

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

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held in Room 569 County Building, on Friday, October 18, 1985

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

The following were present and constituted a quorum:

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

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Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on September 13, 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.

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

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

APPLICANT: Willard Holton  
 APPEARANCES FOR: Sheryl E. Fuhr  
 APPEARANCES AGAINST:

CAL. NO. 324-85-Z  
 MAP NO. 20-C  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 8355 S. South Chicago Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Willard Horton, owner, on August 20, 1985, filed an application for a variation of the zoning ordinance to permit, in an M1-2 Restricted Manufacturing District, the legalization of a one-story 40 feet by 50 feet addition recently constructed to the rear of a one-story brick garage building, which addition is 3 feet from the rear lot line instead of 4 feet required when located across the 16 feet alley from an R2 Single Family Residence District, on premises at 8355 S. South Chicago 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, Sections 10.13-1 and 11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an M1-2 Restricted Manufacturing District; that the proof presented indicates that the onestory 40 feet by 50 feet addition was recently constructed to the rear of an existing one-story brick garage building before a building permit was obtained; that the said addition is located three feet from the rear lot line across the 16 feet alley from an R2 Single Family Residence District; 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 addition is necessary to provide a larger entrance to the existing garage building; that the plight of the owner is due to failure to obtain the necessary building permits before constructing the said addition; and that the variation, if granted, will not alter the essential character of the locality nor impair an adequate supply of light and air to adjacent properties in that the said addition is separated from the residential district by a 16 feet public alley and located directly across the alley from vacant property owned by the applicant; it is therefore

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Cal. No. 324-85-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 legalization of a one-story 40 feet by 50 feet addition recently constructed to the rear of a one-story brick garage building, on premises at 8355 S. South Chicago Avenue, which addition is 3 feet from the rear lot line instead of 4 feet required when located across the 16 feet alley from an R2 Single Family Residence District, 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: Ernest A. Walter and Helga Walter

CAL. NO. 325-85-S

APPEARANCES FOR:

MAP NO. 13-G

APPEARANCES AGAINST:

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PREMISES AFFECTED— 1101-15 W. Berwyn Avenue

SUBJECT— Application for the approval of a special use.

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: Balzekas Museum of Lithuanian Culture  
 APPEARANCES FOR: V.C. Yasus, Stanley Balzekas  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 6500-22 S. Pulaski Road  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 326-85-S  
 MAP NO. 16-K  
 MINUTES OF MEETING  
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ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Balzekas Museum of Lithuanian Culture, for Dr. C.R. Von Solbrig, owner, on August 26, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a public museum in a two-story former hospital building, in a B2-1 Restricted Retail District, on premises at 6500-22 S. Pulaski Road; 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, Sections 8.3-2 and 8.4-2(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 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 in a former hospital building; that the applicant museum collects, exhibits and encourages the study and preservation of early Lithuanian and American culture, history and art and has been in operation at its present location at 4012 S. Archer Avenue for 20 years; that the proof presented indicates that the proposed use is necessary for the public convenience at this location to provide a larger facility to continue and expand the programs of the museum; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed museum which will comply with all applicable building code requirements and which will provide adequate off-street parking; and that the proposed use will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a public museum in a two-story brick former hospital building, on premises at 6500-22 S. Pulaski Road, upon

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condition that the subject building is brought into compliance with building code regulations with plans and permits indicating such compliance; that ingress to the paved on-site parking area existing at the rear of the building shall be from the existing driveway on W. 65th Street and egress shall be into the public alley from a 20 feet wide exit area located at the southwest corner of the lot; that a "Right Turn Only" sign shall be erected at said exit area; that steel beam guard rails approximately 2 feet in height shall be erected along the balance of the rear lot line and along the south lot line and the north lot line, excepting the driveway area; that the diagonal parking spaces shall be striped; that lighting shall be provided; and that the parking area shall be securely locked by a chain or other device at the entrance and exit areas at all times the museum is not occupied.

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

APPLICANT: Balzekas Museum of Lithuanian Culture  
 APPEARANCES FOR: V.C. Yasus, Stanley Balzekas  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 6456-58 S. Pulaski Road  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 327-85-S  
 MAP NO. 16-K  
 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, Balzekas Museum of Lithuanian Culture, for Dr. C.R. Von Solbrig, owner, on August 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 a B2-1 Restricted Retail District, on premises at 6456-58 S. Pulaski Road, for the use of a proposed public museum at 6500-22 S. Pulaski Road; 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, Sections 8.3-2 and 8.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 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 October 18, 1985, in Cal. No. 326-85-S, the Board approved a special use for the establishment of a public museum at 6500-22 S. Pulaski Road; that the proof presented indicates that the proposed off-site parking lot is necessary for the public convenience at this location to provide additional off-street parking for the applicant museum at 6500-22 S. Pulaski Road; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the use of the premises as a parking lot will be an improvement of the existing condition of the site and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 6456-58 S. Pulaski Road, for the use of a proposed public museum at 6500-22 S. Pulaski Road, upon condition that no

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use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the surface 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 a 6 feet high decorative screening fence shall be erected along the north lot line and steel beam guard rails approximately 2 feet in height shall be erected along the south and west lot lines; that each parking space shall be striped; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be from S. Pulaski Road; that the abutting alley 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 parking lot shall be securely locked at all times when the museum is not occupied; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain said parking lot in conformance with the provisions and standards hereby established under this order; and 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 this department that all of the provisions of this resolution have been complied with.

