and be it further

RESOLVED, that the approval of this special use is conditioned upon the applicant acquiring the adjacent lot herein stated, owned by the City of Chicago, for on-site parking; that failure by the applicant to acquire said lot shall render this special use approved herein null and void. 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 808

APPLICANT: Apostolic Pentecostal Church of Morgan Park
 APPEARANCES FOR: James J. Seaberry
 APPEARANCES AGAINST:

CAL. NO. 262-85-Z
 MAP NO. 28-H
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED-- 11401-25 S. Vincennes Avenue
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

Variations granted.

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, Apostolic Pentecostal Church of Morgan Park, owner, on July 1, 1985, filed an application for a variation of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of an addition approximately 23,660 square feet to the southwest side of an existing church building, whose front yard will be 20 instead of 27.5 feet, whose southwest side yard will be 8 instead of 20 feet, with no rear yard instead of 30 feet, and whose total floor area will exceed the allowable floor area ratio, on premises at 11401-25 S. Vincennes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 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 7.6-2; 7.7-2, 7.8-2(3), 7.9-2, 7.11-2 and 7.12-1(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 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 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 proposed addition of approximately 23,660 square feet is necessary to provide additional seating, classrooms, social hall, multi-purpose rooms, choir dressing rooms and offices; that the plight of the owner is due to the configuration of the existing building and the proposed addition and the need for additional space for the church and its related activities; and that the variations, if granted, will not alter the essential character of the locality in that the configuration of the proposed addition juts only into portions of the required yards and that there will remain ample unimproved front, side and rear yard open areas so as not to impair an adequate supply of light and air to the surrounding properties

MINUTES OF MEETING

August 16, 1985
Cal. No. 262-85-Z

and therefore will be compatible with the existing improvements in the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of an addition approximately 23,660 square feet to the southwest side of an existing church building, whose front yard will be 20 instead of 27.5 feet, whose southwest side yard will be 8 feet instead of 20 feet, with no rear yard instead of 30 feet and whose total floor area will exceed the allowable floor area ratio, on premises at 11401-25 S. Vincennes 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: Apostolic Pentecostal Church of Morgan Park
 APPEARANCES FOR: James J. Seaberry
 APPEARANCES AGAINST:

CAL. NO. 263-85-S
 MAP NO. 28-H
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED-- 1747 W. Steuben Street and 11333-59 S. Vincennes 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Apostolic Pentecostal Church of Morgan Park, owner, on July 1, 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 private passenger automobiles, in an R2 Single Family Residence District, on premises at 1747 W. Steuben Street and 11333-59 S. Vincennes Avenue, to satisfy the parking requirements for a proposed addition to an existing church located at 11401-25 S. Vincennes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 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 7.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 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 on August 16, 1985, in Cal. No. 262-85-Z, the Board granted an application for variations of the zoning ordinance to the applicant church for the erection of an addition approximately 23,660 square feet to the southwest side of an existing church building at 11401-25 S. Vincennes Avenue; that the proof presented indicates that the proposed parking lot is necessary for the public convenience at this location in order to fulfill the parking requirements for the said addition to the existing church building; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the use of the premises as a parking lot will be an improvement of the existing condition of the site and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

August 16, 1985

Cal. No. 263-85-S

lot for the parking of private passenger automobiles, on premises at 1747 W. Steuben Street and 11333-59 S. Vincennes Avenue, to satisfy the parking requirements for a proposed addition to an existing church located at 11401-25 S. Vincennes Avenue, upon condition that the following conditions shall be 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 enclosed, except for the portion used as a driveway, with a six foot high chain link fence; that a strip of land 20 feet wide along the north property line shall be landscaped and planted with a densely planted compact hedge not less than five feet nor more than seven feet in height, which planting shall be maintained; that the balance of the lot shall be improved with asphaltic concrete or some comparable all-weather dustless material 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 each parking stall shall be striped; that lighting shall be provided reflecting away from abutting residential property; that ingress and egress shall be from W. Edmaire Street; that the abutting alley 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 parking lot shall be securely locked between the hours of 10 P.M. and 7 A.M., except during such times as services and activities exceed said hours; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain said parking lot 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: Habilitative Systems, Inc.
 APPEARANCES FOR: Jeffrey Kleifield
 APPEARANCES AGAINST: Carlous Hunt, et al.

