

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, February 28, 1986

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, Sr.
Thomas P. Keane

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Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on January 17, 1986 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

APPLICANT:
REASONS FOR:
REASONS AGAINST:

The Chicago Housing Authority
Mark A. Wilson

CAL. NO. 31-86-Z
MAP NO. 15-G
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED--
SUBJECT--

1516-18 W. Hollywood Avenue
Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The Chicago Housing Authority, owner, on January 16, 1986, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a four-story open stairwell addition to the west side of a four-story brick seven-dwelling unit building, with no west side yard instead of 3.75 feet, on premises at 1516-18 W. Hollywood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 1, 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, §7.8-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; 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, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the applicant proposes to demolish and replace an existing deteriorated interior wooden winding stairway with a new open wooden stairway on the west side of a four-story seven-dwelling unit building on the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed stairway is necessary to provide a second means of egress from a first floor apartment for the handicapped; that the plight of the owner is due to the need to meet building code regulations; and that the variation, if granted, will not alter the essential character of the locality in that the proposed stairway will be erected in the exact location of the former stairway to the subject building which is in a block in which many of the existing improvements do not comply with the west side yard requirements of the zoning ordinance; it is therefore

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

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zoning ordinance and that a variation be and it hereby is granted to permit the erection of a four-story open stairway addition to the west side of a four-story brick seven dwelling unit building, with no west side yard instead of 3.75 feet, on premises at 1516-18 W. Hollywood 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: Terra Museum of American Art
 APPEARANCES FOR: Thomas Hayward, Jr.
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 664, 666 and 670 N. Michigan Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 32-86-S
 MAP NO. 1-E
 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, Terra Museum of American Art, owner, on January 13, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a museum in a five and eleven-story building, in a B6-7 Restricted Central Business District, on premises at 664, 666 and 670 N. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 9, 1986 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, §8.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the Terra Museum of American Art is presently located in Evanston, Illinois and exhibits one of the great collections of American art in the United States; that the applicant seeks to make its collection available to a wider audience by bringing it to a more central location; that each of the subject properties is currently improved with an office building containing retail uses on the ground floors; that the applicant proposes to renovate the second, third, and fourth floors of the 664 and 666 N. Michigan Avenue structures for use as museum galleries and the fourth through the tenth floors of the 664 N. Michigan Avenue structure for office and storage space; that the retail tenant on the first floor of the 664 N. Michigan Avenue building will remain and that the 670 N. Michigan Avenue building will be renovated or demolished after current tenancies expire in order to integrate this property into the museum; that the proposed use is necessary for the public convenience at this location in that the applicant museum has grown in stature and needs to expand its activities to a larger and more central location; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed museum which will meet all building code regulations for a public museum; and that the proposed use, which will bring a major cultural asset to the City of Chicago, will only serve to enhance property

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values and will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a museum in a five and 11-story building, on premises at 664,666 and 670 N. Michigan Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Frank Goff
 APPEARANCES FOR: Frank Goff
 APPEARANCES AGAINST: Richard Owsiany, et al

CAL. NO. 33-86-Z
 MAP NO. 19-O
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 7259 N. Ottawa 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, Frank Goff, owner, on January 13, 1986, filed an application for a variation of the zoning ordinance to permit, in an R2 Single Family Residence District, a recently constructed 2nd story frame addition to a one-story brick single family residence, whose combined side yards are 6.94 feet instead of the required 9.9 feet, on premises at 7259 N. Ottawa Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 10, 1986 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, §7.8-2(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single Family Residence District; that the applicant applied for a building permit for the construction of a second-story frame addition to the one-story brick single family residence on the subject site believing he would receive approval of the permit in due time; that the applicant started the construction work on the said addition without the required permit and discovered he was in violation of the side yard requirements of the zoning ordinance after inquiring about the status of his building permit; 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 said addition, consisting of a bathroom and three bedrooms, is necessary to meet the needs of the applicant and his family; that the plight of the owner is due to the applicant starting construction of the addition before receiving the proper permit; that the variation, if granted, will not substantially alter the essential character of the locality in that the subject single family residence is located on a corner lot in a block in which many of the existing structures do not comply with the side yard requirements of the zoning ordinance; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it is hereby granted to permit the recently constructed second story frame addition to a one-story brick single family residence, whose combined side yards are 6.94 feet instead of the required 9.94 feet, on premises at 7259 N. Ottawa Avenue, upon condition 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:

Unity Tabernacle Church of God and Christ

CAL. NO. 34-86-S

APPEARANCES FOR:

MAP NO. 16-H

APPEARANCES AGAINST:

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PREMISES AFFECTED—

6522 S. Ashland Avenue

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
March 21, 1986.