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

APPLICANT: General Parking Corporation  
 APPEARANCES FOR: P. Diamond  
 APPEARANCES AGAINST:

CAL. NO. 328-85-S

MAP NO. 1-E

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PREMISES AFFECTED— 1-21 E. Grand 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
Jack Guthman	Abstain		
George J. Cullen	x		
Michael J. Howlett	x		
Thomas P. Keane	x		

THE RESOLUTION:

WHEREAS, General Parking Corporation, for Chicago Title and Trust Co., Tr. Nos. 64278 and 43846, owner, on September 20, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the expansion of a public parking lot for the parking of private passenger automobiles, in a C3-6 Commercial-Manufacturing District, on premises at 1-21 E. Grand Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 9.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a C3-6 Commercial-Manufacturing District; that the proposed parking lot is an expansion of parking lots approved by the Board on December 18, 1969, Cal. No. 225-69-S and on July 28, 1978, Cal. No. 151-78-S; that the expansion of the existing parking lot at this location is necessary for the public convenience in that this is a high density area with a great demand for public parking; that the public health, safety and welfare will be adequately protected in the design and operation of the parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot, with a terminal date of October 18, 1990, is compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the expansion of a public parking lot for the parking of private passenger automobiles, on premises at 1-21 E. Grand Avenue, upon condition that no use shall be made of the premises for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking

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Cal. No. 328-85-S

of private passenger automobiles and that no commercial vehicles shall be parked upon the said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed with a cyclone fence and that concrete curbing shall be erected on the periphery of the surfaced area; that ingress and egress shall be from E. Grand Avenue; that the lot shall be securely locked at all times it is not in operation; that the driveway shall be constructed in accordance with the Driveway Ordinance, which specifies three foot straight flares on each approach; that the use of the premises, including the parking lots approved by the Board in Cal. Nos. 225-69-S and 151-78-S, shall terminate five years from the date hereof on October 18, 1990, subject to the condition that the Zoning Board of Appeals shall retain jurisdiction over this application during the entire term for the purpose of determining whether the conditions of this resolution are being complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

APPLICANT: Jo Ann LaCassa

CAL. NO. 329-85-Z

APPEARANCES FOR:

MAP NO. 2-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 1437 W. Flournoy Street

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

ACTION OF BOARD—

THE VOTE

Case continued to  
November 15, 1985.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Martin Reinheimer  
 APPEARANCES FOR: Patrick FitzGerald  
 APPEARANCES AGAINST: Fenton Booth, Carol Gerhardt  
 PREMISES AFFECTED-- 1905 N. Seminary Avenue and 1900 N. Kenmore Avenue  
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

CAL. NO. 330-85-Z  
 MAP NO. 5-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, Martin Reinheimer, for Richard and Mayme Johnson, owners, on September 6, 1985, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story five-dwelling unit townhouse building on an irregularly shaped lot whose south front yard will be 2 instead of 12 feet, whose north rear yard will be 3 instead of 30 feet and whose west side yard will be 2 instead of 6 feet, on premises at 1905 N. Seminary Avenue and 1900 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 4, 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, 7.7-4, 7.9-4 and 11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that the proof presented indicates that the subject site is an irregularly shaped four-sided lot fronting on three city streets and abutting a Chicago Park District building to the north; 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 construct an economically viable townhouse development on this lot would require authorized variations; that the plight of the owner is due to the irregular shape of the subject lot; and that the variations, if granted, will not alter the essential character of the locality in that many of the existing improvements in the area do not meet the yard requirements of the zoning ordinance; it is therefore

