

MINUTES OF MEETING

September 13, 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 August 16, 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 808

APPLICANT: American National Bank & Trust Co., Tr. #63152
 APPEARANCES FOR: William Ryan
 APPEARANCES AGAINST:

CAL. NO. 293-85-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 2125 N. Racine 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
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, the American National Bank & Trust Co., Tr. #63152, owner, on August 13, 1985, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story single family residence whose front yard will be 6 feet 8 inches instead of 15 feet and with no north side yard for a distance of 19 feet from the front yard set-back instead of 2.5 feet, on premises at 2125 N. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, Sections 7.7-4 and 7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the applicant submitted a revised plan seeking to erect a two-story single family residence whose front yard will be 6 feet 8 inches instead of 15 feet and with no north side yard instead of 2.5 feet for only a distance of 19 feet from the proposed front yard set-back, in lieu of a front yard of 11 feet instead of 15 feet and no south side yard instead of 2.5 feet, as originally proposed; that the revised plan has the approval of the adjoining property owners; 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 requested yard variations are necessary to provide a residence designed to meet the lifestyle needs of the applicant; that the plight of the owner is due to the narrow width of the lot; and that the variations, if granted, will not alter the essential character of the locality in that the subject site is located in a block in which the existing improvements do not comply with the front yard and north side yard requirements of the zoning ordinance; it is therefore

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Cal. No. 293-85-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story single family residence whose front yard will be 6 feet 8 inches instead of 15 feet and with no north side yard instead of 2.5 feet for only a distance of 19 feet from the front yard set-back, on premises at 2125 N. Racine 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: Pappageorge Haymes Ltd. - Architect
 APPEARANCES FOR: George Pappageorge
 APPEARANCES AGAINST:

CAL. NO. 294-85-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 2133 N. Lakewood Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Pappageorge Haymes Ltd. - Architect, for Aetna State Bank, Tr. #10-2492, owner, on July 18, 1985, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story three dwelling unit townhouse building with no north side yard instead of 5 feet and whose south side yard will be 3 feet instead of 5 feet, on premises at 2133 N. Lakewood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 7.8-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the applicant presented an amendment to the original plan and now seeks to erect a 3-story three dwelling unit townhouse building with no north side yard instead of 5 feet for only the rear 60 feet and a south side yard of 3 feet instead of 5 feet for only the rear 80 feet; that the new proposal has the approval of the adjoining property owners; 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 requested variations are necessary to provide adequate living space in each of the three townhouse dwelling units; that the plight of the owner is due to unique circumstances in that the requested variations are the result of agreements arrived at between the owners of the adjoining properties north and south of the subject site; and that the variations, if granted, will not alter the essential character of the locality in that many existing improvements in the area do not comply with the side yard requirements of the zoning ordinance and that the proposed building will not impair an adequate supply of light and air to the adjacent properties; it is therefore

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Cal. No. 294-85-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story three dwelling unit townhouse building with no north side yard instead of 5 feet for only the rear 60 feet and a south side yard of 3 feet instead of 5 feet for only the rear 80 feet, on premises at 2133 N. Lakewood 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: New Propsect M.B. Church
 APPEARANCES FOR: Paul Williams
 APPEARANCES AGAINST:

CAL. NO. 295-85-Z
 MAP NO. 22-A
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 3352 E. 91st 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, New Prospect M.B. Church, owner, on August 6, 1985, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a one-story 33.17 feet by 78 feet fellowship hall addition to the west side of a two-story church building whose front yard will be 8 instead of 15 feet and whose west side yard will be 3 instead of 8.8 feet, on premises at 3352 E. 91st 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, Sections 7.3-1 and 7.8-3(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 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 proposed addition to the applicant church building is needed to provide facilities for church educational and social activities; that the addition proposed will not increase the seating capacity of the existing church; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the applicant desires to use existing land on the subject site to provide an addition necessary for the proper functioning of the church; that the plight of the owner is due to the configuration of the existing structure; and that the variations, if granted, will not alter the essential character of the locality in that the area in which the proposed addition is to be located in consists of many vacant lots and that said addition will be an asset to the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby made a variation in the application of the district regulations of the zoning

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ordinance and that a variation be and it hereby is granted to permit the erection of a one-story 33.17 feet by 78 feet fellowship hall addition to the west side of a two-story church building whose front yard will be 8 instead of 15 feet and whose west side yard will be 3 instead of 8.8 feet, on premises at 3352 E. 91st 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 808

APPLICANT: Patrick FitzGerald
 APPEARANCES FOR: Patrick FitzGerald
 APPEARANCES AGAINST:

CAL. NO. 296-85-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 3100-02 N. Sheffield Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Patrick FitzGerald, for James M. Lionikis, owner, on August 5, 1985, filed an application for a variation of the zoning ordinance to permit in a C1-2 Restricted Commercial District (proposed R4 General Residence District) the erection of a two-story six dwelling unit townhouse building whose east front yard will be 1.5 feet instead of 15 feet and whose west rear yard will be 20 instead of 30 feet, on premises at 3100-02 N. Sheffield Avenue; 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, Sections 7.8-4, 7.9-4 and 7.12(10)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

WHEREAS, the district maps show that the premises are located in a C1-2 Restricted Commercial District (proposed 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 September 11, 1985, the City Council rezoned the subject site from C1-2 to R4 for purpose of erecting the proposed townhouse development; 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 erect less than the proposed six-unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for townhouse units and that the proposed two-story six-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the front and rear yards than would a yard-conforming multi-story apartment building; and that the proposed townhouse structure is compatible with the existing improvements in the area 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

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it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story six dwelling unit townhouse building whose east front yard will be 1.5 feet instead of 15 feet and whose west rear yard will be 20 feet instead of 30 feet, on premises at 3100-02 N. Sheffield Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the Board has reviewed the applicant's proposal to provide a parking garage at the rear of the subject site lot sufficient in width for six automobiles and finds that provision of a handicap parking space for individually-owned multi-floor walk-up townhouse units is impractical in this case and therefore not required.

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

APPLICANT: Patrick FitzGerald
 APPEARANCES FOR: Patrick FitzGerald
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 3104-06 N. Sheffield Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 297-85-Z
 MAP NO. 7-G
 MINUTES OF MEETING
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ACTION OF BOARD—

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Patrick FitzGerald, for James M. Lionikis, owner, on August 5, 1985, filed an application for a variation of the zoning ordinance to permit, in a C1-2 Restricted Commercial District (proposed R4 General Residence District) the erection of a two-story two dwelling unit townhouse building whose front yard will be 10 instead of 15 feet, on premises at 3104-06 N. Sheffield Avenue; 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 7.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

WHEREAS, the district maps show that the premises are located in a C1-2 Restricted Commercial District (proposed 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 September 11, 1985 the City Council rezoned the subject site from C1-2 to R4 for the purpose of erecting the proposed two-story two dwelling unit townhouse building; 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 erect less than the proposed two-unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for attached single family townhouses, which arrangement requires greater horizontal land coverage and encroachment into the required front yard; and that the proposed two-story two unit townhouse structure is compatible with the majority of the existing improvements in the area which do not comply with the front yard requirements of the zoning ordinance 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

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ordinance and that a variation be and it hereby is granted to permit the erection of a two-story two-dwelling unit townhouse building whose front yard will be 10 instead of 15 feet, on premises at 3104-06 N. Sheffield Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Charter Barclay Hospital, Inc.
 APPEARANCES FOR: Samuel T. Lawton, Jr.
 APPEARANCES AGAINST:

CAL. NO. 298-85-S
 MAP NO. 11-G
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 834-36 W. Leland Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Charter Barclay Hospital, Inc., owner, on July 29, 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 R4 General Residence District, on premises at 834-36 W. Leland Avenue, for the use by employees and staff of a hospital located at 4700 N. Clarendon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, Section 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 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 a parking lot at this location is necessary for the public convenience to provide parking for the applicant hospital located at 4700 N. Clarendon Avenue; 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 proposed parking lot, with provisions for landscaping and fencing, will be 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 an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 834-36 W. Leland Avenue, for use by a hospital located at 4700 N. Clarendon Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles of persons employed by or visiting the applicant hospital and that no commercial vehicles shall

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be parked upon said lot at any time; that the lot shall be enclosed with an 8 feet high chain link fence; that the south 15 feet of the lot, except the driveway area, shall be planted and maintained with densely planted compact hedges not less than five feet nor more than seven feet in height; that the balance of the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the parking spaces shall be designated by striping; that concrete wheel stops shall be provided; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be from W. Leland Avenue; that the alley abutting the facility shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the hours of operation of the parking lot shall be limited the hours between 7 A.M. and 6 P.M.; that the lot shall be securely locked at all other times; and that all applicable ordinances of the City of Chicago shall be complied with before a 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. 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: Systems Control, Inc.
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST: Adolph A. Brown

CAL. NO. 401-85-~~4~~5
 MAP NO. 5-H
 MINUTES OF MEETING
 December 13, 1985

PREMISES AFFECTED— 2200-42 N. Lister 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, Systems Control, Inc., for LaSalle National Bank, Tr. #11504, owner, on November 19, 1985, filed an application for a special use and subsequently amended by motion to an appeal from the decision of the Office of the Zoning Administrator, for the approval of the location and the erection of a Motor Vehicle Emissions Inspection Station, in an M3-3 Heavy Manufacturing District, on premises at 2200-42 N. Lister Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, §10.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1985, after due notice thereof by publication in the Chicago Tribune on November 25, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the Congress of the United States has enacted a "Clean Air Act", which mandates that the State of Illinois comply with the toxicity levels established by the Federal Environmental Protection Agency respecting toxic hydrocarbon and carbon monoxide emissions in the State; that in response to that mandate, the General Assembly of the State of Illinois enacted the "Vehicle Emissions Testing Law"; that pursuant to said law the State of Illinois has entered into a contract with the appellant to construct, equip, maintain and operate a system of vehicle emissions testing stations throughout the affected areas, which includes the Chicagoland area; that the emissions testing program will be operated by the appellant on behalf of the State of Illinois and therefore is a Public Service Use; that pursuant to §10.3-1(13) of the zoning ordinance, Public Service Uses are permitted uses in all Manufacturing Districts; that the proposed use is a permitted use within the intent of said Public Service Uses; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

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Cal. No. 401-85-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a Motor Vehicle Emissions Inspection Station, on premises at 2200-42 N. Lister Avenue, upon condition that the use shall at all times be conducted in compliance with the provisions of the State of Illinois Vehicle Emissions Inspection Law and all applicable ordinances of the City of Chicago; and be it further

RESOLVED, that it shall be the responsibility of Systems Control, Inc. to police its operation to insure that no vehicles attendant to the subject site use are parked on abutting N. Lister Avenue.

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

APPLICANT: Systems Control, Inc.
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:

CAL. NO. 400-85-S
 MAP NO. 28-D
 MINUTES OF MEETING
 December 13, 1985

PREMISES AFFECTED— 830 E. 114th 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, Systems Control, Inc. for Heritage Pullman Bank & Trust Company, Tr. #71-80910, owner, on November 19, 1985, filed an application for a special use and subsequently by motion to an appeal from the decision of the Office of the Zoning Administrator, for the approval of the location and the erection of a Motor Vehicle Emissions Inspection Station, in an M3-3 Heavy Manufacturing District, on premises at 830 E. 114th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, §10.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1985, after due notice thereof by publication in the Chicago Tribune on November 25, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the Congress of the United States has enacted a "Clean Air Act", which mandates that the State of Illinois comply with the toxicity levels established by the Federal Environmental Protection Agency respecting toxic hydrocarbon and carbon monoxide emissions in the State; that in response to that mandate, the General Assembly of the State of Illinois enacted the "Vehicle Emissions Testing Law"; that pursuant to said law the State of Illinois has entered into a contract with the appellant to construct, equip, maintain and operate a system of vehicle emissions testing stations throughout the affected areas, which includes the Chicagoland area; that the emissions testing program will be operated by the appellant on behalf of the State of Illinois and therefore is a Public Service Use; that pursuant to §10.3-1(13) of the zoning ordinance, Public Service Uses are permitted uses in all Manufacturing Districts; that the proposed use is a permitted use within the intent of said Public Service Uses; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

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Cal. No. 400-85-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a Motor Vehicle Emissions Inspection Station, on premises at 830 E. 114th Street, upon condition that the use shall at all times be conducted in compliance with the provisions of the State of Illinois Vehicle Emissions Inspection Law and all applicable ordinances of the City of Chicago.

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

APPLICANT: Alfred and Katie Williams

CAL. NO. 299-85-S

APPEARANCES FOR: Harry G. Posey

MAP NO. 16-F

APPEARANCES AGAINST:

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September 13, 1985

PREMISES AFFECTED— 6928 S. Harvard Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Alfred and Katie Williams, owners, on August 12, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 20 feet by 22 feet frame automobile garage, in an R4 General Residence District, on premises at 6928 S. Harvard Avenue, for use as accessory off-site parking by the residents of a building located at 6925 S. Harvard Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 15, 1985 reads:

"Application not provided. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the applicant proposes to erect a 20 feet by 22 feet frame accessory two-automobile garage on the subject lot which is located across S. Harvard Avenue from the applicant's residence; that the proof presented indicates that the proposed garage is necessary at this site to provide off-street parking for the applicant who resides in a building located on a lot that is landlocked at the rear by abutting railroad tracks and to which there is no alley access; that the public health, safety and welfare will be adequately protected in the design and location of the proposed use to be improved under the conditions hereinafter set forth; and that the proposed use of the site with provision for landscaping and fencing will be an enhancement to the existing improvements in the area and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a 20 feet by 22 feet frame automobile garage, on premises at 6928 S. Harvard Avenue, for use as accessory off-site parking by the residents of a building located at 6925 S. Harvard Avenue, upon condition that fencing shall be erected on the periphery of the lot; that ingress and egress shall be from S. Harvard

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Avenue; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ameritech Mobile Communications, Inc.
 APPEARANCES FOR: Richard Connor Riley
 APPEARANCES AGAINST:

CAL. NO. 300-85-S
 MAP NO. 16-F
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 6637 S. Halsted Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
Abstain		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Ameritech Mobile Communications, Inc., for Chico Foote, owner, on August 13, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a one-story 12 feet by 26 feet telephone transmission equipment building and a 117 feet high self-supporting tower and antenna for use by a cellular mobile telephone service building, in a B2-2 Restricted Retail District, on premises at 6637 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 26, 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 September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B2-2 Restricted Retail District; that the applicant provides cellular mobile telephone service to the greater Chicago Metropolitan area; that cellular telephone systems are laid out on a grid pattern and the spacing and location of the component cells is critical for successful operation of the system; that the proof presented indicates that the proposed use is necessary for the public convenience at this location to allow the cell site to function as an integral unit in the system without interfering with existing cell sites in the area; that the public health, safety and welfare will be adequately protected in the proposed use which will be constructed and operated in compliance with the regulations of the Federal Communications Commission; that the operation of the proposed antenna will not interfere with other public transmissions in the neighborhood; that service personnel visit the site once a month for customary maintenance of the operation and that the completely self-monitored facility is connected to a central office where computers alert personnel of any breach of security or equipment malfunction; and that the proposed use, which will be enclosed on the periphery of the site by a 7 feet chain link fence topped with barbed wire and in a like manner around the antenna tower, will be compatible with the mixed business and residential improvements in

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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 erection of a one-story 12 feet by 26 feet telephone transmission equipment building and a 117 feet high self-supporting tower and antenna for use by a cellular mobile telephone service business, on premises at 6637 S. Halsted Street, upon condition that the equipment building and tower shall be serviced and maintained in a manner to preclude any problems of interference with other public transmissions; that a 7 feet chain link fence topped with barbed wire shall be erected on the periphery of the site and the periphery of the antenna tower area; that the proposed transmission equipment building and antenna tower and the use thereof shall be constructed and operated in compliance with the regulations of the Federal Communications Commission; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Pullman Christian Reformed Church
APPEARANCES FOR: Barry Alan Van Dyke
APPEARANCES AGAINST:
PREMISES AFFECTED— 424 E. 103rd Street
SUBJECT— Application for the approval of a special use.