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: Unity Tabernacle Church of God and Christ
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 35-86-Z
MAP NO. 16-H
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 6522 S. Ashland Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
March 21, 1986.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: General Parking Corporation
 APPEARANCES FOR: Paul Diamond
 APPEARANCES AGAINST:

CAL NO. 36-86-S
 MAP NO. 1-E
 MINUTES OF MEETING
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PREMISES AFFECTED— 200-08 E. Superior Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
Abstain		
x		
x		
x		

THE RESOLUTION:

WHEREAS, General Parking Corporation, for The Streeterville Corporation, owner, on January 21, 1986, filed an application for a special use under the zoning ordinance for the approval of the renewal and the expansion of an existing public parking lot for the parking of private passenger automobiles, in a B7-6 General Central Business District, on premises at 200-08 E. Superior Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 21, 1986 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, §8.3-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-6 General Central Business District; that on October 17, 1980 the Board approved the location and the establishment of a public parking lot at 200-02 E. Superior Street, in Calendar No. 259-80-S, under certain conditions and with a terminal date of December 31, 1983; that the proposed expansion is contiguous to the aforementioned approved parking lot; that the proposed renewal and expansion of the said parking lot is necessary for the public convenience at this location in that this is a high density area with a great need for public parking; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said parking lot to be improved and operated under the conditions hereinafter set forth; and that the said parking lot, with a terminal date of February 28, 1991 and an interim review by the Board in February of 1989, will be compatible with the improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is

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

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the Zoning Administrator is authorized to permit the renewal and expansion of an existing public parking lot for the parking of private passenger automobiles, on premises at 200-08 E. Superior Street, upon condition that the lot shall be improved and operated under the conditions set forth in the previously approved resolution of the Zoning Board of Appeals, Calendar No. 259-80-S, with a terminal date of February 28, 1991 and an interim review by the Board in February of 1989; that the conditions set forth in Cal. No. 259-80-S are hereby made part of this resolution.

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

APPLICANT: The Lumber Co.
 APPEARANCES FOR: Paul Diamond
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 901-21 N. Orleans Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 37-86-S
 MAP NO. 3-F
 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, The Lumber Co., for St. Luke's Church of God in Christ, owner, on December 17, 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 C1-2 Restricted Commercial District, on premises at 901-21 N. Orleans Street, to serve an office building located at 900-20 N. Franklin Street; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.11-2 and §9-11(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; and

WHEREAS, the district maps show that the premises are located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the applicant has entered into a lease agreement with the owner of the subject site, St. Luke's Church of God in Christ, to use their existing parking lot; that the proposed use of said parking lot is necessary for the public convenience at this location to serve as accessory off-site parking for an office building located at 900-02 N. Franklin Street; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parkinglot to be improved and operated under the conditions hereinafter set forth; and that the proposed use of the existing parking lot, with a terminal date of February 28, 1991, will be compatible with the improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

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premises at 901-21 N. Orleans Street, to serve an office building located at 900-20 N. Franklin Street, upon condition that no use shall be made of the premises for the use requested until the following conditions shall have been complied with: that a drainage sewer or sewers shall be located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that ingress and egress shall be from the alley to the east; that the hours of operation of the proposed parking lot by the applicant shall be limited to the hours between 6 A.M. and 6 P.M., Mondays through Fridays; that the use of the premises as a parking lot by the applicant shall terminate on February 28, 1991; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain said parking lot in accordance with the provisions and standards hereby established under this order. 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 Board of Appeals shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

APPLICANT: Joseph Pecora
APPEARANCES FOR: Carey Buxbaum
APPEARANCES AGAINST:

CAL. NO. 38-86-S
MAP NO. 22-D
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED-- 1349 E. 87th 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, Joseph Pecora, for Pecora Realty Enterprises, owner, on December 19, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing carry-out restaurant, in a B4-1 Restricted Service District, on premises at 1349 E. 87th Street; 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, §8.3-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; 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, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that it is proposed to provide drive-through service in conjunction with an existing carry-out restaurant; that the proposed drive-through facility is necessary for the public convenience at this location to provide an additional service prevalent in today's fast foot operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility with provision of the following: directional ingress and egress signs, ingress to the drive-through portion of the facility from E.87th Street at the northwest corner of the subject site and egress from the drive-through portion of the facility from the northeast corner of the subject site onto E. 87th Street, no ingress from nor egress onto S. Dorchester Avenue, a 6 feet high slatted wood fence along the south lot line to screen the facility from residential property acrosss the alley, hours of operation of the drive-through facility limited to the hours between 11 A.M. and 11 P.M.; and that the proposed use is compatible with the existing business uses on E. 87th Street and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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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 drive-through facility in conjunction with an existing carry-out restaurant, on premises at 1349 E. 87th Street, upon condition that the ingress to the drive-through facility shall be from E. 87th Street at the northwest corner of the subject site; that egress from the drive-through portion of the facility shall be from the northeast corner of the subject site onto E. 87th Street; that there shall be no ingress from nor egress onto S. Dorchester Avenue; that lighted directional signs shall be erected at the established entrance and exit to the subject site; that a 6 feet high slatted wooden fence shall be erected along the south lot line to screen the facility from residential property across the alley; that there shall be no ingress nor egress from the alley; that the hours of operation of the drive-through facility shall be limited to the hours between 11 A.M. and 11 P.M.; 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: Herbert M. Rosenthal
APPEARANCES FOR: Robert Rosenthal
APPEARANCES AGAINST:

CAL. NO. 39-86-Z
MAP NO. 15-G
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 6033 N. Sheridan Road
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Herbert M. Rosenthal, for LaSalle National Bank, Tr. #43038, owner, on January 24, 1986, filed an application for a variation of the zoning ordinance to permit, in an R6 General Residence District, existing doctors' offices in a 45-story multiple apartment building to be expanded to 9,750 sq. ft. in area, which expansion exceeds by 6,750 sq. ft. the business floor area permitted, on premises at 6033 N. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 24, 1986 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, §7.3-6(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R6 General Residence District; that the subject site is improved with a 45-story multiple apartment building connected to a three-story and basement structure; that the subject doctors' offices, an Anchor H.M.O. facility, are located in a small shopping mall on the basement level of the aforesaid three-story structure; that approximately 3,000 persons visit the H.M.O. offices each month; 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 there has been a high turnover of commercial tenants in the shopping mall area; that the Anchor H.M.O. tenant needs to expand to meet demand and if unable to expand on the subject premises it will have to find a new site leaving the applicant with excessive vacancy on the premises; that the plight of the owner is due to the unique residential and commercial character of the premises; that a witness for the applicant stated that the proposed expansion of the Anchor H.M.O. would be the highest and best use of the vacant commercial space on the premises; and that the variation, if granted, would not cause any structural changes to the subject premises and would not alter the essential character of the locality; it is therefore

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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 existing doctors' offices in a 45-story multiple apartment building to be expanded to 9,750 square feet in area, which expansion exceeds by 6,750 square feet the business floor area permitted, on premises at 6033 N. Sheridan Road, on condition that all application ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the granting of this variation shall expire with the earlier of the termination of the Anchor H.M.O. tenancy or its occupancy of the premises; and be it further

RESOLVED, that the Anchor H.M.O. shall not establish or maintain a drug or alcohol rehabilitation, counseling or other similar program on the premises, nor expand the present level of psychiatric care offered at the facility as measured in physician hours.

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

APPLICANT: Matanky Realty Group
 APPEARANCES FOR: Paul T. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 40-86-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 1829-31 N. Halsted Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Matanky Realty Group, owner, on January 24, 1986, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story four dwelling unit building on the front of the lot and to the rear three-story brick building which will be converted into seven dwelling units, whose front yard will be 6 feet instead of 15 feet, with no side yards instead of side yards of 9.9 feet each, on premises at 1829-31 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 24, 1986 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, §7.7-4, §7.8-4(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 February 28, 1986 after due notice thereof by publication in the Chicago Tribune on February 5, 1986; 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, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the applicant proposes to construct an eleven dwelling unit townhouse development on a 99 feet by 131 feet lot; that the said project will be developed with four units on the west frontage of the property in new construction and seven units will be developed in the existing commercial building located at the northeast corner of the property; that the buildings are connected along the south line of the property by a series of decks, walkways and garages; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed development cannot be constructed as designed without the requested variations; that the plight of the owner is due to the proposed building configuration and the location of the existing building, and the desire to provide the required off-street parking in a garage and to provide other amenities for the location; that the site could be developed with as many as fourteen units under the existing district zoning requirements; and that the

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variation, if granted, will not alter the essential character of the locality and that the proposed development will enhance the neighborhood and will be compatible with the existing residential improvements in the area, many of which do not comply with the side yard requirements of the zoning ordinance; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance, and that a variation be and it hereby is granted to permit the erection of a four unit townhouse building which will be connected to an existing structure which will contain seven new dwelling units, on premises at 1829-31 N. Halsted Street, and as shown on the site plan attached hereto, and marked "Exhibit A" and as more fully described as follows:

- A. The front yard for the lot shall be 6 feet instead of 15 feet.
- B. The side yard along the south line of the property shall be as follows:
 1. Along that part of the south property line from a point 8 feet east of the westerly property line and extending to a point 22 feet east of the westerly property line, the side yard shall be 0 feet instead of 9.9 feet.
 2. Along that part of the south property line from a point 22 feet east of the west property line to a point 38 feet east of the west property line, the side yard shall be 4 feet instead of 9.9 feet.
 3. Along the south property line from a point 38 feet east of the west property line to the easternmost property line of the parcel, a side yard shall be provided of a minimum of 16 feet.
 4. Along the south property line from a point 38 feet east of the west property line to a point 56 feet east of the west property line, a deck structure may be established of no more than 4 feet in width and running north and south, provided, however, that said structure shall not be located within 4 feet of the south property line.
 5. Along that part of the south line of the property from a point 56 feet east of the west property line to a point 78 feet east of the west property line, a two-car garage structure may be constructed with approximate horizontal dimensions of 22 feet by 20 feet, and with a height along the south property line of no more than 8 feet above grade level, unless the height of the lowest sills of the windows of the first habitable level directly to the south in the structure to the immediate south of the south property line at the point at which the garage is to be located is lower than 8 feet as measured from grade, in which instance the height of said garage shall not exceed the height of said window sills. The height of said garage along its north wall shall be no more than 9 feet, or 1 foot higher than the height of the garage along its south wall, whichever is less. No part of the garage structure, except for the garage parapets described herein, shall exceed in height a sloped roof plane measured and running between the maximum permitted north wall height and the maximum permitted south wall height. The garage may be improved with a parapet along its east, west, and north walls, of not more than 12 inches wide, and not to create a wall in excess of 9 feet in height or one foot greater in height than the south wall, whichever is less.