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

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Cal. No. 330-85-Z

five dwelling unit townhouse building on an irregularly shaped lot whose south front yard will be 2 instead of 12 feet, whose north rear yard will be 3 instead of 30 feet and whose west side yard will be 2 instead of 6 feet, on premises at 1905 N. Seminary Avenue and 1900 N. Kenmore Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Matanky Realty Acquisition Corp.  
 APPEARANCES FOR: Paul T. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 331-85-A  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 1013 W. Webster 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, Matanky Realty Acquisition Corp., owner, on September 20, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of the rear 3,500 square feet of ground floor commercial area to interior parking for seven automobiles and the erection of a 3,000 square feet 4th floor addition thereby duplexing 3rd floor dwelling units in a three-story brick store and apartment building, in a B2-2 Restricted Retail District, which building presently exceeds the allowable floor area ratio, on premises at 1013 W. Webster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 20, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 6.4-2, 8.5-2(2), 8.6-2(2), 6.6-1(2), 8.7-2 and 8.7-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 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 subject site is improved with a pre-existing three-story brick store and apartment building which covers the entire lot and is presently non-conforming due to excessive floor area and no provision for off-street parking for the existing apartments; that the appellant proposes to convert approximately 3,500 square feet of rear ground floor business space to interior parking for seven automobiles and to erect an approximately 3,000 square feet 4th floor addition thereby duplexing 3rd floor dwelling units; that the zoning ordinance provides that any space devoted to off-street parking shall not be included in calculating the floor area ratio of a building; that the proposed conversion of 3,500 square feet of business floor area to parking for seven automobiles and the erection of a 3,000 square feet 4th floor addition will actually reduce the calculable floor area ratio of the subject building and will allow for the building to be in conformance with the off-street parking requirements for seven dwelling units; 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. 331-85-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 conversion of the rear 3,500 square feet of ground floor commercial area to interior parking for seven automobiles and the erection of a 3,000 square feet 4th floor addition thereby duplexing the 3rd floor dwelling units in a three-story brick store and apartment building, on premises at 1013 W. Webster 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: Matanky Realty Acquisition Corp.  
 APPEARANCES FOR: Paul T. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 332-85-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 1013 W. Webster 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, Matanky Realty Acquisition Corp., owner, on September 20, 1985, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in a B2-2 Restricted Retail District, the erection of a 3,000 square feet 4th floor addition to a three-story brick store and proposed seven dwelling unit building, which addition will be situated in the required front, side and rear yards and whose lot area is 6,250 square feet instead of 6,300 square feet required for seven dwelling units, on premises at 1013 W. Webster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 20, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 6.4-2, 8.5-2(2), 8.6-2(2), 8.6-1(2), 8.7-2 and 8.7-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B2-2 Restricted Retail District; that on October 18, 1985, Cal. No. 331-85-A, the Board sustained an appeal by the applicant to permit the conversion of the rear 3,500 square feet of ground floor commercial area in the subject site building to interior parking for seven automobiles and the erection of a 3,000 square feet 4th floor addition thereby duplexing 3rd floor dwelling units, upon condition that all applicable ordinances are complied with; that the applicant now seeks variations to establish seven dwelling units on the 2nd and 3rd floors and to erect an approximately 3,000 square feet 4th floor addition thereby duplexing the 3rd floor dwelling units; 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 it would be economically unfeasible to renovate the subject building as proposed without the requested variations; that the plight of the owner is due to the desire to provide interior off-street

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Cal. No. 332-85-Z

parking and a 7th dwelling unit to make the project economically viable; and that the variations, if granted, will not alter the essential character of the locality in that the subject site lot lacks a scant 50 square feet of lot area to permit seven dwelling units and that the 4th floor addition will be champered and set back four feet from the front of the existing building so as not to be obstrusive nor impair an adequate supply of light and air to the adjacent properties; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of an approximately 3,000 square feet 4th floor addition and the establishment of 7 dwelling units on the 2nd and 3rd floors of a 3-story brick store and apartment building, which addition will be partially situated in the required front, side and rear yards and whose lot area is 6,250 square feet instead of 6,300 square feet, on premises at 1013 W. Webster Avenue, upon condition that the 4th floor addition shall be champered at the front and set-back four feet from the front of the existing building; that the rear 3,500 square feet of ground floor commercial space shall be converted to a parking area for seven automobiles; and that all applicable ordinances of the City of Chicago shall be complied with.

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

APPLICANT: Lake Region Conference Association of Seventh Day Adventists CAL. NO. 333-85-S

APPEARANCES FOR: William P. Tuggle

MAP NO. 26-G

APPEARANCES AGAINST:

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October 18, 1985

PREMISES AFFECTED— 811 W. 103rd 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, Lake Region Conference Association of Seventh Day Adventists, owner, on September 3, 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 B4-1 Restricted Service District, on premises at 811 W. 103rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 1, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 8.3-4 and 8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B4-1 Restricted Service District; that the applicant seeks to convert an existing former community services center building to a 497-seat church structure; that the proof presented indicates 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 design and operation of the proposed church which will comply with all applicable building code regulations and will provide adequate off-street parking on an adjacent lot at 823 W. 103rd Street; and that the establishment of the proposed church within the subject building is consistent with the previous use of the premises as a community services center and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a church in a one-story brick building, on premises at 811 W. 103rd 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: Patrick FitzGerald  
 APPEARANCES FOR: Patrick FitzGerald  
 APPEARANCES AGAINST:

CAL NO. 334-85-Z  
 MAP NO. 13-H  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 5235-57 N. Ravenswood Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Patrick FitzGerald, for Denoyer Geppert Company, owner, on September 20, 1985, filed an application for a variation of the zoning ordinance to permit, in an M1-2 Restricted Manufacturing District (proposed R5 General Residence District), the conversion of a two and three-story brick commercial building into 40 dwelling units with off-street parking for 32 instead of 40 automobiles and with no provision for one-loading berth, on premises at 5235-57 N. Ravenswood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 7, 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 7.4-1, 7.4-3, 7.7-4, 7.7-5, 7.8-4, 7.8-5, 7.11-3, 7.11-4, 7.11-5 and 7.12-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

WHEREAS, the district maps show that the premises are located in an M1-2 Restricted Manufacturing District (proposed R5 General Residence District); and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R5 General Residence District; that on September 30, 1985, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence for the proposed conversion; that the subject site is improved with a pre-existing two and three-story brick vacant commercial building with a loading facility at the rear of the building which would require vehicles to park in the abutting public alley in order to service and does not qualify under present codes as a completely on-site loading berth; that the applicant is seeking to convert the subject building, which covers the entire lot, to 40 dwelling units with off-street parking located at 1740-42 W. Farragut Avenue for 32 instead of 40 automobiles and with no provision for a loading berth; that the proof presented indicates that the property in question cannot yield a reasonable return nor be put to reasonable use without the requested variations; that the plight of the owner is due to the existing loading area not qualifying as a loading berth under present codes and the inability of the parking lot at 1740-42 W. Farragut Avenue to contain more than 32 automobiles; and that the variations, if

MINUTES OF MEETING

October 18, 1985

Cal. No. 334-85-Z

granted, will not alter the essential character of the locality in that the proposed conversion will be compatible with the existing residential improvements in the block and that provision for 32 instead of 40 off-street parking spaces is adequate in this case and that there is no great need for a loading berth for the proposed residential use; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the conversion of a two and three-story brick commercial building into 40 dwelling units, on premises at 5235-57 N. Ravenswood Avenue, with off-street parking for 32 instead of 40 automobiles and with no provision for one loading berth, upon condition that off-street parking for 32 automobiles shall be provided on the lot at 1740-42 W. Farragut Avenue; that said parking lot shall at all times be in the same ownership as the subject site, pursuant to Section 5.8-5 of the zoning ordinance; 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: Patrick FitzGerald  
 APPEARANCES FOR: Patrick FitzGerald  
 APPEARANCES AGAINST:

CAL. NO. 335-85-S  
 MAP NO. 13-H  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 1740-42 W. Farragut 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, Patrick FitzGerald, for Denoyer Geppert Company, owner, on September 20, 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 32 private passenger automobiles, in an R3 General Residence District (proposed R5 General Residence District), on premises at 1740-42 W. Farragut Avenue, to satisfy the parking requirements for the proposed conversion of a two and three-story brick commercial building into 40 dwelling units located at 5235-57 N. Ravenswood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 7, 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 7.4-1, 7.4-3, 7.7-4, 7.7-5, 7.8-4, 7.8-5, 7.11-3, 7.11-4, 7.11-5 and 7.12-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

WHEREAS, the district maps show that the premises are located in an R3 General Residence District (proposed R5 General Residence District); and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that on October 9, 1985, the City Council rezoned the subject site from R3 General Residence to R4 General Residence for the purpose of qualifying the subject site for an application for special use as an off-site accessory parking lot for the proposed conversion of a commercial building to 40 dwelling units at 5235-57 N. Ravenswood Avenue; that the subject site has served as a parking lot for the two and three-story commercial building at 5235-57 N. Ravenswood Avenue for approximately 60 years; that on October 18, 1985, the Board approved the conversion of the two and three-story commercial building at 5235-57 N. Ravenswood into 40 dwelling units, Cal. No. 334-85-Z; that the proof presented indicates that the proposed parking lot is necessary at this location to satisfy the parking requirements for the conversion of the building at 5235-57 N. Ravenswood Avenue into 40 dwelling units; that the public health, safety and welfare will be adequately protected in the design and operation of the parking lot to be improved and

MINUTES OF MEETING  
October 18, 1985  
Cal. No. 335-85-S

and operated under the conditions hereinafter set forth; and that the continued use of the subject site as a parking lot will enhance the area and not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of an off-site accessory parking lot for 32 private passenger automobiles, on premises at 1740-42 W. Farragut Avenue, to satisfy the parking requirements for the proposed conversion of a two and three-story brick commercial building into 40 dwelling units located at 5235-57 N. Ravenswood Avenue, upon condition that no use shall be made of the premises for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a decorative five feet high screening fence shall be erected along the east property line; that two feet high steel beam guard rails shall be erected on the periphery of the lot, except for the driveway portions; that each parking stall shall be striped; that lighting shall be provided; that ingress and egress shall be determined by the Bureau of Traffic Engineering and Operations and that the driveways 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 certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain said parking lot in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