CAL. NO. 301-85-S
MAP NO. 24-E
MINUTES OF MEETING
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ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Pullman Christian Reformed Church, owner, on July 22, 1985, filed an application for a special use under the zoning ordinance for the approval of a one-story 80 feet by 118 feet addition to the west side of a one and two-story brick church building, in a B4-1 Restricted Service District, on premises at 424 E. 103rd Street; 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 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-1 Restricted Service District; that the proof presented indicates that the proposed one-story addition to the west side of the existing church building is necessary at this location to provide a larger 450-seat sanctuary, classrooms, kitchen and office space to accommodate the needs of a larger congregation; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed addition which will meet all building code regulations and which will provide adequate off-street parking at 434 E. 103rd Street; and that the proposed addition will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the erection of a one-story 80 feet by 118 feet addition to the west side of a one and two-story brick church building, on premises at 424 E. 103rd Street; upon condition that off-street parking for 56 automobiles shall be provided at 434 E. 103rd Street; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Pullman Christian Reformed Church
 APPEARANCES FOR: Barry Alan Van Dyke
 APPEARANCES AGAINST:

CAL. NO. 302-85-S
 MAP NO. 24-E
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 434 E. 103rd Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Pullman Christian Reformed Church, owner, on July 22, 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 containing 56 automobile parking spaces, in a B4-1 Restricted Service District, on premises at 434 E. 103rd Street, to satisfy the parking requirements for a proposed addition to a church located at 424 E. 103rd Street; 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 8.11-1(4); and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 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 on September 13, 1985 the Board granted a special use to the applicant for the erection of a one-story addition to the west side of a one and two-story brick church building at 424 E. 103rd Street, Cal. No. 301-85-S; that the proof presented indicates that the proposed accessory parking lot is necessary for the public convenience at this location to satisfy the parking requirements for the proposed addition containing a 450-seat sanctuary to the church at 424 E. 103rd Street; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed use is an improvement in a block consisting of many vacant lots and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of an off-site accessory parking lot containing 56 automobile parking spaces, on premises at 434 E. 103rd Street, to satisfy the parking requirements for a proposed addition to a church located at 424 E. 103rd Street.

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upon condition that no use shall be made of the premises for the use requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that a 6 foot high chain link fence shall be erected on the east and west lot lines; that a decorative slatted wood screening fence shall be erected on the north property line abutting residential property; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, 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 space shall be designated by striping; that concrete wheel stops shall be provided; that lighting shall be provided; that ingress and egress shall be from E. 103rd Street; that the alley abutting the site shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the lot shall be securely locked at all times when services and activities are not held at 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 lot in accordance 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: The Apostolic Church of Jesus Christ
 APPEARANCES FOR: Louis A. Watson
 APPEARANCES AGAINST:
 PREMISES AFFECTED-- 11601 S. Michigan Avenue
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 303-85-S
 MAP NO. 28-E
 MINUTES OF MEETING
 September 13, 1985

ACTION OF BOARD--

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, the Apostolic Church of Jesus Christ, owner, on July 26, 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 two-story brick building, in a B4-1 Restricted Service District, on premises at 11601 S. Michigan 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, Section 8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 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 a gasoline station and tavern exist in a less restricted Commercial zoning district directly across the street from the subject site church; that the Board takes judicial notice of laws in effect that would prohibit or adversely affect otherwise permitted business uses in the area due to the proximity of the proposed church; that no evidence was presented which would indicate that the establishment of a church at this location would not cause substantial injury to the value of other business property in the area nor that its establishment would not inhibit future business development; 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: Tajon Warehousing Corporation
 APPEARANCES FOR: Irwin Leiter
 APPEARANCES AGAINST: Violet Czachorski, et al.

CAL. NO. 304-85-S
 MAP NO. 30-B
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 2926 E. 126th Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Tajon Warehousing Corporation, owner, on July 25, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of outdoor storage of scrap metal on the northernmost portion of a 19 acre site, in an M3-3 Heavy Manufacturing District, on premises at 2926 E. 126th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 10.3-3 and 10.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

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

WHEREAS, the Zoning Board of Appeals, 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 M3-3 Heavy Manufacturing District; that the subject site consists of approximately 19 acres with a frontage of 500 feet on the Calumet River; that the site is used for storage of raw materials and metal alloys; that the applicant proposes to temporarily store scrap metals on a small portion of the 19-acre site, which storage area will be located 202 feet back from the Calumet River bank and near an extension of an operating railroad located along side the west lot line of the subject premises; that scrap metals will be periodically received by rail and accumulated and stored on a platform located in the holding area near the Calumet River bank until it is removed by barge; that no chemicals or other kinds of refuse products will be accepted or handled by the applicant; that no metal stamping work will be done on the premises; that the proof presented indicates that the proposed use is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the use which will be operated in compliance with the regulations of the federal and state Environmental Protection Agencies and the Environmental Control Section of the Department of Consumer Services of the City of Chicago; and that the proposed use, which does not constitute any major change in the existing activity conducted at the subject site, will not cause any substantial injury to the value of other property in the neighborhood

MINUTES OF MEETING

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Cal. No. 304-85-S

in that it is located in an area surrounded by similar heavy industrial uses; 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 outdoor storage of scrap metal on the northernmost portion of a 19-acre site located at 2926 E. 126th Street, upon condition that the operation at all times shall be conducted in conformance with the performance standards established for the M3-1 to M3-5 Heavy Manufacturing Districts under the zoning ordinance and in compliance with the regulations of the federal and state Environmental Protection Agencies and the Environmental Control Division of the Department of Consumer Services of the City of Chicago; 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: Schain, Firsell & Brown, Ltd.

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED-- 5954 N. Paulina Street

SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Case continued to
October 18, 1985.