MINUTES OF MEETING

February 28, 1986

Cal. No. 40-86-Z

Any parapet on the east or west walls shall not face directly across any windows in the structure directly to the south of the garage. The roof shall be adequately drained and shall not run off or in any other way drain on to the property to the south of the subject property, and no part of the garage structure shall encroach onto the property to the south of the subject property.

6. Along the part of the south property line from 78 feet east of the west property line to the easternmost line of the property there may be developed a deck structure stairway, and a parking garage for up to three automobiles and no other improvements.

C. The side yard along the north line of the property shall be as follows:

1. Along that part of the north property line from a point 8 feet east of the westerly property line and extending to a point 22 feet east of the westerly property line, the side yard shall be 0 feet instead of 9.9 feet.
2. Along that part of the north property line from a point 22 feet east of the west property line to a point 38 feet east of the west property line, the side yard shall be 4 feet instead of 9.9 feet.
3. Along that part of the north property line from a point 38 feet east of the west property line to a point 58 feet east of the west property line, a side yard shall be provided of a minimum of 16 feet.
4. Along that part of the north property line from a point 58 feet east of the west property line to the easternmost property line of the parcel, the side yard shall be 0 feet instead of 9.9 feet.
5. Along that part of the north property line from a point 38 feet east of the west property line to a point 58 feet east of the west property line, a deck structure may be established of no more than 4 feet in width and running north and south, provided, however, said structure shall not be located within 4 feet of the north property line. At the north end of any such deck, a 3 foot high rail shall be constructed as a visual screen as governed by the City of Chicago Building Code.
6. Along that part of the north property line where a garage structure with a deck on top is constructed, a 3 foot high rail shall be constructed along the north side as a visual screen as governed by the City of Chicago Building Code.

D. A fence may be constructed at any point along the north or south line of said property up to a height of, but not more than, 7 feet above grade level, provided however, that said fence shall provide such opening or openings as are necessary to provide the owner of the property to the north or south, as applicable, reasonable access at reasonable times and with reasonable notice for the purpose of maintenance of the north wall or any part thereof, of the structure located immediately to the south of the parcel, or the south wall, or any part thereof of the structure located immediately to the north of the parcel, whichever is applicable, which is the subject of this variation petition.