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

CAL. NO. 336-85-Z  
 MAP NO. 13-H  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 1740-42 W. Farragut Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

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

THE RESOLUTION:

WHEREAS, Patrick FitzGerald, for Denoyer Geppert Company, owner, on September 20, 1985, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District (proposed R5 General Residence District), the parking of automobiles in the required 15 feet front yard and 5.6 feet east side yard of a proposed accessory parking lot, on premises at 1740-42 W. Farragut Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 7, 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 7.4-1, 7.4-3, 7.7-4, 7.7-5, 7.8-4, 7.8-5, 7.11-3, 7.11-4, 7.11-5 and 7.12-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

WHEREAS, the district maps show that the premises are located in an R3 General Residence District (proposed R5 General Residence District); and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R4 General Residence District; that on October 18, 1985 the Board approved in Cal. No. 335-85-S, the establishment of the proposed off-site accessory parking lot for 32 automobiles at the subject site to satisfy the parking requirements for the proposed conversion of a two and three-story brick commercial building into 40 dwelling units located at 5235-57 N. Ravenswood Avenue, which conversion was approved by the Board on October 18, 1985 in Cal. No. 334-84-Z; that the said parking lot will accommodate a maximum of 32 automobiles; 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 accommodate 32 automobiles on the site; that the plight of the owner is due to the limited size of the lot; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

**MINUTES OF MEETING**

October 18, 1985

Cal. No. 336-85-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 parking of automobiles in the required 15 feet front yard and 5.6 feet east side yard of a proposed accessory parking lot, on premises at 1740-42 W. Farragut Avenue.

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

APPLICANT: New Directions  
APPEARANCES FOR:  
APPEARANCES AGAINST:

CAL. NO. 337-85-S  
MAP NO. 20-E  
MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 753 E. 79th Street  
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

Case continued to  
November 15, 1985

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

APPLICANT: Manuel M. Onate, Jr.  
 APPEARANCES FOR: Manuel M. Onate, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 338-85-S  
 MAP NO. 16-I  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 6824 S. Western Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Manuel M. Onate, Jr., for Adolf Neruda, owner, on September 24, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pet shop in a store on the first floor of a one-and-a-half story brick and frame store and apartment building, in a B2-2 Restricted Retail District, on premises at 6824 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 12, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 8.3-2 and 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 October 18, 1985 after due notice thereof by publication in the Chicago Tribune on September 30, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B2-2 Restricted Retail District; that on September 11, 1985, a new amendment to the zoning ordinance was passed by the City Council which requires a special use for the establishment of pet shops in a B2 District; that the proof presented indicates that the establishment of a pet shop is necessary at the subject site to meet the demand in the area for a pet shop; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use; and that the proposed pet shop will be compatible with the existing commercial uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a pet shop in a store on the first floor of a one-and-a-half story brick and frame store and apartment building, on premises at 6824 S. Western 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: Lydia A. Pagan  
 APPEARANCES FOR: Lydia A. Pagan  
 APPEARANCES AGAINST:

CAL. NO. 339-85-A  
 MAP NO. 3-G  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 944 N. Noble 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
Jack Guthman	X		
George J. Cullen	X		
Michael J. Howlett	X		
Thomas P. Keane	X		

THE RESOLUTION:

WHEREAS, Lydia A. Pagan, owner, on September 13, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a candy and variety store in a two-story frame store and apartment building, in an R4 General Residence District, on premises at 944 N. Noble Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 11, 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 October 18, 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 said use is to be located in an R4 General Residence District; that the proof presented indicates that the non-conforming store in the building on the subject site has been occupied as a variety store for the past 40 years; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a candy and variety store, including the sale of grocery items and milk products, in a two-story frame store and apartment building, on premises at 944 N. Noble Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 9 P.M., daily; that no alcoholic beverages shall be sold on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Katherine Simpson and Alvin C. Jones  
APPEARANCES FOR: Pamela Hagerman, Alvin C. Jones  
APPEARANCES AGAINST: Rosetta Beavers, et al.

CAL. NO. 340-85-A  
MAP NO. 26-E  
MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 122 E. 105th Street

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Katherine Simpson and Alvin C. Jones, for Ranch Realty, owner, on September 8, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a candy store including a pool table and juke box in a one-story frame store building, in an R3 General Residence District, on premises at 122 E. 105th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 6, 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 October 18, 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 subject site building was once occupied by a tavern, which business ceased operation many years ago; that the bar fixtures have been removed from the premises and that the appellants, as lessees, propose to establish a livery office and candy store in the subject site building and propose to operate said use between the hours of 8 A.M. and 8 P.M., seven days a week; that a neighbor testified that to her best recollection the subject site was voted dry in the early 1970's and that the tavern remained closed for many years thereafter; that no testimony was presented that would indicate that an active business use was conducted continuously in the non-conforming subject site store since the closing of the tavern operation; that Section 6.4-5 of the zoning ordinance provides that "a building or structure or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not thereafter be occupied or used except by a use which conforms to the use regulations of the district in which it is located; that the Board has found that