CAL. NO. 305-85-S

MAP NO. 15-H

MINUTES OF MEETING
September 13, 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: Deborah's Place, a Not-for-Profit Corporation

CAL NO. 306-85-S

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING

September 13, 1985

PREMISES AFFECTED— 1431 N. North Park 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: Oldway Baptist Church
 APPEARANCES FOR: Daniel E. Radakovich
 APPEARANCES AGAINST: Mattie Washington, et al.
 PREMISES AFFECTED-- 1742-50 W. 87th Street
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 307-85-S
 MAP NO. 20-H
 MINUTES OF MEETING
 September 13, 1985

ACTION OF BOARD--

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Oldway Baptist Church, for American National Bank and Trust Co., Tr. #42047, owner, on June 27, 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 1742-50 W. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 26, 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 September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 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 on July 23, 1976 the Board denied approval of the establishment of a church in the building on the subject site, Cal. No. 175-76-S; that on June 24, 1983 the Board denied the approval of the establishment of the applicant church in the building on the subject site, Cal. No. 160-83-S, finding that no proof was presented to indicate that the establishment of a church at the subject site would not cause substantial injury to the value of other property in the neighborhood; that a church at the subject location was not compatible with the business character of W. 87th Street and that the economic viability and future development of permitted uses in the district would be restricted; that the Board's denial in Cal. No. 160-83-S was affirmed by the Circuit Court of Cook County, Illinois on October 8, 1984 in 83 L 51976; that no proof was presented in this application to cause the Board to alter its decision previously rendered in Cal. No. 160-83-S; 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: Donald Sinclair
APPEARANCES FOR: Donald Sinclair
APPEARANCES AGAINST:

CAL. NO. 308-85-Z
MAP NO. 5-G
MINUTES OF MEETING
September 13, 1985

PREMISES AFFECTED— 1816 N. Fremont 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, Donald Sinclair, owner, on August 16, 1985, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a sun room addition to the front of a two-story frame single family residence whose front yard will be 5 instead of 15 feet and the erection of a 12 feet by 15 feet second story bedroom addition at the rear with no north side yard instead of 2.3 feet, on premises at 1816 N. Fremont Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 7.7-4 and 7.8-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 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 subject building is a 1,300 square feet single family residence built approximately 100 years ago; that the applicant proposes to erect a sun room addition to the front of the building at the basement level approximately 4 feet 6 inches below the sidewalk level and a 12 feet by 15 feet second story bedroom addition at the rear of the building above an existing kitchen; 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 additions are necessary to meet the needs of the applicant; that the plight of the owner is due to the limited living space available in the structure; and that the variations, if granted, will not alter the essential character of the locality in that the proposed sun room addition will be below the existing sidewalk level and will not obstruct the front elevation of the residence and that the rear second story bedroom addition will follow the building lines of the existing rear first floor kitchen; it is therefore

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

MINUTES OF MEETING

September 13, 1985

Cal. No. 308-85-Z

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 sun room addition to the front of a two-story frame single family residence whose front yard will be 5 instead of 15 feet and the erection of a 12 feet by 15 feet second story bedroom addition at the rear with no north side yard instead of 2.3 feet, on premises at 1816 N. Fremont 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: Sylvia Alambar
 APPEARANCES FOR: Sylvia Alambar
 APPEARANCES AGAINST:

CAL. NO. 309-85-A
 MAP NO. 8-H
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 1658 W. 37th 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, Sylvia Alambar, for Miguel Jimenez, owner, on July 23, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a non-conforming office at the rear of a grocery store into a dwelling unit in a 2 and 3-story brick store and two dwelling unit building, in an R3 General Residence District, on premises at 1658 W. 37th 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, Sections 7.5-3, 7.12-1(4) and 11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 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 building on the subject site contains two dwelling units and a non-conforming office at the rear of a grocery store on the first floor; that the appellant desires to convert the non-conforming office space into a dwelling unit; that the conversion of the non-conforming office space into a dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED; that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming office at the rear of a grocery store into a dwelling unit, for a total of one store and three dwelling units, with no additional parking required, on premises at 1658 W. 37th Street, upon condition that plans and permits are obtained indicating compliance with building code regulations; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Sheldon Paul
 APPEARANCES FOR: David A. Grossberg
 APPEARANCES AGAINST:

CAL. NO. 310-85-A
 MAP NO. 5-G
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED-- 1125 W. Belden Avenue and 2251 N. Clifton 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, Sheldon Paul, owner, on August 7, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a four-story brick building as 12 dwelling units, in an R4 General Residence District, on premises at 1125 W. Belden Avenue and 2251 N. Clifton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 6, 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, Sections 7.5-4 and 5.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 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 that the building on the subject site was erected in the 1890's and continuously occupied since as 11 dwelling units and one store; that the appellant desires to convert the non-conforming store to a dwelling unit; that the conversion of the non-conforming store into a dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming store into a dwelling unit and certify the use of the four-story brick building as 12 dwelling units, with no additional parking required, on premises at 1125 W. Belden Avenue and 2251 N. Clifton Avenue, 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: Reese E. Hill, Jr.
 APPEARANCES FOR: Reese E. Hill, Jr.
 APPEARANCES AGAINST:

CAL NO. 311-85-A
 MAP NO. 20-B
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 8059 S. Muskegon 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, Reese E. Hill, Jr., for Reese Hill, owner, on August 14, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a two-story frame building as three dwelling units, in an R3 General Residence District, on premises at 8059 S. Muskegon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 6, 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, 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 September 13, 1985; and

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

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

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of the two-story frame building, on premises at 8059 S. Muskegon 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: Aloysius Rekowski
APPEARANCES FOR: Aloysius Rekowski
APPEARANCES AGAINST:

CAL. NO. 312-85-A
MAP NO. 7-H
MINUTES OF MEETING
September 13, 1985

PREMISES AFFECTED— 2314-16 W. Schubert 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, Aloysius Rekowski, owner, on August 5, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the enclosure of three-story porches at the rear of a three-story brick non-conforming apartment building, in an M1-3 Restricted Manufacturing District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 2, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, 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 September 13, 1985; and

WHEREAS, the district maps show that the premises are located in an M1-3 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 M1-3 Restricted Manufacturing District; that the proof presented indicates that the subject site is improved with a three-story brick non-conforming apartment building with partially enclosed rear porches; that the partially enclosed porches have existed for many years and the appellant seeks to finish the enclosure of the porches; that the proposed enclosure will not expand the number of existing dwelling units or change the use of the building; that the appellant has established the basis of his appeal and that no violation of the zoning ordinance exists nor is contemplated; 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 enclosure of three-story porches at the rear of a three-story brick non-conforming apartment building, on premises at 2314-16 W. Schubert 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: David E. Downey
 APPEARANCES FOR: David E. Downey
 APPEARANCES AGAINST:

CAL. NO. 313-85-A

MAP NO. 14-J

MINUTES OF MEETING

September 13, 1985

PREMISES AFFECTED— 3958 W. 58th Place

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

ACTION OF BOARD—

Appeal sustained and the decision of the Office of 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, David E. Downey, owner, on August 2, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to re-certify a recently constructed 21.5 feet by 25 feet addition to the east side of an ice cream parlor, in a B2-1 Restricted Retail District, which addition is situated in the south 20 feet transitional yard required when adjacent to a residential district, on premises at 3958 W. 58th Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 2, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 8.8-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 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 to be located in a B2-1 Restricted Retail District; that the proof presented indicates that the subject site was rezoned from R3 General Residence to B2-1 Restricted Retail by the City Council on October 12, 1983 for the sole purpose of erecting the said addition; that architectural plans submitted show that the 21.5 feet by 25 feet addition to the east side of the existing ice cream parlor was situated in the south 20 feet transitional yard when approved by the Department of Zoning on January 9, 1984; that said plans called for a flat roofed addition; that the appellant erected said addition with a gabled roof and was instructed by the Department of Inspectional Services that the change in roof line would require a plan and permit revision; that upon reapplication for said permit, the zoning department refused to re-certify the plans due to the addition being situated in the 20 feet required transitional south yard; that the City of Chicago should be, and it hereby is, estopped in refusing to re-certify the already completed 21.5 feet by 25 feet addition to the east side of an ice cream parlor situated in the south 20 feet transitional yard; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Zoning

MINUTES OF MEETING

September 13, 1985

Cal. No. 313-85-A

Administrator be and it hereby is reversed and he is authorized to re-certify a recently constructed 21.5 feet by 25 feet addition to the east side of an ice cream parlor, which addition is situated in the south 20 feet transitional yard, on premises at 3958 W. 58th Place.