CAL. NO. 264-85-S
 MAP NO. 2-K
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 415 S. Kilpatrick 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Habilitative Systems, Inc., owner, on July 19, 1985, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a temporary overnight shelter facility in the basement of a 2-story brick building used as a community center, in an M1-2 Restricted Manufacturing District, on premises at 415 S. Kilpatrick Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 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 10.3-2 and 10.4-1(14)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 1985; and

WHEREAS, the district maps show that the premises are located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the proof presented indicates that the applicant proposes to establish a temporary overnight shelter facility for homeless persons in the basement of the two-story brick building on the subject site used as a community center; that a temporary overnight shelter facility is defined in Chapter 78.4-1 of the Municipal Code as a "building, or portion thereof, in which sleeping accommodations are provided for no more than 12 hours per day, for three or more persons who are not related to the owner, operator, manager or other occupants by blood or marriage"; that the proposed shelter facility will contain no more than 100 beds subject to the requirements of the Ordinance; that no persons with drug, alcohol, mental illness nor criminal histories will be accepted by the proposed shelter facility; that there will be professional staff members on the premises at all times to monitor the shelter's activities; that there will be on-site security services; that the establishment of a temporary overnight shelter facility is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use to be operated under the conditions hereinafter set forth and which use will meet all applicable provisions of the

MINUTES OF MEETING

August 16, 1985

Cal. No. 264-85-S

Municipal Code governing the establishment of temporary overnight shelter facilities; that the proposed use, which fulfills a need in the community, will be located in an existing community center building and is compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a temporary overnight shelter facility limited to no more than 100 beds in the basement of a two-story brick building used as a community center, on premises at 415 S. Kilpatrick Avenue, upon condition that the premises is brought into compliance with all applicable building code regulations; that the basement premises shall not be used as a shelter until the building complies with all applicable code regulations; that no other part of the building shall be used as a temporary overnight shelter; that security services shall be provided to limit access to the other floors of the building by clients of the shelter facility; 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 this special use is granted only to the applicant herein and if said applicant vacates the subject property or transfers the temporary overnight shelter activity to another group or association the special use at the subject site granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a temporary overnight shelter facility to a permanent residence for clients, or any increase in the number of beds and clients to be served as delineated herein, or the acceptance by the facility of persons with drug, alcohol, mental illness or criminal histories as clients, shall cause the special use hereby granted to immediately become null and void; and be it further

RESOLVED; that the Zoning Board of Appeals does hereby recommend and urge the applicant to invite members of the adjacent residential community, designated by said community to become members of the applicant organization's Board of Directors and to work with the applicant in advisory capacities to provide on-going dialogue between the applicant and the community in the operation of the temporary overnight shelter facility.

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

APPLICANT: West Englewood United Organization

CAL. NO. 265-85-S

APPEARANCES FOR: Robert Grossinger

MAP NO. 14-H

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 1650 W. 62nd Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

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

THE RESOLUTION:

WHEREAS, West Englewood United Organization, owner, on July 16, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional shelter facility in a two-and-a-half story brick building, in an R3 General Residence District, on premises at 1650 W. 62nd Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 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 applicant proposes to establish a transitional shelter facility in the building on the subject site for homeless women and children who have been evicted from, or burned out of their former homes; that a transitional shelter facility is defined in Chapter 78.3-1 of the Municipal Code of the City of Chicago as a "building, or portion thereof, in which temporary residential accommodations are provided for three or more persons not related to the owner, operator, manager or other occupants thereof" and that Chapter 78.3-4 states that "no person shall remain as a resident in any transitional shelter for a period in excess of 120 consecutive days"; that the existing building on the subject site is a former church rectory building containing 13 sleeping rooms; that the proposed transitional shelter facility will care for no more than 60 clients; that no persons with drug, alcohol, mental illness nor criminal histories will be accepted by the proposed shelter facility; that there will be at least two professional staff members on the premises at all times to monitor the shelter's activities; that the establishment of a transitional shelter facility is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use to be operated under the conditions hereinafter set forth and

MINUTES OF MEETING

August 16, 1985

Cal. No. 265-85-S

that the facility will meet all applicable provisions of the Municipal Ordinances governing the establishment of transitional shelter facilities; that the proposed use of the building on the subject site as a transitional shelter facility fulfills a need in the community and is consistent with the historical use of the premises as a church rectory 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 transitional shelter facility to accommodate no more than 60 clients in a two-and-a-half story brick building, on premises at 1650 W. 62nd Street, upon condition that the building is brought into compliance with building code regulations; that the premises shall not be used as a shelter facility until the building complies with all applicable code regulations; 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 the special use is granted only to the applicant herein and if said applicant vacates the subject property or transfers the transitional shelter activity to another group or association, the special use at the subject site granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a transitional overnight shelter facility or any increase in the number of clients to be served as delineated herein, or the acceptance by the facility of persons with drug, alcohol, mental illness or criminal histories as clients, shall cause the special use granted hereby to immediately become null and void.

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

APPLICANT: Lansdown Investors of Chicago, Inc.

CAL. NO. 266-85-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 55-63 W. Ontario Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of applicant.

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 808

APPLICANT: Lansdown Investors of Chicago, Inc.

CAL. NO. 267-85-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING
August 16, 1985

PREMISES AFFECTED—

613-23 N. Clark Street and 67-75 W. Ontario Street

SUBJECT—

Application for the approval of a special use

ACTION OF BOARD—

THE VOTE

Application withdrawn upon
motion of applicant.