MINUTES OF MEETING

October 18, 1985

Cal. No. 340-85-A

the records of the Board of Election Commissioners indicate that the subject site, which is in the 5th precinct of the 9th Ward, was voted dry as to sale of alcoholic liquor for consumption on the premises, on April 1, 1975; that the Board finds that there was a cessation of business use at the subject site for more than one year; it is therefore

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

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

APPLICANT: William J. Milmine

CAL. NO. 341-85-A

APPEARANCES FOR:

MAP NO. 28-E

APPEARANCES AGAINST:

MINUTES OF MEETING

October 18, 1985

PREMISES AFFECTED-- 225 E. Kensington Avenue

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

ACTION OF BOARD--

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

Case continued to  
November 15, 1985.

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

APPLICANT: Patrick J. Foley  
 APPEARANCES FOR: Patrick J. Foley  
 APPEARANCES AGAINST:

CAL. NO. 342-85-A  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 1835 W. Armitage 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, Patrick J. Foley, for Carroll Seating Co., owner, on September 11, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a business office in a one-story brick store building, in an R4 General Residence District, on premises at 1835 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 3, 1985 reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 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 October 18, 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 said use is located in an R4 General Residence District; that the proof presented indicates that the non-conforming 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; that the appellant has occupied the subject building as an office for a seating business for the past 18 years; that the appellant's need to secure a general business license has caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a business office in a one-story brick store building, on premises at 1835 W. Armitage Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Won J. Lee  
 APPEARANCES FOR: William Lee  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 3446-48 W. Foster Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 343-85-Z  
 MAP NO. 13-J  
 MINUTES OF MEETING  
 October 18, 1985

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Won J. Lee, for Northwest National Bank of Chicago, owner, on September 5, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an audio/video repair shop in a one-story brick multi-store building, in a B2-2 Restricted Retail District, on premises at 3446-48 W. Foster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 3, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 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 said use is located in a B2-2 Restricted Retail District; that the proof presented indicates that the existing one-story business building is occupied by business uses, including a laundrette, a B4 use, since its construction in 1974; that the appellant is seeking a general business license for an existing audio/video repair shop, a B4 use, which has been in continuous operation at the site for the past 10 years; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an audio/video repair shop in a one-story brick multi-store building, on premises at 3446-48 W. Foster Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Yong Un Lee  
APPEARANCES FOR: Yong Un Lee  
APPEARANCES AGAINST:

CAL. NO. 344-85-A  
MAP NO. 7-J  
MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 2739 N. Milwaukee 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, Yong Un Lee, owner, on September 20, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit radio, television and stereo repair service in conjunction with the retail sale of similar electronic merchandise in a three-story brick multi-store building, in a B3-3 General Retail District, on premises at 2739 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, Section 8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B3-3 General Retail District in a store occupied by an existing retail radio and television store; that the repair and servicing of radios, televisions, stereos and similar items is accessory to the principal retail use of the premises; 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 radio, television and stereo repair service as an accessory use to the retail sale of similar electronic merchandise in a three-story brick multi-store building, on premises at 2739 N. Milwaukee 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: Anthony L. Calarco and Hassim Mehed  
APPEARANCES FOR: Hassim Mehed  
APPEARANCES AGAINST:

CAL. NO. 345-85-A  
MAP NO. 18-H  
MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED-- 7257 S. Western 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, Anthony L. Calarco and Hassim Mehed, owners, on September 16, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a lot for used car sales, in a B2-2 Restricted Retail District, on premises at 7257 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 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 October 18, 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 said use is located in a B2-2 Restricted Retail District; that the proof presented indicates that the subject site has been used for used car sales and other automobile services since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a lot for used car sales, on premises at 7257 S. Western Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., Mondays through Saturdays; that no automobiles for sale shall be parked on the public sidewalks; 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: Steven Provenzano  
 APPEARANCES FOR: Steven Provenzano  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 13201 S. Brandon Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator

CAL. NO. 346-85-A  
 MAP NO. 32-B  
 MINUTES OF MEETING  
 October 18, 1985

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Steven Provenzano, for Steve Katich, owner, on September 16, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile repair shop in a one-story frame gasoline station building, in an R3 General Residence District, on premises at 13201 S. Brandon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 11, 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 October 18, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R3 General Residence District in a former gasoline service station building, a B4 use; that the change of use to an automobile repair shop, excluding body and fender work, spray painting and engine rebuilding, is a proper substitution under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an automobile repair shop in a one-story frame gasoline station building, on premises at 13201 S. Brandon Avenue, upon condition that the hours of operation shall be limited to the hours between 10A.M. and 6 P.M., Mondays through Saturdays; that there shall be no body and fender work, spray painting or engine rebuilding done 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: Jose Cedano  
 APPEARANCES FOR: Jose Cedano  
 APPEARANCES AGAINST:

CAL NO. 347-85-A  
 MAP NO. 26-B  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 10400 S. Torrence 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, Jose Cedano, owner, on September 12, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a one-story brick garage building as an automobile repair shop, in an R3 General Residence District, on premises at 10400 S. Torrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, 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 October 18, 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 appellant has operated an automobile repair shop in the non-conforming garage building on the subject site for the past seven years, the previous use having been an automobile service station; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a one-story brick garage building, on premises at 10400 S. Torrence Avenue, as an automobile repair shop, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 6 P.M., Mondays through Fridays, and 9 A.M. and 2 P.M., Saturdays; that there shall be no body and fender work, spray painting or engine rebuilding done on the premises; that all repair work shall be done within the building on the site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Luisa M. Oses  
 APPEARANCES FOR: Daniel H. Wolff  
 APPEARANCES AGAINST:

CAL. NO. 348-85-A  
 MAP NO. 6-J  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 3001-03 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
Jack Guthman	X		
George J. Cullen	X		
Michael J. Howlett	X		
Thomas P. Keane	X		

THE RESOLUTION:

WHEREAS, Luisa S. Oses, owner, on September 20, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile repair shop in a one-story brick building, in an R3 General Residence District, on premises at 3001-03 S. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, 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 October 18, 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 hearing the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in an R3 General Residence District; that on March 20, 1950, the Board granted a variation to permit, under certain conditions, the establishment and operation of an office and storage of electrical appliances, a B4 use, in the one-story brick building on the subject site, Cal. No. 108-50-Z, which use ceased operation in January, 1985; that the change of use to an automobile repair shop, excluding body and fender work, spray painting and engine rebuilding, a B4 use, is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an automobile repair shop in a one-story brick building, on premises at 3001-03 S. Central Park Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M., Mondays through Fridays, and 9 A.M. and 12 Noon, Saturdays; that there shall be no body and fender work, spray painting or engine rebuilding done on the premises; that all repair work shall be done within the building on the site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: 4716 Automotive, Inc.

CAL. NO. 349-85-A

APPEARANCES FOR: Eric Romer

MAP NO. 9-K

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 4716 W. Addison 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, 4716 Automotive, Inc., for LaSalle National Bank, Tr. #19710, owner, on August 23, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an automobile repair shop in a one-story brick garage building, in an R4 General Residence District, on premises at 4716 W. Addison 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 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 October 18, 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 said use is located in an R4 General Residence District in an existing non-conforming one-story brick garage building; that the proof presented indicates that the automobile repair shop was established at the subject site prior to the down-zoning on June 24, 1971 from B4-1 to R4, which rendered the use of the subject site building non-conforming; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an automobile repair shop in a one-story brick garage building, on premises at 4716 W. Addison Street, upon condition that there shall be no body or fender work, spray painting or engine rebuilding done on the premises; that the hours of operation shall be limited to the hours between 9 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 license is issued.

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

APPLICANT: Ronald F. Kroell  
 APPEARANCES FOR: Ronald F. Kroell  
 APPEARANCES AGAINST:

CAL. NO. 350-85-A  
 MAP NO. 13-G  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 5238 N. Clark 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, Ronald F. Kroell, for Don Motz, owner, on September 5, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a motor vehicle repair shop in a one-story brick garage building at the rear of a two-story brick multi-store building, in a B3-2 General Retail District, on premises at 5238 N. Clark Street; and

WHEREAS, the decision of the Office or the Zoning Administrator rendered August 23, 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985; and

WHEREAS, the district maps show that the premises are located in a B3-2 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises finds that in this case the said use is located in a B3-2 General Retail District; that the proof presented indicates that the one-story brick garage on the subject site has been occupied continuously as an automobile repair shop since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED; that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a motor vehicle repair shop in a one-story brick garage building at the rear of a two-story brick multi-store building on premises, at 5238 N. Clark Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 5:30 P.M., Mondays through Fridays; that there shall be no body or fender work, spray painting or engine rebuilding done on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: J. Thomas Blount, AIA-Architect  
APPEARANCES FOR: J. Thomas Blount  
APPEARANCES AGAINST:

CAL NO. 351-85-A  
MAP NO. 7-G  
MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 854 W. Fullerton 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, J. Thomas Blount, AIA-Architect, for American National Bank, Tr. #22-515-160-07, owner, on August 22, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a dwelling unit on the second floor of a two-story brick coach house at the rear of a lot improved additionally with a two-story brick apartment building, in an R5 General Residence District, on premises at 854 W. Fullerton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 22, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 5.5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the said use is located in an R5 General Residence District; that the proof presented indicates that the second floor of a two-story brick coach house on the subject site has been occupied as a dwelling unit 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 second floor of the two-story coach house as one dwelling unit, 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 second floor of a two-story brick coach house at the rear of a lot improved additionally with a two-story brick apartment building, on premises at 854 W. Fullerton Avenue as one dwelling unit, 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 808