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

APPLICANT: Dib K. Maali
 APPEARANCES FOR: Edward Gayles
 APPEARANCES AGAINST:

CAL. NO. 314-85-A
 MAP NO. 18-F
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 7200 S. Wentworth 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, Dib K. Maali, for Mrs. Jones, owner, on July 29, 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 one-story brick multi-store building, in an R4 General Residence District, on premises at 7200 S. Wentworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 26, 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 7.3-1, 7.3-3 and 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 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 June 21, 1976, the Board sustained an appeal permitting the establishment of a restaurant in the non-conforming store building on the subject site, Cal. No. 153-76-A, which use recently ceased operation; that the change of use to a grocery store is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a one-story brick multi-store building, on premises at 7200 S. Wentworth Avenue, upon condition that there shall be no automatic amusement machines on the premises; that there shall be no sale of alcoholic beverages on the premises; that the hours of operation shall be limited to the hours between 8 A.M. and 10 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Robert P. Sheehan
 APPEARANCES FOR: Robert P. Sheehan
 APPEARANCES AGAINST:

CAL. NO. 315-85-A
 MAP NO. 7-J
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 3035 N. Kimball 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, Robert P. Sheehan, owner, on July 26, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a grocery store in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 3035 N. Kimball Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 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 September 13, 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 non-conforming store in the building on the subject site has been occupied by business uses since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance, the last use having been a grocery store and which use was recently discontinued; that the appellant has a right to re-establish a grocery store in the non-conforming store in the building on the subject site; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a grocery store in a two-story frame store and apartment building, on premises at 3035 N. Kimball Avenue, upon condition that there shall be no automatic amusement machines on the premises; that there shall be no sale of alcoholic beverages on the premises; that the hours of operation shall be limited to the hours between 7 A.M. and 6 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Kuldip C. Tangri
 APPEARANCES FOR: Kuldip C. Tangri
 APPEARANCES AGAINST:

CAL. NO. 316-85-A
 MAP NO. 11-I
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 4635 N. Rockwell 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, Kuldip C. Tangri, for Nick & Helen Zouras, owners, filed on July 30, 1985 an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a self-service laundrette in a two-story brick store and apartment building, in a B1-2 Local Retail District, on premises at 4635 N. Rockwell Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 17, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, 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 September 13, 1985; and

WHEREAS, the district maps show that the premises are located in a B1-2 Local Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B1-2 Local Retail District; that the proof presented indicates that a laundrette has been in operation for 13 years in the subject store in the building on the subject site, which also contains a tavern, a B4 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 re-establishment of a self-service laundrette in a two-story brick store and apartment building, on premises at 4635 N. Rockwell Street, upon condition that the hours of operation shall be limited to the hours between 7:30 A.M. and 10 P.M., daily; that there shall be an attendant on duty during business hours; 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 808

APPLICANT: Jayme Goffin
APPEARANCES FOR: Jayme Goffin
APPEARANCES AGAINST:

CAL. NO. 317-85-A
MAP NO. 26-A
MINUTES OF MEETING
September 13, 1985

PREMISES AFFECTED— 10439 S. Ewing 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, Jayme Goffin, for John J. Kelly, owner, on August 16, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a gift shop in a basement store in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 10439 S. Ewing Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 16, 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 September 13, 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 non-conforming store in the building on the subject site has been continuously occupied by business uses since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance, the last use having been a camera store; that the change of use to a gift 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 gift shop in a basement store in a two-story frame store and apartment building, on premises at 10439 S. Ewing Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 6 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: Linda Money
APPEARANCES FOR: Linda Money
APPEARANCES AGAINST:

CAL. NO. 318-85-A
MAP NO. 4-J
MINUTES OF MEETING
September 13, 1985

PREMISES AFFECTED— 1242 S. Central Park Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Linda Money, for Kittie Lockett, owner, on August 6, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a variety shop offering such items as beauty products and packaged snacks in a store in the basement of a two-story brick store and apartment building, in an R4 General Residence District, on premises at 1242 S. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 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 basement store in the building on the subject site has been occupied by business uses for the past 20 years, the last use having been a fabric store, which use was recently discontinued; that the change of use to a variety store offering such items as beauty products and packaged snacks, 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 he is authorized to permit the establishment of a variety shop offering such items as beauty products and packaged snacks in a store in the basement of a two-story brick store and apartment building, on premises at 1242 S. Central Park Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 10 P.M., daily; that there shall be no automatic amusement machines on the premises; that there shall be no sale of alcoholic beverages 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: Centre-West, Inc.
APPEARANCES FOR: Elijah Williams
APPEARANCES AGAINST:

CAL. NO. 319-85-A
MAP NO. 6-J
MINUTES OF MEETING
September 13, 1985

PREMISES AFFECTED— 3635-45 W. Cermak Road

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, Centre-West, Inc., owner, on August 14, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve licenses for a laundrette, grocery and variety stores located in various stores in a three-story brick multi-store and apartment building, in an R4 General Residence District, on premises at 3635-45 W. Cermak Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 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 stores in the multi-store and apartment building on the subject site have been occupied by business uses; that the establishment of a laundrette, a grocery store, and a variety store are proper uses 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 approve licenses for a laundrette, a grocery store and a variety store located in various stores in a three-story brick multi-store and apartment building, on premises at 3635-45 W. Cermak Road, upon condition that the hours of operation of the proposed uses shall be limited to the hours between 7 A.M. and 7 P.M., daily; that an attendant shall be on duty at the laundrette during business hours; that the sale of alcoholic beverages or the installation of automatic amusement devices shall not be permitted in the premises; and that all applicable ordinances of the City of Chicago shall be complied with before the licenses are issued.

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

APPLICANT: Saul Perez
 APPEARANCES FOR: Saul Perez
 APPEARANCES AGAINST:

CAL. NO. 320-85-Z
 MAP NO. 11-H
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 4700-02 N. Paulina Street

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Saul Perez, owner, on July 30, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the repair of automobiles including engine rebuilding and body repair and painting in a brick accessory garage at the rear of a two-story brick apartment building, in an R4 General Residence District, on premises at 4700-02 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 18, 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 September 13, 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 City of Chicago records show that the subject site has been residential zoning since the first zoning ordinance in 1923; that the Sanborn Maps of the City of Chicago indicate that the one-story brick structure at the rear of the two-story apartment building is nothing more than an accessory automobile storage garage; that evidence presented indicates that the volume of motor vehicle repair work being done at the subject site by the appellant constitutes a commercial operation in a garage structure which has never been legal as a commercial building; 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: Zora Crooms and Barbara Connelly

CAL. NO. 321-85-A

APPEARANCES FOR:

MAP NO. 9-0

APPEARANCES AGAINST:

MINUTES OF MEETING

September 13, 1985

PREMISES AFFECTED— 3306 N. Harlem Avenue

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

ACTION OF BOARD—

Case continued to
November 15, 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 808

APPLICANT: Robert Tomich

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED-- 6754 N. Harlem Avenue

SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Case continued to
November 15, 1985.