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: Lansdown Investors of Chicago, Inc. CAL. NO. 268-85-S
 APPEARANCES FOR: David A. Epstein MAP NO. 1-F
 APPEARANCES AGAINST: MINUTES OF MEETING
 August 16, 1985
 PREMISES AFFECTED— Area bounded by N. Clark Street, the alley next
 north of W. Ohio Street, N. Dearborn Street and W. Ohio Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| Abstain | | |
| x | | |
| x | | |
| x | | |
| | | |

THE RESOLUTION:

WHEREAS, Lansdown Investors of Chicago, Inc., for General Parking Corporation, lessee, and Chicago Title and Trust Co., Tr. #64278, owner, on July 23, 1985, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the operation of an existing public parking lot on a 24-hour daily basis, in a B7-5 General Central Business District, on premises bounded by N. Clark Street, the alley next north of W. Ohio Street, N. Dearborn Street, and W. Ohio Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 23, 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 11.10-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 1985; and

WHEREAS, the district maps show that the premises are located in a B7-5 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in a B7-5 General Central Business District; that on September 25, 1981, the Board approved special use applications by General Parking Corporation for the establishment of public parking lots at 46-62 and 70-76 W. Ohio Street, Cal. No's. 281-81-S and 278-81-S, respectively; that on July 15, 1983, the Board approved a special use application by General Parking Corporation for the expansion of existing public parking lots to include 64-68 W. Ohio Street, Cal. No. 197-83-S, effectively completing the block as a single public parking lot; that the above parking lot was restricted to various hours of operation; that the record in the above applications are made part of the record in this case; that it is proposed to amend the aforementioned resolutions to permit the subject site public parking lot to operate on a 24-hour daily basis; that the proposed expansion in hours of operation of the subject site is necessary for the public convenience to satisfy the increased demand for all hour parking due to newly established late license businesses in the area; that the public health, safety and welfare will be adequately protected in the expanded use of the subject site which is lighted and attendant operated; and that the expanded use of the existing parking lot to a

MINUTES OF MEETING

August 16, 1985
Cal. No. 268-85-S

24-hour daily operation will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application to amend the Zoning Board of Appeals' Resolutions 278-81-S, 281-81-S and 197-83-S be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of the hours of operation of a public parking lot to a 24-hour daily operation, on premises bounded by N. Clark Street, the alley next north of W. Ohio Street, N. Dearborn Street and W. Ohio Street, upon condition that all other conditions set forth in said resolutions remain applicable and that those conditions are hereby made part of this resolution.

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

APPLICANT: Lansdown Investors of Chicago, Inc.
 APPEARANCES FOR: David A. Epstein
 APPEARANCES AGAINST:
 PREMISES AFFECTED-- Area bounded by W. Ontario Street, N. State Street,
 W. Ohio Street and N. Dearborn Street
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 269-85-S
 MAP NO. 1-F
 MINUTES OF MEETING
 August 16, 1985

ACTION OF BOARD--

Application approved.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| Abstain | | |
| x | | |
| x | | |
| x | | |
| | | |

THE RESOLUTION:

WHEREAS, Lansdown Investors of Chicago, Inc., for General Parking Corporation, lessee, and Chicago Title and Trust Co., Tr. #61955, owner, on July 23, 1985, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the operation of an existing public parking lot on a 24-hour daily basis, in a B7-6 General Central Business District, on premises bounded by W. Ontario Street, N. State Street, W. Ohio Street, and N. Dearborn Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 22, 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 11.10-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on July 30, 1985; and

WHEREAS, the district maps show that the premises are located in a B7-6 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in a B7-6 General Central Business District; that on September 25, 1981 the Board approved a special use application by General Parking Corporation for the continued operation of a public parking lot at 1-35 W. Ontario Street, 600-20 N. State Street, 2-36 W. Ohio Street and 601-21 N. Dearborn Street, Cal. No. 282-81-S; that the above parking lot was, in part, restricted in hours of operation to the hours between 6 A.M. and Midnight; that the record in the above application is made part of the record in this case; that it is proposed to amend the aforementioned resolution to permit the subject site public parking lot to operate on a 24-hour daily basis; that the proposed expansion of hours of operation of the subject site is necessary for the public convenience to satisfy the increased demand for all hour parking due to newly established late license businesses in the area; that the public health, safety and welfare will be adequately protected in the expanded use of the subject site which is lighted and attendant operated; and that the expanded use of the existing parking lot to a 24-hour daily operation will not cause substantial injury to the value of other property in

MINUTES OF MEETING

August 16, 1985
Cal. No. 269-85-S

in the neighborhood; it is therefore

RESOLVED, that the application to amend the Zoning Board of Appeals' Resolution 282-81-S be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of the hours of operation of a public parking lot to a 24-hour daily operation, on premises bounded by W. Ontario Street, N. State Street, W. Ohio Street and N. Dearborn Street, upon condition that all other conditions set forth in said resolution remain applicable and that those conditions are hereby made part of this resolution.