APPLICANT: Antonio DeLao

CAL. NO. 352-85-A

APPEARANCES FOR:

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 1255 S. Newberry Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to  
November 15, 1985.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Vito Santos  
 APPEARANCES FOR: Mark J. Kupiec  
 APPEARANCES AGAINST:

CAL. NO. 353-85-A  
 MAP NO. 12-J  
 MINUTES OF MEETING  
 October 18, 1985

PREMISES AFFECTED— 5311 S. Pulaski Road  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Vito Santos, for Vito and Celia Santos, owners, on September 20, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with an existing retail bakery in a one-story brick store building, in a B5-3 General Service District, on premises at 5311 S. Pulaski Road; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, finds that in this case the proposed use is to be located in a B5-3 General Service District in a one-story brick building occupied by an existing retail bakery; that the appellant proposes to wholesale bakery items on a limited basis; that the existing bakery operation will not be expanded in any way by the proposed wholesaling activity; that the wholesaling of bakery goods on a limited basis is an accessory use; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit wholesaling as an accessory use in conjunction with an existing retail bakery in a one-story brick store building, on premises at 5311 S. Pulaski Road, 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: Alexander J. Avakian  
 APPEARANCES FOR: Marvin L. Herman  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 3602 W. Wrightwood Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 354-85-A  
 MAP NO. 7-J  
 MINUTES OF MEETING  
 October 18, 1985

ACTION OF BOARD—

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Alexander J. Avakian, for Blanca Martinez, owner, on August 29, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a video-cassette rental and sales business in a two-story brick store and apartment building, in a B1-2 Local Retail District, on premises at 3602 W. Wrightwood Avenue, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 22, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 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 October 18, 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 the store in the building on the subject site has been occupied by business uses, the last use having been storage, which use recently ceased operation; that the change of use to a video cassette rental and sales business, a B2 use, 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 video cassette rental and sales business in a two-story brick store and apartment building, on premises at 3602 W. Wrightwood 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: Historic Property Management, Inc.

CAL. NO. 195-85-Z

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

October 18, 1985

PREMISES AFFECTED— 2000-08 N. Racine Avenue

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

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of applicant.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Diversified Network, Inc.  
APPEARANCES FOR: None  
APPEARANCES AGAINST:

CAL. NO. 272-85-A  
MAP NO. 20-I  
MINUTES OF MEETING  
October 18, 1985

PREMISES AFFECTED— 2417 W. 79th Street

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

ACTION OF BOARD—

Case dismissed for want  
of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Schain, Firsell & Brown, Ltd.

CAL. NO. 305-85-S

APPEARANCES FOR:

MAP NO. 15-H

APPEARANCES AGAINST:

MINUTES OF MEETING

October 18, 1985

PREMISES AFFECTED— 5954 N. Paulina Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
December 13, 1985.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

MINUTES OF MEETING  
October 18, 1985  
Cal. No. 105-85-A

Mr. Emerson E. Blue, for Arthur Norfleet, presented a request to refile an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a two-story brick store and apartment building, on premises at 9200 S. Woodlawn Avenue, which appeal was denied by the Board on March 15, 1985, Cal. No. 105-85-A.

Mr. Norfleet was not represented by counsel at the public hearing held on March 15, 1985. The request is made for a rehearing of the issues.

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

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

MINUTES OF MEETING

October 18, 1985

Cal. No. 194-85-Z

Mr. Martin Reinheimer, for Reinheimer, FitzGerald and Architects, owners, presented a request for a further extension of time in which to erect a two-story 12 unit townhouse building, on an irregularly shaped lot whose front yard will be 7 instead of 15 feet, whose north side yard will be 6 instead of 16.6 feet, whose rear yard will be 12 instead of 30 feet and with no provision for a loading berth, on premises at 1867-83 N. Poe Street, for which a variation was granted by the Board on June 15, 1984, Cal. No. 194-84-Z, and for which, on February 15, 1985, the Board granted requests to extend the time for securing necessary permits to August 15, 1985 and to permit the erection of a two-story 12 dwelling unit (or less) townhouse building, upon condition that the proposed two-story 12 dwelling unit (or less) building has, at minimum, a 7 foot front yard, a 6 foot north side yard and a 12 foot rear yard.

Mr. Reinheimer stated that they have been unable to adhere to their planned timetable for start of construction and, therefore, need additional time to secure permits.

Chairman Guthman moved that the request be granted and that the time to secure necessary permits to erect the aforesaid building be extended to February 15, 1986. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

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Mr. Keane moved that the Board do now adjourn.

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

  
Secretary