CAL. NO. 95-85-S

MAP NO. 17-O

MINUTES OF MEETING
September 13, 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: Robert Tomich

CAL. NO. 96-85-Z

APPEARANCES FOR:

MAP NO. 17-O

APPEARANCES AGAINST:

MINUTES OF MEETING

September 13, 1985

PREMISES AFFECTED-- 6754 N. Harlem Avenue

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

ACTION OF BOARD--

Case continued to
November 15, 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: Charles W. Ager

CAL. NO. 126-85-A

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING

September 13, 1985

PREMISES AFFECTED— 1403-05 N. Wells Street

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

ACTION OF BOARD—

Case continued to
November 15, 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: Charles J. Pawl

CAL. NO. 225-86-Z

APPEARANCES FOR:

MAP NO. 7-G

MINUTES OF MEETING

September 13, 1985

APPEARANCES AGAINST:

PREMISES AFFECTED-- 2621 N. Wayne Avenue

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

ACTION OF BOARD--

Case continued to
November 15, 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: Frank J. Miccucio
 APPEARANCES FOR: Daniel J. Pierce
 APPEARANCES AGAINST: Diana Eelmae, et al.

CAL. NO. 165-85-A
 MAP NO. 7-N
 MINUTES OF MEETING
 September 13, 1985

PREMISES AFFECTED— 6506 W. Diversey Avenue

SUBJECT— Request to modify the resolution adopted by the Board of May 17, 1985 in Cal. No. 165-86-A.

ACTION OF BOARD—

Appeal sustained and Resolution adopted by the Board on May 17, 1985 hereby amended.

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		

WHEREAS, the Zoning Board of Appeals, on May 17, 1985, sustained an appeal by the appellant, under certain conditions, for the approval of a motor vehicle repair license for an existing automobile repair shop in a one-story brick garage building, in an R3 General Residence District, on premises at 6506 W. Diversey Avenue; and

WHEREAS, on July 19, 1985, the appellant was granted a request for a re-hearing for the purpose of presenting new evidence in support of the modification of the aforesaid certain conditions in the resolution adopted by the Board on May 17, 1985; and

WHEREAS, a public hearing was held on said request by the Zoning Board of Appeals at its regular meeting held on September 13, 1985; and

WHEREAS, the Zoning Board of Appeals, having fully heard the additional testimony and arguments of the parties and being fully advised in the premises, finds that the conditions imposed by the Board in its Resolution of May 17, 1985, Cal. No. 165-85-A, that "there shall be no body and fender work, spray painting nor engine rebuilding work done on the premises" and "that the issuance of a motor vehicle repair license shall be for mechanical repair of automobiles only and shall not be construed as a license to sell new or used tires" were contrary to the historical use of said premises as an automobile repair shop, including body and fender repair, as stated in the Board's earlier findings on September 25, 1981, in Cal. No. 298-81-A; that said uses are classified as C1 uses under the present zoning ordinance and, therefore, are pre-existing legal non-conforming uses; that body and fender work, spray painting and engine rebuilding and sale of new and used tires are uses also permitted in a C1 zone and, under Section 6.4-7 of the zoning ordinance, are allowable uses in this case; it is therefore

RESOLVED, that the resolution adopted by the Board of May 17, 1985, is hereby amended to read: that the Zoning Administrator is authorized to approve a motor vehicle repair license for an existing automobile repair shop, including body and fender work, spray painting, engine rebuilding and the sale of new and used tires as accessory uses only, on premises at 6506 W. Diversey Avenue, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 6 P.M., Mondays through Saturdays only and that the appellant shall vacate the premises by 7 P.M. daily; that no automobiles that have been repaired or are awaiting repairs or that have been stripped for parts shall be parked on the city streets, alley or public ways; that all repair work and storage shall be done within the building on the subject site; and that all applicable ordinances of the City of Chicago shall be complied with in the operation of said use; and be it further

MINUTES OF MEETING

September 13, 1985
Cal. No. 165-85-A

RESOLVED, that the Board affirms its condition as stated in the original resolution of May 17, 1985, that there shall be no more than one dog allowed on the premises at any time; and be it further

RESOLVED, that the premises and operation shall be maintained and conducted in a clean and orderly manner at all times.

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

APPLICANT: Waste Management of Illinois, Inc.
 APPEARANCES FOR: Daniel L. Houlihan
 APPEARANCES AGAINST: Helen Lis, et al.
 PREMISES AFFECTED— Area bounded by E. 130th St. on the north, Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, and commonly known as 13001-13745 S. Calumet Expressway.
 SUBJECT— Application for the approval of a special use.

CAL. NO. 322-85-S
 MAP NO. 32-D, 32-C, 34-C
 MINUTES OF MEETING
 September 13, 1985

ACTION OF BOARD—

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Waste Management of Illinois, Inc., owner, on August 19, 1985, filed an application for a special use under Article 11.10-5 of the zoning ordinance for the continuation of an existing sanitary landfill and related uses, including liquid waste handling, transfer station and methane gas resource recovery facilities, in an M3-3 Heavy Manufacturing District, which uses currently have a terminal date of September 20, 1985, pursuant to the Board's resolution of October 17, 1980 under its Calendar No. 268-80-S, on premises bounded by E. 130th Street on the north, Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, and commonly known as 13001-13745 S. Calumet Expressway;

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 10.3-3 and 10.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds:

1. That the subject property, consisting of approximately 400 acres of land, is essentially rectangular in shape and is bounded by E. 130th Street on the north, the Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, and is commonly known as 13001-13745 S. Calumet Expressway.

2. That Waste Management of Illinois, Inc., the applicant herein, has operated the subject property as a sanitary landfill and related uses pursuant to prior Resolutions authorized by the Zoning Board of Appeals in Cal. Nos. 201-75-S, 218-75-S, 302-78-S, 300-65-S, 18-70-S, 208-80-S and 268-80-S.

MINUTES OF MEETING
September 13, 1985
Cal. No. 322-85-S

3. That the aforesaid Resolution Cal. No. 268-80-S specified that the special use shall terminate on September 20, 1985.

4. That the applicant herein requests the continuation of the aforesaid sanitary landfill and related uses.

5. That Article 11.10-5 of the Chicago Zoning Ordinance provides that a change in any existing special use, or from those conditions specified by the Zoning Board of Appeals at the time of approval, shall constitute and be considered the same as a new and distinct special use.

6. That the subject site serves the City of Chicago as a waste deposit site pursuant to contracts by and between the Department of Streets and Sanitation and various city agencies of the City of Chicago and Waste Management of Illinois, Inc. and for the past many years has been the principal site, in terms of volume of refuse, utilized for such purposes by the City of Chicago.

7. That based on past and present volumes of refuse accepted at the site, the facility has a useful life capacity of no more than 48 to 60 months.

8. That the applicant's proposed use of the subject site is necessary for the public convenience at this location in that it will continue to provide within the City of Chicago a sanitary landfill to serve the continuing need for such facilities to accommodate anticipated volumes of refuse materials generated within the City of Chicago.

9. That the proposed use is subject to the approval and regulations of the Department of Consumer Services, Environmental Services Division, of the City of Chicago and of the Illinois Environmental Protection Agency, thus insuring that the proposed use will be so operated in a manner that the public health, safety and welfare will be protected.

10. That the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is located as it is a continuation of present landfill sites on the site indicated in Resolutions approved by the Board stated herein, and is located in an area where the dominant land use is sanitary landfill operations; 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 continuation of an existing sanitary landfill and related uses including liquid waste handling, transfer station and methane gas resource recovery facilities, which uses currently have a terminal date of September 20, 1985, pursuant to the Board's Resolution of October 17, 1980 under its Calendar No. 268-80-S, on premises in an area bounded by E. 130th Street on the north, Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, and commonly known as 13001-13745 S. Calumet Expressway, upon the following conditions:

1. That the nature of the refuse materials to be received at the subject premises shall be the same as presently authorized at the site under the aforesaid Resolutions previously approved by the Board.