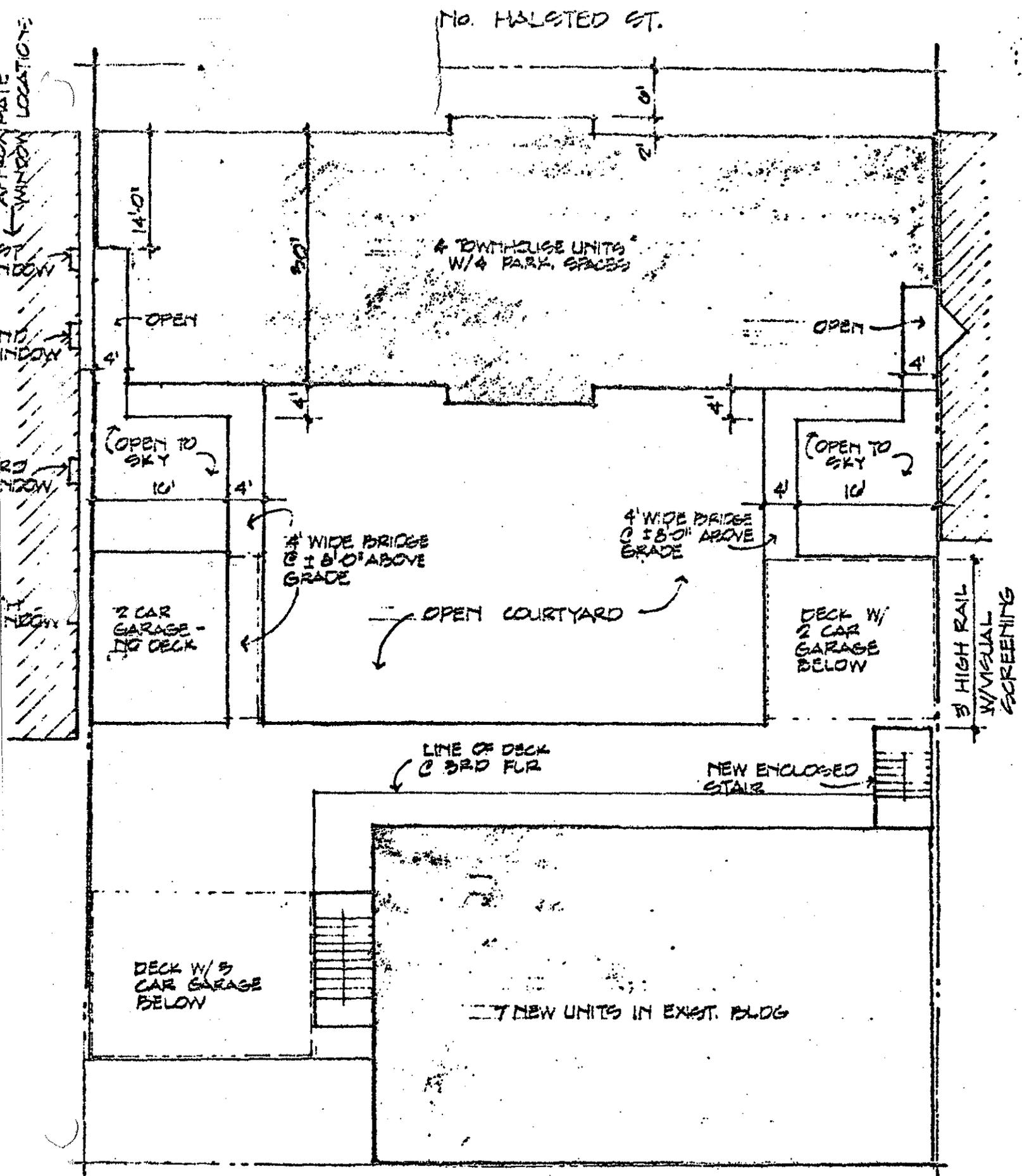
MINUTES OF MEETING

February 28, 1986

Cal. No. 40-86-Z

The aforesaid access for maintenance, as described herein, shall be provided to the owners of the properties to the north and south, as applicable, whether or not a fence pursuant to the provisions hereof is constructed upon the subject property.

- E. The improvement to be developed on the subject property shall be in substantial compliance with the site plan attached hereto and marked as "Exhibit A" and, except as described in parts B and C herein, no other obstructions shall be permitted in the required side yards.
- F. All variations are granted 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: Israel Church

CAL. NO. 41-86-S

APPEARANCES FOR:

MAP NO. 18-E

APPEARANCES AGAINST:

MINUTES OF MEETING

February 28, 1986

PREMISES AFFECTED-- 7606-20 S. Cottage Grove Avenue

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

ACTION OF BOARD--

THE VOTE

Case continued to
March 21, 1986.

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: Roy D. Cane

CAL. NO. 42-86-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 2000 N. Orleans Street

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

ACTION OF BOARD—

THE VOTE

Case continued to
March 21, 1986.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Robert Ingolia

CAL. NO. 43-86-Z

APPEARANCES FOR:

MAP NO. 11-M

APPEARANCES AGAINST:

MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 6205, 6209 and 6213 W. Bittersweet Place

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

ACTION OF BOARD—

THE VOTE

Case continued to
March 21, 1986.

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: Walter E. Kosary, d/b/a Kosary Funeral Home
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 44-86-S
MAP NO. 14-I
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 5842 S. Albany Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
March 21, 1986.

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: Walter E. Kosary, d/b/a Kosary Funeral Home
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 45-86-Z
MAP NO. 14-I
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 5842 S. Albany Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
March 21, 1986.

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: Michael Soto
APPEARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST:

CAL. NO. 46-86-A
MAP NO. I-G
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 1226 W. Huron 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, Michael Soto, for Cosmopolitan National Bank, Tr. #26432, owner, on January 22, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a three-story brick and frame store and apartment building, in an R4 General Residence District, on premises at 1226 W. Huron Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 22, 1986 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, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; 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, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the appellant purchased the three-story apartment building containing the non-conforming store in June of 1983; that the appellant leased the store with fixtures intact to a tenant who, without the knowledge or permission of the appellant, appeared before the Board on November 18, 1983 seeking the establishment of a candy store in the non-conforming store in the building on the subject site, which appeal, Cal. No. 334-83-A, was denied by the Board; that in the interim period the appellant has rehabilitated the five dwelling units in the building and readied the subject site for use as a grocery store; that there was no intent to abandon the use of the subject store, the fixtures having remained intact on the premises; that no violation of the zoning ordinance exists nor is contemplated and that the applicant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a three-story brick and frame store and