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

APPLICANT: Robert A. Loro
 APPEARANCES FOR: Robert A. Loro
 APPEARANCES AGAINST: Delores Schroeder

CAL. NO. 270-85-A
 MAP NO. 1-H
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 1931 W. Grand 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, Robert A. Loro, owner, on July 10, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a one-and-a-half story frame building as three dwelling units, in an M1-2 Restricted Manufacturing District, on premises at 1931 W. Grand Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 25, 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 10.3-1 and 11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985; and

WHEREAS, the district maps show that the premises are located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an M1-2 Restricted Manufacturing District; that no proof was presented indicating that the non-conforming one-and-a-half story frame building contained three dwelling units prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; 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: Zeidan Maali
 APPEARANCES FOR: Said Maaly
 APPEARANCES AGAINST:

CAL. NO. 271-85-A
 MAP NO. 16-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 3037 W. 63rd 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, Zeidan Maali, for Yasin Kishkeh, owner, on July 8, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a gasoline filling station, in a B2-1 Restricted Retail District, on premises at 3037 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 28, 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 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 August 16, 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 a gasoline filling station has been established on the subject site since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that on December 28, 1978 the district was rezoned from B4-1 to B2-1 making the gasoline filling station a non-conforming use; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a gasoline filling station, on premises at 3037 W. 63rd Street, upon condition that the hours of operation shall be limited to the hours between 6 A.M. and 12 Midnight daily; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Diversified Network, Inc.

CAL. NO. 272-85-A

APPEARANCES FOR:

MAP NO. 20-I

APPEARANCES AGAINST:

MINUTES OF MEETING
August 16, 1985

PREMISES AFFECTED— 2417 W. 79th Street

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

ACTION OF BOARD—

THE VOTE

Case continued to
October 18, 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: Mary T. Cefali
 APPEARANCES FOR: Mary T. Cefali
 APPEARANCES AGAINST:

CAL. NO. 273-85-A
 MAP NO. 15-H
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 5600 N. Ashland 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Mary T. Cefali, owner, on July 16, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a tavern including dispensing of food on the first floor of a two-story brick store and apartment building, in an R4 General Residence District, on premises at 5600 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 20, 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 August 16, 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 proof presented indicates that the non-conforming store in the building on the subject site has been occupied as a tavern, including dispensing of food, since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that after a fire occurred on the premises the appellant spent the intervening period readying the store for re-occupancy as a tavern, including the dispensing of food; that there was no intent to abandon the use of the premises as a tavern; 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 re-establishment of a tavern including dispensing of food, on the first floor of a two-story brick store and apartment building, on premises at 5600 N. Ashland Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 11 P.M., Mondays through Saturdays and 12 Noon and 11 P.M. Sundays; 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: Farrokh Shahlapour
 APPEARANCES FOR: Farrokh Shahlapour
 APPEARANCES AGAINST:

CAL. NO. 274-85-A
 MAP NO. 7-J
 MINUTES OF MEETING
 August 16, 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 June 11, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit 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 June 5, 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 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 August 16, 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 B4-2 Restricted Service District; that on February 15, 1985 the Board denied an appeal by the appellant, Cal. No. 73-85-A, for a machine shop license for the establishment of a metal stamping and tool and die business in the one-story brick store building on the subject site finding 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 although the testimony in the instant case supports the testimony in said previous case that a small machine shop type business existed in the subject premises in 1976, it does not address itself to the legal issue, that being that a machine shop or like manufacturing use has been established in the subject premises since 1942; that no facts were presented which would cause the Board to alter 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: American International Rent-a-Car, Inc.

CAL. NO. 275-85-A

APPEARANCES FOR: Richard Radzis

MAP NO. 14-K

APPEARANCES AGAINST:

MINUTES OF MEETING
August 16, 1985

PREMISES AFFECTED— 5801 S. Cicero Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, American International Rent-a-Car, Inc. for Carlton Midway Motor Inn, owner, on July 1, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an automobile rental agency operating within an existing motel, in a B5-3 General Service District, on premises at 5801 S. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 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 8.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985; and

WHEREAS, the district maps show that the premises are located in a B5-3 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B5-3 General Service District; that the proof presented indicates that the subject site is improved with an existing motel building; that the appellant operates an automobile rental agency from a small office located in the motel building; that the said use is offered as a convenience to the motel guests and is accessory to the principal use of the premises as a motel; 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 certify an automobile rental agency operating within an existing motel, on premises at 5801 S. Cicero 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: Francisco Ruiz
 APPEARANCES FOR: Monte Viner
 APPEARANCES AGAINST: Janice Riddel, et al.