2. That the operation shall at all times be conducted in conformance with the regulations of the Department of Consumer Services, Environmental Services Division, of the City of Chicago, the Illinois Environmental Protection Agency and the performance standards established

MINUTES OF MEETING
September 13, 1985
Cal. No. 322-85-S

for the M3-1 to M3-5 Heavy Manufacturing Districts in the zoning ordinance; that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and that the special use aforesaid shall terminate on September 20, 1990.

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

APPLICANT: Land and Lakes Company

CAL. NO. 323-85-S

APPEARANCES FOR: Daniel L. Houlihan

MAP NO. 34-D

MINUTES OF MEETING
September 13, 1985

APPEARANCES AGAINST:

PREMISES AFFECTED— Area bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, and
SUBJECT— commonly known as 1000-1220 E. 138th Street.

Application for 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, Land and Lakes Company, for MCM Land Corporation, an Illinois Corporation, owner, on August 19, 1985, filed an application for a special use under Article 11.10-5 of the zoning ordinance for the continuation of an existing sanitary landfill, including liquid waste handling, in an M3-2 Heavy Manufacturing District, which uses currently have a terminal date of September 20, 1985, pursuant to the Board's resolution of July 18, 1980 under its Calendar No. 97-80-S, on premises bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, and commonly known as 1000-1220 E. 138th Street and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 10 3-3 and 10.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 13, 1985 after due notice thereof by publication in the Chicago Tribune on August 26, 1985; and

WHEREAS, the district maps show that the premises are located in an M3-2 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds:

1. That the subject property, consisting of approximately 72 acres of land, is bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, and is commonly known as 1000-1220 E. 138th Street.
2. That Land and Lakes Company, an Illinois Corporation, the applicant herein, has operated the subject property as a sanitary landfill including liquid waste handling pursuant to prior Resolutions authorized by the Zoning Board of Appeals in Cal. No. 233-73-S and 97-80-S.

MINUTES OF MEETING

September 13, 1985

Cal. No. 323-85-S

3. That the aforesaid Cal. No. 97-80-S specified that the special use shall terminate on September 20, 1985.

4. That the applicant herein requests the continuation of the aforesaid sanitary landfill and liquid waste handling use.

5. That Article 11.10-5 of the Chicago Zoning Ordinance provides that a change in any existing special use, or from those conditions specified by the Zoning Board of Appeals at the time of approval, shall constitute and be considered the same as a new and distinct special use.

6. That the subject site serves the City of Chicago as a waste deposit site pursuant to contracts by and between the Department of Streets and Sanitation of the City of Chicago and other public agencies, including the Metropolitan Sanitary District, and Land and Lakes Company.

7. That based on past and present volumes of refuse accepted at the site, the facility has a useful life capacity of no more than 36-48 months.

8. That the applicant's proposed use of the subject property is necessary for the public convenience at this location in that it will continue to provide within the City of Chicago sanitary landfill to serve the continuing need for such facilities to accommodate anticipated volumes of refuse generated within the City of Chicago.

9. That the proposed use is subject to the approval and regulations of the Department of Consumer Services, Environmental Services Division, of the City of Chicago, and the Illinois Environmental Protection Agency, thus insuring that the proposed use will be operated in a manner that the public health, safety and welfare will be protected.

10. That the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is located as it is a continuation of a present landfill site indicated in Resolutions approved by the Board stated herein and is located in an area where the dominant land use is sanitary landfill operations; 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 continuation of an existing sanitary landfill, including liquid waste handling, which uses currently have a terminal date of September 20, 1985 pursuant to the Board's Resolution of July 18, 1980 under its Cal. No. 97-80-S, on premises in an area bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, and commonly known as 1000-1220 E. 138th Steet, upon the following conditions:

1. That the nature of the refuse materials received at the subject premises shall be the same as previously authorized at the site under the aforesaid Resolutions previously approved by the Board.

2. That the operation shall at all times be conducted in conformance with the regulation of the Department of Consumer Services, Environmental Services Division, of the City of Chicago and the Illinois Environmental Protection Agency and the performance standards established

MINUTES OF MEETING

September 13, 1985

for the M3-1 to M3-5 Heavy Manufacturing Districts under the Chicago Zoning Ordinance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and that the special use aforesaid shall terminate on September 20, 1990.

MINUTES OF MEETING

September 13, 1985

Cal. No. 232-84-S

Rev. Aaron Richardson, for The Lord of Host M.B. Church, presented a request for an extension of time and to amend the resolution adopted by the Board on July 27, 1984 which approved the establishment of an accessory off-site parking lot for the parking of private passenger automobiles, on premises at 3502 W. Chicago Avenue, to satisfy the parking requirements for a proposed church at 3439 W. Chicago Avenue, under certain conditions.

The amendments requested are to delete the conditions that read: "that ingress shall be from N. St. Louis Avenue and egress shall be from W. Chicago Avenue", and "that steel beam guard rails not less than 30 inches in height shall be erected and maintained on the periphery of the lot", and to insert in lieu thereof "that ingress and egress shall be from W. Chicago Avenue", and "that a six foot chain link fence shall be erected and maintained on the periphery of the lot and that concrete bumper guards shall be provided."

Chairman Guthman moved that the requests be granted and that time to comply with the conditions of the resolution be extended until January 27, 1986.

The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

September 13, 1985
Cal. No. 286-84-S

Mr. Joseph L. Markham, for Schenck & Associates, presented a request for an extension of time in which to obtain the necessary building permits for the establishment of a drive-through service addition to an existing Kentucky Fried Chicken restaurant in a one-story brick building, on premises at 4835 N. Austin Avenue, for which a special use was granted on September 21, 1984, Cal. No. 286-84-S.

Chairman Guthman moved that the request be granted and that the time be extended until September 21, 1986. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

September 13, 1985

Cal. N. 98-85-Z

Mr. Gregory H. Furda, for Stephen P. Durchslag, presented a request to amend a portion of the resolution adopted by the Board on March 15, 1985, which granted yard variations to permit the erection of a four-story single family residence on an L-shaped through lot, on premises at 2474-76 N. Lakeview Avenue and 411 W. Roslyn Place, in Calendar No. 98-85-Z.

Mr. Furda states that the Agreement of January 9, 1985, between Stephen P. and Ruth M. Durchslag and Ted A. Fried, owner of the adjacent 415 W. Roslyn Place property, said Agreement being attached to and made part of said resolution, has been revised with respect to the ground floor set-back on W. Roslyn Place in an Agreement dated April 15, 1985 and signed by Mr. Fried on June 5, 1985.

Mr. Furda's request is to amend said resolution as it pertains to the ground floor level set-back from W. Roslyn Place to hereby read: "a front yard of 3 feet for a distance of 1.5 feet beginning at the east lot line, of 8 feet for the next 13.83 feet, and 3 feet for the remaining 1.5 feet", instead of "no front yard beginning at the east lot line and continuing in a westerly direction for the first 6 feet of the 411 W. Roslyn Place property and from that point angled in a southwest direction to align the footprint of the structure with the adjacent 5 feet overhang of 415 W. Roslyn Place", as presently stated in said resolution.

Mr. Furda also requests that the time for securing all necessary building permits to erect the proposed building approved in Calendar No. 98-85-A, as amended, and Cal. No. 408-84-Z, be extended.