MINUTES OF MEETING

February 28, 1986

Cal. No. 46-86-A

apartment building, on premises at 1226 W. Huron Street, upon conditon that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold on the premises; that the hours of operation shall be limited to the hours between 7 A.M. and 10 P.M., Mondays through Saturdays and 7 A.M. and 5 P.M. on Sundays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: A & C Sheet Metal Co.
 APPEARANCES FOR: Timothy M. Bopp
 APPEARANCES AGAINST:

CAL. NO. 47-86-A
 MAP NO. 12-1
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 5159 S. Kedzie Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, A & C Sheet Metal Co., for Donald E. Farrell, owner, on January 16, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the installation of an overhanging 4 feet by 6 feet illuminated business identification sign to the front of a one-story brick non-conforming sheet metal shop building, in a B4-1 Restricted Service District, on premises at 5159 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1986 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, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; 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, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the appellant has been located at the subject site since 1946; that it is proposed to install an overhanging 4 feet by 6 feet illuminated business identification sign on the legal non-conforming sheet metal shop building; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the installation of an overhanging 4 feet by 6 feet illuminated business identification sign to the front of a one-story brick legal non-conforming sheet metal shop building, on premises at 5159 S. Kedzie 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: O. Pierre Lee and Mary Magee Lee
 APPEARANCES FOR: Eric Chatlain
 APPEARANCES AGAINST:

CAL. NO. 48-86-A
 MAP NO. 11-G
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 4352-54 N. Kenmore 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, O. Pierre Lee and Mary Magee Lee, owners, on January 2, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a three-story brick building as 12 dwelling units, in an R4 General Residence District, on premises at 4352-54 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 18, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-4 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 February 28, 1986; 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, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that a permit was issued March 17, 1976 to deconvert the subject building from 21 to 10 dwelling units; that another permit was issued July 29, 1981 to deconvert the subject building from 17 to 10 dwelling units; that the building was never deconverted to 10 dwelling units but always contained more than 12 units until its conversion to a 12 dwelling unit building; that the appellant purchased the building in July of 1982 as a 12 dwelling unit building; that the appellant has a right to continue the occupancy of the three-story brick building as 12 dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a three-story brick building, on premises at 4352-54 N. Kenmore Avenue, as 12 dwelling units, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ibrahim Elkhatib
 APPEARANCES FOR: Ibrahim Elktatib
 APPEARANCES AGAINST:

CAL. NO. 49-86-A
 MAP NO. 3-I
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 2618 W. Division 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, Ibrahim Elkhatib, for Iluminado Alieca, owner, on December 16, 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 grocery store in a three-story brick store and apartment building, in a B4-2 Restricted Service District, on premises at 2618 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 26, 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Retail District; that the appellant established the business at the subject site as a wholesaler of groceries to retailers, a commercial use; that signs on the premises indicate groceries are sold "Wholesale to the Public"; that the appellant also operates a retail grocery which is a permitted use in a B4 district; that a traditional wholesale operation is not a permitted use in a B4 district; that the appellant has a right to conduct a retail grocery store at the subject site but that the Board has no authority to permit the described wholesale operation in a Business district; it is therefore

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

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

APPLICANT: One Stop Kwik Mart
APPEARANCES FOR: Ted Washak
APPEARANCES AGAINST: Lue Piller, et al.

CAL. NO. 50-86-A
MAP NO. 22-D
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 8721 S. Cottage Grove 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, One Stop Kwik Mart, for Dennis Guider, owner, on December 27, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the purveying of food in an existing automobile service station, in an R4 General Residence District, on premises at 8721 S. Cottage Grove Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; 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, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District in an existing non-conforming automobile service station; that the appellant seeks to establish a mini food mart, a B1, use in the former automobile mechanical repair bays of the existing gasoline service station building; that the change of use of a portion of the premises formerly used for mechanical automobile repair, a B4 use, to a mini food mart, a B1 use, is a less intensive use of that portion of the premises and is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the purveying of food in an existing automobile service station, on premises at 8721 S. Cottage Grove Avenue, upon condition that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold on the premises; that there shall be no purveying of food between the hours of 10 P.M and 7 A.M., Mondays through Saturdays and from 6 P.M. and 7 A.M., Sundays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Department of Illinois - Disabled American Veterans
 APPEARANCES FOR: Robert Kenny
 APPEARANCES AGAINST:

CAL. NO. 51-86-A
 MAP NO. 28-E
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 11311 S. Michigan 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 reverse.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, the Department of Illinois - Disabled American Veterans, owner, on December 23, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing second-hand store in a one-story brick store building, in a B3-2 General Retail District, on premises at 11311 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 25, 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; 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, hereby makes the following findings of fact: that the said use is located in a B3-2 General Retail District; that the appellant is a not-for-profit corporation and has operated a used wearing apparel store in the building on the subject site for the past 16 years; that the premises was occupied by business uses prior to the year 1970, the last use having been a used furniture store; that licensing requirements have caused the case to be filed; that the existing non-conforming used clothing store is a less intensive use of the premises than for the sale of used furniture; that the appellant has a right to continue the use of the premises as a second-hand clothing store; 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 existing second hand store in a one-story brick store building, on premises at 11311 S. Michigan Avenue, upon condition that no merchandise shall be displayed or sold on the public sidewalk; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: James G. Gray
 APPEARANCES FOR: James G. Gray
 APPEARANCES AGAINST:

CAL. NO. 52-86-A
 MAP NO. 20-H
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 7906 S. Paulina Street

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, James G. Gray, for C & S. Management Co., owner, on January 9, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand store in a three-story brick multi-store and apartment building, in a B2-1 Restricted Retail District, on premises at 7906 S. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1986 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, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; and

WHEREAS, the district maps show that the premises are located in 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, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the store in the building on the subject site was previously occupied by a hat shop, a use permitted in a B2 district, but that a used furniture store requires a B4 or Commercial zoning; that the Board has no authority to permit the establishment of a second-hand furniture store in the store in the building on the subject site; it is therefore

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

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

APPLICANT: Jesse Gales
 APPEARANCES FOR: Jesse Gales
 APPEARANCES AGAINST:

CAL. NO. 53-86-A
 MAP NO. 28-F
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 708 W. 119th 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, Jesse Gales, owner, on January 15, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a hand car wash business in a one-story brick commercial building, in a C1-1 Restricted Commercial District, on premises at 708 W. 119th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 15, 1986 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, §9.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the appellants propose to conduct a hand car wash operation of not more than two vehicles in the one-story building on the subject site; that the proposed operation utilizes no automatic equipment; that no violation of the zoning ordinance exists nor is contemplated and that the appellants has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the hand washing of not more than two vehicles in a one-story brick commercial building, on premises at 708 W. 119th Street, upon condition that no production line methods are used in the hand wash operation, such as chain conveyor, blowers, steam cleaning or other mechanical devices; 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: Zachary William Service, Inc.
 APPEARANCES FOR: Zachary Wallerstadt
 APPEARANCES AGAINST:

CAL. NO. 54-86-A
 MAP NO. 5-I
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 3110 W. North 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, Zachary William Service, Inc., for Howard Quam, owner, on December 18, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a hand car wash in conjunction with automobile "detail" work in a one-story brick multi-store building, in a B4-3 Restricted Service District, on premises at 3110 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 18, 1985 reads:

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

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; and

WHEREAS, the district maps show that the premises are located in a B4-3 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, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the appellant operates an automobile detail work business consisting of waxing, buffing and interior cleaning of vehicles and proposes to conduct a hand car wash operation in two wash bays and two drying bays in conjunction with the said detail work; that the proposed hand car wash operation utilizes no automatic equipment; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit hand car washing of not more than two vehicles in conjunction with automobile "detail" work in a one-story brick multi-store building, on premises at 3110 W. North Avenue, upon condition that no production line methods are used in the hand wash operation, such as chain conveyor, blowers, steam cleaning or other mechanical devices; 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: J & J Hand Car Wash
APPEARANCES FOR: Joseph Hayden
APPEARANCES AGAINST:

CAL. NO. 55-86-A
MAP NO. 28-H
MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED-- 11112-16 S. Hale 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 & J Hand Car Wash, for Ernest Busch, owner, on January 13, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a hand car wash business in a one-story brick commercial building, in an R4 General Residence District, on premises at 11112-16 S. Hale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 30, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; 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, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District in an existing non-conforming one-story commercial building; that the non-conforming building on the subject site has been previously occupied by business and commercial uses, including a machine shop and an automobile repair shop; that the appellant proposes to conduct a hand car wash operation of not more than two vehicles and utilizes no automatic equipment; that the change of use to a hand car wash 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 hand washing to not more than two vehicles in a one-story brick building, on premises at 11112-16 S. Hale Street, upon condition that no production line methods are used in the hand wash operation, such as chain conveyor, blowers, steam cleaning or other mechanical devices; that all vehicles to be washed or that have been washed shall not be parked outside of the building on the subject site; that the hours of operation shall be limited to the hours between 9 A.M. and 8 P.M., Mondays through Fridays, 9 A.M. to 6 P.M., Saturdays, and 9 A.M. to 2 P.M., Sundays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Arsham Zakarian
 APPEARANCES FOR: Arsham Zakarian
 APPEARANCES AGAINST:

CAL. NO. 56-86-A
 MAP NO. 13-H
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 1706 W. Foster 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, Arsham Zakarian, for T.O. Tamras, owner, on January 13, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a video rental and sales business in a one-story brick store building on a lot improved additionally with a two-story brick store and apartment building, in an R3 General Residence District, on premises at 1706 W. Foster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 6, 1986 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, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; and

WHEREAS, the district maps show that the premises are located in 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, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the appellant proposes to rent and sell video tapes, a B2 use, in the subject non-conforming one-story building on the subject site, which also contains a non-conforming gift shop, a B2 use; that the expansion of the non-conforming use throughout the building is permitted under Section 6.4-6 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a video rental and sales business in a one-story brick store building on a lot improved additionally with a 2-story brick store and apartment building, on premises at 1706 W. Foster Avenue, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 10 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