CAL. NO. 276-85-A
 MAP NO. 11-J
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED-- 4322-32 N. Kedzie 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Francisco Ruiz, owner, on June 19, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an auto body and painting shop in a two-story brick commercial building, in a B4-2 Restricted Service District, on premises at 4322-32 N. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 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 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 August 16, 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 two-story brick non-conforming commercial building on the subject site has been previously occupied by an electrical components manufacturing business employing approximately 40 persons; that the change of use to an automobile body and painting shop employing 10 persons is a less intensive use of the site and 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 body and painting shop in a two-story brick commercial building, on premises at 4322-32 N. Kedzie Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M., Mondays through Fridays and 9 A.M. and 12 Noon, Saturdays; that all repair work shall be done within the building and storage of all vehicles shall be on the premises; that the premises shall be kept in a neat and orderly manner at all times; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Carlos Romero
 APPEARANCES FOR: Carlos Romero
 APPEARANCES AGAINST: Jane Mostyn

CAL. NO. 277-85-A
 MAP NO. 11-G
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 1348 W. Wilson 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Carlos Romero, for Beacon Manor Management, owner, on June 13, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a tire repair and sales shop in a basement store in a four-story brick store and apartment building, in an R4 General Residence District, on premises at 1348 W. Wilson Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 12, 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."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 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 proof presented indicates that the subject site building contains various basement stores, presently occupied by non-conforming B uses; that on October 21, 1983, Cal. No. 323-83-A, the Board sustained an appeal permitting the establishment of a grocery store, a B1 use, in one of the basement stores in the subject site building; that the record in that case showed the store in the instant case was occupied as a second-hand store, a B use; that the change of use to a tire repair and sales shop, a C1 use, is not 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 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: Schal Associates
 APPEARANCES FOR: Stanton Schuman
 APPEARANCES AGAINST:

CAL. NO. 278-85-A
 MAP NO. 1-F
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 430-40 N. Wells Street and 200-08 W. Hubbard 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, Schal Associates, for 440 N. Wells Building Partnership, owner, on July 8, 1985 filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of an eight-story brick warehouse building to business offices with no provision for 196 off-street parking spaces, in an M1-5 Restricted Manufacturing District, on premises at 430-40 N. Wells Street and 200-08 W. Hubbard Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 29, 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 5.8-1(2), 10.15-1 and 10.16-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985; and

WHEREAS, the district maps show that the premises are located in an M1-5 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an M1-5 Restricted Manufacturing District, that the proof presented indicates that the eight-story brick building on the subject site was erected in the year 1903; that the said building has been occupied by business offices and manufacturing uses, with no off-street parking spaces required, since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of an eight-story building to business offices with no provision for 196 off-street parking spaces, on premises at 430-40 N. Wells Street and 200-08 W. Hubbard 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: Robert Hodges

CAL. NO. 279-85-A

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 1639 N. Wells Street

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

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

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: George M. Nowak
 APPEARANCES FOR: Edward C. Statton
 APPEARANCES AGAINST:

CAL. NO. 280-85-A
 MAP NO. 16-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 2420 W. 71st Street

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

ACTION OF BOARD—

THE VOTE

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

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, George M. Nowak, for Marquette Realty, owner, on July 18, 1985, filed an appeal from the Office of the Zoning Administrator in refusing to certify the continued operation of a self-service laundrette in a one-story brick store building, in a B2-1 Restricted Service District, on premises at 2420 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 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 August 16, 1985; and

WHEREAS, the district maps show that the premises are located in a B2-1 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 said use is located in a B2-1 Restricted Retail District; that the proof presented indicates that a self-service laundrette has been in continuous operation at the subject site for the last 20 years; that the laundrette was rendered non-conforming when the City Council on December 28, 1978 rezoned the site from B4-1 to B2-1; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the continued operation of a self-service laundrette in a one-story brick store building, on premises at 2420 W. 71st Street, upon condition that an attendant shall be on the premises during business hours; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: George M. Nowak
 APPEARANCES FOR: Edward C. Statton
 APPEARANCES AGAINST:

CAL. NO. 281-85-A
 MAP NO. 18-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 2747 W. 71st Street

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

ACTION OF BOARD—

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

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, George M. Nowak, for Peter N. Bell, owner, on July 16, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the continued operation of a self-service launderette in a one-story brick store building, in a B2-1 Restricted Retail District, on premises at 2747 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 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 August 16, 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 said use is located in a B2-1 Restricted Retail District; that the proof presented indicates that a self-service launderette has been in continuous operation at the subject site for the last 20 years; that the launderette was rendered non-conforming when the City Council on December 28, 1978 rezoned the site from B4-1 to B2-1; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED; that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the continued operation of a self-service launderette in a one-story brick store building, on premises at 2747 W. 71st Street, upon condition that an attendant shall be on premises during business hours; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Waiel Faisal
 APPEARANCES FOR: Waiel Faisal
 APPEARANCES AGAINST:

CAL. NO. 282-85-A
 MAP NO. 22-B
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 9000 S. Burley 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, Waiel Faisal, for Uriel Guitierrez, owner, on June 12, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 9000 S. Burley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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 August 16, 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 no proof was presented that would indicate the subject site building has been occupied with an active business use within the past 12 months; that under Section 6.4-7 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Eloy D. Gomez

CAL. NO. 283-85-A

APPEARANCES FOR: None

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED-- 2022 S. Throop Street

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

ACTION OF BOARD--

Case dismissed for want
of prosecution.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

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

APPLICANT: Silvano Cazares
 APPEARANCES FOR: Silvano Cazares
 APPEARANCES AGAINST:

CAL. NO. 284-85-A
 MAP NO. 6-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 2500 S. Whipple 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, Silvano Cazares, owner, on July 5, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a bakery and food purveyor business in a one-story brick store and apartment building, in an R4 General Residence District, on premises at 2500 S. Whipple Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 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 August 16, 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 proof presented indicates that the appellant purchased the building on the subject site in May, 1985, which was occupied by an existing operating bakery and limited grocery business; that the appellant seeks to continue the existing bakery and limited grocery activity; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a bakery and food purveyor business in a one-story brick store and apartment building, on premises at 2500 S. Whipple Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 10 P.M., daily; that there shall be no packaged liquor or alcoholic beverages sold on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Faustino Villasenor
 APPEARANCES FOR: Faustino Villasenor
 APPEARANCES AGAINST:

CAL. NO. 285-85-A
 MAP NO. 3-G
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED-- 1248 N. Cleaver 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, Faustino Villasenor, owner, on June 13, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant in a two-story brick store and apartment building, in an R4 General Residence District, on premises at 1248 N. Cleaver Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 28, 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 August 16, 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 proof presented indicates that on February 25, 1983 the Board denied an appeal, Cal. No. 46-83-A, by Emilia Villasenor, seeking to establish a restaurant on the first floor of the two-story brick store and apartment building on the subject site, at which time evidence was presented indicating that the subject store had been vacant and unoccupied in excess of one year and that under Section 6.4-5 of the zoning ordinance the Board had no authority to permit the use requested; that no facts were presented which would cause the Board to alter 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: Elise M. Ruiz
 APPEARANCES FOR: Elise M. Ruiz
 APPEARANCES AGAINST:

CAL. NO. 286-85-A
 MAP NO. 26-A
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 10411 S. Ewing 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Elise M. Ruiz, owner, on June 14, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a household appliance store in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 10411 S. Ewing Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 31, 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 August 16, 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 store in the building on the subject site has been previously occupied by business uses, the last use having been a sports equipment and clothing store, a B2 use; that the change of use to a household appliance store, a B2 use, is a proper substitution of use under 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 household appliance store in a two-story frame store and apartment building, on premises at 10411 S. Ewing Avenue, upon condition that the hours of operation shall be limited to the hours between 8:30 A.M. and 6 P.M., Mondays through Saturdays and 8:30A.M. and 12 Noon, Sundays; that no merchandise shall be displayed or sold on the public sidewalk; 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: Hubert Aringhoff
 APPEARANCES FOR: Hubert Aringhoff
 APPEARANCES AGAINST:

CAL. NO. 287-85-A
 MAP NO. 7-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 2600 N. California Avenue and 2800 W. Logan 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Hubert Aringhoff, for George Manning, owner, on July 10, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail florist shop in a three-story brick store and apartment building on a lot improved additionally with a two-story frame store and apartment building, in an R4 General Residence District, on premises at 2600 N. California Avenue and 2800 W. Logan Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 28, 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 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 August 16, 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 proof presented indicates that the non-conforming store in the three-story brick store and apartment building has been previously occupied by a candy and ice cream store, which use recently ceased operation; that the change of use to a retail florist shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a retail florist shop in a three-story brick store and apartment building on a lot improved additionally with a two-story frame store and apartment building, on premises at 2600 N. California Avenue and 2800 W. Logan Boulevard, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 7 P.M., Mondays through Saturdays and 11 A.M. and 5 P.M., Sundays; 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: Avenue Television Sales, Inc.
 APPEARANCES FOR: Joseph Palmert
 APPEARANCES AGAINST:

CAL. NO. 288-85-A
 MAP NO. 9-H
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 3344 N. Lincoln 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, Avenue Television Sales, Inc., for L & S Management Co., owner, on July 1, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the continued operation of an audio/video repair shop in a store on the first floor of a three-story brick building, in a B3-2 General Retail District, on premises at 3344 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 6, 1985 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 8.3-4(B)(33)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985; and

WHEREAS, the district maps show that the premises are located in a B3-2 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 said use is located in a B3-2 General Retail District; that the proof presented indicates that the subject audio/video repair shop has been in continuous operation in the store in the building on the subject site since 1976; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the continued operation of an audio/video repair shop in a store on the first floor of a three-story brick building, on premises at 3344 N. Lincoln 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: Anna Dabrowski
 APPEARANCES FOR: Anna Dabrowski
 APPEARANCES AGAINST: Sean P. O'Malley, et al.