Member Keane moved that the requests be granted and that the resolution adopted by the Board on March 15, 1985, Calendar No. 98-85-Z, be amended as aforesated and the time for securing building permits be extended until March 15, 1986, upon condition that the signed Agreement, dated April 15, 1985, between Stephen P. and Ruth M. Durchslag and Ted A. Fried be, and it hereby is, attached to and made part of Resolution 98-85-Z, approved by the Board on March 15, 1985. The motion prevailed by yeas and nays as follows:

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

SIDLEY & AUSTIN

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ONE FIRST NATIONAL PLAZA
CHICAGO, ILLINOIS 60603
TELEPHONE 312: 853-7000
TELEX 25-4364

2049 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
213: 533-8100 TELEX 18-1391

520 MADISON AVENUE
NEW YORK, NEW YORK 10022
212: 418-2100 TELEX 97-1898

1722 EYE STREET, N.W.
WASHINGTON, D.C. 20006
202: 428-4000 TELEX 89-463

31 ST. JAMES'S SQUARE
LONDON, SW1Y 4JR, ENGLAND
44-1: 930-5598 TELEX 21781

P.O. BOX 190
MUSCAT, SULTANATE OF OMAN
968: 722-411 TELEX 5266

P.O. BOX 4619
DEIRA, DUBAI-U.A.E.
9714-26319-4 TELEX 47216

3 SHENTON WAY
SINGAPORE 0106
65: 224-5000 TELEX 28754

P.O. BOX 8630
RITADH, SAUDI ARABIA
968-1-483-4160 TELEX 204947

SIDLEY & AUSTIN & NAQUIB
AHMED NESSIM STREET, 3
GIZA, CAIRO, EGYPT
202: 729-499 TELEX 93730

April 15, 1985

Mr. Ted A. Fried
415 West Roslyn Place
Chicago, Illinois 60614

Re: 2474 North Lakeview Avenue
and 411 West Roslyn Place

Dear Mr. Fried:

This second revision of a letter agreement is intended to formalize the understanding between Mr. Ted A. Fried and Mr. and Mrs. Stephen P. Durchslag with respect to the proposed construction of the Durchslag Residence at the above captioned address. It incorporates both the January 9, 1985 revised agreement between the parties and the amendments thereto approved at the community meeting on March 13, 1985. Acceptance of this amended agreement by the parties will enable us to obtain an order from the Zoning Board of Appeals which is consistent with the evidence and testimony presented to the Board on March 15, 1985.

SIDE YARD VARIATIONS

Mr. Ted A. Fried has withdrawn any objections to the variations requested concerning the side yard abutting his property and the side yard abutting the Wrigley property in exchange for the following representations:

1. By no later than the time construction is begun on the property commonly known as 411 West Roslyn Place for the Durchslag Residence, Mr. and Mrs. Durchslag cause to be installed, at their sole expense, a ladder or other device, of weather resistant construction, which will enable occupants of Mr. Fried's property at 415 West Roslyn Place to escape a fire or other emergency condition existing thereon by scaling and retreating from the other side of the party wall with the Wrigley Property located along the rear line of Mr. Fried's property, and

Mr. Ted A. Fried
Page Two
April 15, 1985

2. The upper portions of the Durchslag Residence will be constructed so as to provide a lightwell with a minimum radius of three feet at the upper level window on the east elevation of the Fried property measured from the center of said width of said window for light and air to said window, and

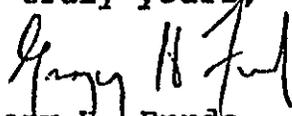
3. Mr. and Mrs. Durchslag have paid all costs and expenses, including legal fees reasonably incurred by Mr. Fried not to exceed \$1,177.00 arising in connection with the negotiations of the agreement between them regarding the matters set forth herein and his representation before the Zoning Board of Appeals concerning the variances requested by Mr. and Mrs. Durchslag.

WEST ROSLYN PLACE VARIATIONS

In addition, Mr. Fried has agreed to the request for front yard variations along West Roslyn Place as shown in the site description drawings dated January 19 and 24, 1985. Copies of these three (3) drawings are attached hereto and incorporated into and made a part of this agreement by reference. In substance, the West Roslyn Place variations will, if approved by the Zoning Board of Appeals, allow the Durchslags to build the ground floor level adjacent to West Roslyn Place with a front yard of 3 feet for a distance of 1.5 feet beginning at the east lot line, of 8 feet for the next 13.83 feet, and 3 feet for the remaining 1.5 feet. The setback for the first floor will be as follows: zero feet for a distance beginning 6 feet from the east lot line and angling southwesterly for approximately 11.00 feet to a point 3 feet south of the lot line. The setbacks on the upper floors will be as follows: zero feet for a distance beginning 6 feet from the east lot and angling southwesterly for approximately 14.00 feet to a point 8 feet south of the lot line.

Thank you for your continued cooperation in these matters.

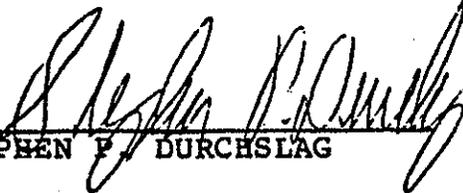
Very truly yours,


Gregory H. Furda

GHF:rn
cc: Stephen P. Durchslag

Mr. Ted A. Fried
Page Three
April 15, 1985

ACCEPTED:


STEPHEN P. DURCHSLAG

DATED:

4/17/85

ACCEPTED:


RUTH DURCHSLAG

DATED:

4/17/85

ACCEPTED:


TED A. FRIED

DATED:

6/5/85

MINUTES OF MEETING

September 13, 1985
Cal. No. 368-84-Z

Mr. Burton Berger, for Harold Deiters, owner, presented a request to amend the resolution adopted by the Board on November 9, 1984, Cal. No. 368-84-Z, which granted a variation to erect three third-floor penthouse additions to a two-story brick 15 dwelling unit building with no rear yard instead of 30 feet, on premises at 2222-26 N. Racine Avenue.

Mr. Berger stated that said resolution should have read "additions to a two-story brick 16 dwelling unit building," as approved in the Board's resolution adopted on April 16, 1982, Cal. No. 83-82-Z, which granted a variation to erect two third-floor penthouse additions and the alteration and conversion of a two-story brick commercial building into 16 apartments whose front and side yards will not comply with zoning requirements, with a waiver of one required loading dock and with off-street parking for 13 instead of 16 automobiles, on premises at 2222-26 N. Racine Avenue.

Chairman Guthman moved that the request be granted, finding that the resolution states "that the testimony in Cal. No. 83-82-Z is hereby made part of the record in this case" and "that the applicant is requesting to allow the development of the site under the resolution granted by the Board on April 16, 1982 in Cal. No. 83-82-Z, but for three penthouse additions which will be located within the rear of the third floor area and not to the front of the existing structure." Chairman Guthman further stated that the subject site has more than enough lot area to support 16 dwelling units. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

September 13, 1985

Cal. No. 260-85-S

Mr. Houston Burnside, for 7th Star M.B. Church, filed a request for a rehearing on an application for a special use under the zoning ordinance for the approval of the location and the leasing of existing accessory parking spaces, 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, which application was denied by the Board on August 16, 1985, Cal. No. 260-85-S.

Mr. Burnside submitted a new lease entered into between the applicant church and Mr. Sheldon Wing, lessor of the parking spaces located at 1325 W. 87th Street. The terms of the lease submitted with the special use application subsequently denied by the Board on August 16, 1985 limited 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. The terms of the new lease submitted by Mr. Burnside limits the use of the parking spaces by the applicant church to between the hours of 9 A.M. and 1 P.M., Sundays and from 7 P.M. until 9 P.M., weekdays, for a period of 5 years with an option to renew for an additional 5 years.

Chairman Guthman stated that the terms of the new lease are still unacceptable and moved the request be denied. The motion prevailed by yeas and nays as follows:

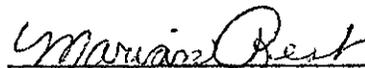
Yeas- Guthman, Cullen, Howlett and Keane. Nays- None.

MINUTES OF MEETING .

September 13, 1985

Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on October 18, 1985.


Secretary