CAL. NO. 289-85-A
 MAP NO. 9-L
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 5200 W. Roscoe 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Anna Dabrowski, owner, on June 26, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a video rental and sales store in a one and two-story brick store and apartment building, in a B1-1 Local Retail District, on premises at 5200 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 24, 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 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 August 16, 1985; and

WHEREAS, the district maps show that the premises are located in a B1-1 Local Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B1-1 Local Retail District; that the subject site is improved with a 1 and 2-story brick store and apartment building; that a non-conforming tavern exists in the rear 1-story portion of the building; that the store on the first floor of the 2-story portion is vacant; that video rental/sales is a B2 use; that the Board has no authority to permit a B2 use to establish in the vacant store in a B1 zone; it is therefore

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

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

APPLICANT: Kay Langowski and Heather Walsh
 APPEARANCES FOR: Kay Langowski
 APPEARANCES AGAINST:

CAL. NO. 290-85-A
 MAP NO. 17-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 6410 N. Fairfield 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, Kay Langowski and Heather Walsh, for Reva Kaplan, owner, on June 19, 1985, 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 sale of used clothing in a three-story brick store and apartment building, in a B3-2 General Retail District, on premises at 6410 N. Fairfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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 7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985; and

WHEREAS, the district maps show that the premises are located in a B3-2 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 B3-2 General Retail District; that the proof presented indicates that the store in the building on the subject site has been previously occupied as a storage facility for leather goods; that the change of use to a store for the sale of new rejects or "seconds" apparel and fashion accessories is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a store for the sale of new reject or "seconds" apparel and fashion accessories in a three-story brick store and apartment building, on premises at 6410 N. Fairfield Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Maggie Burnett
 APPEARANCES FOR: Maggie Burnett
 APPEARANCES AGAINST:

CAL. NO. 291-85-A
 MAP NO. 1-G
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED-- 1541 W. Chicago 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, Maggie Burnett, for Marie Howaniec, owner, on July 12, 1985, 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 four-story brick building, in a B3-3 General Retail District, on premises at 1541 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 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 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 August 16, 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 seeks to sell new and used hotel furniture in the store in the building on the subject site; that the sale of new furniture, a B2 use, is a permitted use in the district; that the sale of used furniture constitutes a second-hand store or rummage shop use, a use which is first permitted in a B4 Restricted Service District; that the appellant has a right to sell new furniture only in the building on the subject site; it is therefore

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

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

APPLICANT: Floria Moreno
 APPEARANCES FOR: Floria Moreno
 APPEARANCES AGAINST:

CAL. NO. 292-85-A
 MAP NO. 3-G
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 1458 W. Blackhawk 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, Floria Moreno, for Gary E. Jacobson, owner, on June 28, 1985, 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 three-story brick store and apartment building, in an R4 General Residence District, on premises at 1458 W. Blackhawk Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 24, 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 August 16, 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 April 19, 1985 the Board sustained an appeal, Cal. No. 145-85-A, permitting the establishment of a retail hardware store in the subject store on the premises; that the hardware store did not commence operation; that the appellant seeks to sell used clothing and sundry fashion accessories; that the change of use to a used clothing store is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is reversed and the decision of the Office of the Zoning Administrator be and he is authorized to permit the establishment of a second-hand store in a three-story brick store and apartment building, on premises at 1458 W. Blackhawk Street, upon condition that the second-hand store shall be limited to the sale of used clothing and fashion accessories only; that no furniture or appliances shall be sold at the site; that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., Mondays through Saturdays and 8 A.M. and 12 Noon Sundays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Historic Property Management, Inc.

CAL. NO. 195-85-Z

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 2000-08 N. Racine Avenue

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

ACTION OF BOARD—

Case continued to
October 18, 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: 7-12 Food Mart, Inc.

CAL. NO. 238-85-A

APPEARANCES FOR: U. Shah

MAP NO. 7-N

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 6756-58 W. Diversey 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, 7-12 Food Mart, Inc., owner, on May 28, 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 one-story brick multi-store building, in a B1-1 Local Retail District, on premises at 6756-58 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 20, 1985 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 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 August 16, 1985; and

WHEREAS, the district maps show that the premises are located in a B1-1 Local Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B1-1 Local Retail District in a building occupied by an existing licensed grocery store; that the dispensing of limited food items in an existing grocery store is an accessory use; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the dispensing of limited food items, as an accessory use only, in an existing grocery store in a one-story brick multi-store building, on premises at 6756-58 W. Diversey Avenue, upon condition that there shall be no table service of food on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Tiang Ouitavon
 APPEARANCES FOR: Tiang Ouitavon
 APPEARANCES AGAINST:

CAL. NO. 241-85-A
 MAP NO. 14-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 6222 S. Western 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, Tiang Ouitavon, owner, on May 13, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an audio/video repair shop in a one-story brick store building, in a B2-2 Restricted Retail District, on premises at 6222 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 13, 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 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 August 16, 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 March 8, 1978 the district was rezoned by the City Council from B5-2 to B2-2; that the proof presented indicates that the building on the subject site has been previously occupied by business uses, the last use having been a television repair shop, which use recently ceased operation; that the change of use to an audio/video 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 audio/video repair shop in a one-story brick store building, on premises at 6222 S. Western Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 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: Joseph B. Sutkus
 APPEARANCES FOR: Anthony L. Lapinskas
 APPEARANCES AGAINST:

CAL. NO. 244-85-A
 MAP NO. 16-I
 MINUTES OF MEETING
 August 16, 1985

PREMISES AFFECTED— 6425 S. California 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 |
|--------------------|-------------|----------|--------|
| Jack Guthman | X | | |
| George J. Cullen | X | | |
| Michael J. Howlett | X | | |
| Thomas P. Keane | X | | |
| | | | |

THE RESOLUTION:

WHEREAS, Joseph B. Sutkus, owner, on May 21, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a one and two-story brick building as three dwelling units, in an R3 General Residence District, on premises at 6425 S. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 9, 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 7.5-3 and 7.12-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 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 one and two-story brick building on the subject site has been occupied as three dwelling units since prior to the passage of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as three dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a one and two-story brick building, on premises at 6425 S. California Avenue, as three dwelling units, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Damascus Missionary Baptist Church
 APPEARANCES FOR: Thomas R. Challos, Stuart Holt
 APPEARANCES AGAINST: Helen M. Lange
 PREMISES AFFECTED— 7923-39 S. Racine Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 227-85-S
 MAP NO. 20-G
 MINUTES OF MEETING
 August 16, 1985

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, Damascus Missionary Baptist Church, owner, on May 13, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a one-story brick building, in a B2-1 Restricted Retail District, on premises at 7923-39 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 9, 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 8.3-2 and 8.4-2."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on June 24, 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 applicant church purchased the subject site in the year 1972; that a church is necessary at this location to serve the needs of the 150-member congregation who live in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed 300-seat church which provides needed services in the community and which provides adequate off-street parking; and that the use of the premises as a church will not cause substantial injury to the value of other property in the neighborhood in that it is located in a B2-1 Restricted Retail District and will not inhibit future business development in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a church in a one-story brick building, on premises at 7923-39 S. Racine Avenue, upon condition that the 95 feet by 130 feet proposed parking area located south of the church building 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 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

MINUTES OF MEETING

August 16, 1985

Cal. No. 227-85-S

Chicago sewer; that a 6 feet chain link fence shall be erected on the east and south property lines; that each parking stall shall be designated with striping; that lighting shall be provided reflecting away from abutting residential property to the east; that ingress and egress shall be from S. Racine Avenue; that there shall be no ingress nor egress from the abutting public alley; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the parking area shall be securely locked when not in use by the applicant church; 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 improve and maintain said parking area in conformance with the provisions and standards hereby established under this order and with Section 5.8-6 of the zoning ordinance.

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

APPLICANT: Franciscan Friars

CAL. NO. 194-85-S

APPEARANCES FOR:

MAP NO. 12-H

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1985

PREMISES AFFECTED— 5058 S. Ashland Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

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: Christian Women Consultants, Inc.
APPEARANCES FOR: Michael Wayne Smith
APPEARANCES AGAINST: Jerrold Moore, et al.

CAL. NO. 229-85-S
MAP NO. 24-G
MINUTES OF MEETING
August 16, 1985

PREMISES AFFECTED-- 1352 W. 99th Street
SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

Application denied.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

THE RESOLUTION:

WHEREAS, Christian Women Consultants, Inc., for William Higgins, owner, on May 8, 1985 filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 40-bed transitional shelter facility in a one-story brick building, in a B2-1 Restricted Retail District, on premises at 1352 W. 99th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 19, 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 8.4-1(15), 8.4-2 and 8.11-1(27)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1985 after due notice thereof by publication in the Chicago Tribune on June 24, 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 applicant seeks to establish a 40-bed transitional shelter facility in a one-story brick building on the subject site; that no evidence was presented to indicate that the establishment of a transitional shelter facility is necessary for the public convenience at this location and that the public health, safety and welfare would be adequately protected in its design and operation, nor that the establishment of the proposed use would 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 denied.

MINUTES OF MEETING

August 16, 1985

Cal. No. 193-84-S

Mr. Charles W. Pulliam, for Mount Carmel Holiness Church in Christ Jesus, presented a request for an extension of time in which to obtain building permits for the construction of a one-story church building, on premises at 4800-08 W. Washington Boulevard, as approved by the Board on July 27, 1984, in Cal. No. 193-84-S.

Chairman Guthman moved that the request be granted and the time extended until July 27, 1986. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

August 16, 1985

Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on September 13, 1985.

Marian Best

Secretary