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

CAL. NO. 57-86-A
 MAP NO. 18-F
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 7200 S. Wentworth Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Dib K. Maali, for James Clay, owner, on January 15, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the sale of packaged alcoholic beverages in an existing grocery store in a one-story brick store building, in an R4 General Residence District, on premises at 7200 S. Wentworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1986 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, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; 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 argument of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on September 13, 1985, the Board approved the establishment of a grocery store by the appellant in the existing non-conforming one-story store building on the subject site, Cal. No. 314-85-A, on condition that there shall be no sale of alcoholic beverages on the premises; that the Board determined, in the prior case, Cal. No. 314-85-A, that the establishment of the grocery store was a less intensive use of the non-conforming store building than a former restaurant operation; that in this case, the Board finds that the requested sale of packaged liquor in the existing legal non-conforming grocery store is a more intensive use of the premises and that under Section 6.4-7 of the zoning ordinance the Board has no authority to permit the sale of packaged alcoholic beverages in the existing legal non-conforming grocery store on the subject site; it is therefore

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

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

APPLICANT: Betty Spooner

CAL. NO. 58-86-A

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING

February 28, 1986

PREMISES AFFECTED— 2122 N. Hudson Avenue

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

ACTION OF BOARD—

Case continued to
March 21, 1986.

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: Mid-Central Associates, Inc., an Illinois Corporation

CAL. NO. 59-86-A

APPEARANCES FOR: William J. Hennessey

MAP NO. 22-H

APPEARANCES AGAINST: Niles Sherman, et al.

MINUTES OF MEETING

February 28, 1986

PREMISES AFFECTED— 1847-1911 W. 87th 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, Mid-Central Associates, Inc., an Illinois Corporation, on January 25, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a bingo hall in a one-story brick building, in a B4-1 Restricted Service District, on premises at 1847-1911 W. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 16, 1986 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, §8.3-4, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986; and

WHEREAS, the district maps show that the premises are located in 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, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the appellant presently operates a bingo hall in a one-story brick building formerly occupied by a Jewel supermarket; that the said bingo hall has a 350-seat capacity and on-site parking for 120 automobiles; that the appellant leases the premises to groups who have a required State of Illinois license to play bingo; that the appellant contends that the said bingo hall is a permitted amusement establishment under Section 8.3-4 B (2) of the zoning ordinance which permits amusement establishments such as bowling alleys, pool halls, dance halls, gymnasiums, swimming pools and skating rinks, but not including arcades; that the Office of the Zoning Administrator contends that the said bingo hall is a place of amusement similar to amusement uses permitted only in Commercial zoning districts, such as arcades, archery ranges, shooting galleries, and other similar indoor uses; that the said bingo hall is a type of amusement establishment that attracts many people that do not reside in the immediate area and is therefore a public amusement use that is more suitable in a C1 zoning district than in a B4-1 district; it is therefore

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

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

APPLICANT: Xavier Ortega

CAL. NO. 60-86-S

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING
February 28, 1986

PREMISES AFFECTED— 1428-30 N. Orleans Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
March 21, 1986.

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: Overland Bond and Investment Corporation

CAL. NO. 61-86-A

APPEARANCES FOR:

MAP NO. 3-E

APPEARANCES AGAINST:

MINUTES OF MEETING

February 28, 1986

PREMISES AFFECTED— 1425 N. Astor Street

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

ACTION OF BOARD—

THE VOTE

Case continued to
April 4, 1986.

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: Richard A. Van Pelt
 APPEARANCES FOR: Roger Rudich
 APPEARANCES AGAINST:

CAL. NO. 11-86-Z
 MAP NO. 7-F
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 631 W. Arlington Place
 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, Richard A. Van Pelt, owner, on December 6, 1985, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 11.5 ft. by 23 ft. solarium addition over a one-story garage attached to the rear of a two-story frame single family residence, whose rear yard will be 11.5 ft. instead of 30 ft., on premises at 631 W. Arlington Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 29, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §5.7-5(3), §7.9-4 and §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on December 26, 1985; and

WHEREAS, the district maps show that the premises are located in 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, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the applicant proposes to erect an 11.5 feet by 23 feet solarium over a one-story 23 feet by 24 feet garage attached to the rear of a two-story frame single family residence on the subject site; 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 solarium addition is necessary to meet the lifestyle requirements of the applicant; that the plight of the owner is due to unique circumstances in that the applicant's residence is situated on the rear of the lot leaving a 112 feet front yard which necessitates the requested variation; and that the variation, if granted, will not alter the essential character of the locality in that several of the existing improvements in the block do not comply with the rear yard requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

February 28, 1986

Cal. No. 11-86-S

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 11.5 feet by 23 feet solarium addition over a one-story garage attached to the rear of a two-story frame single family residence, whose rear yard will be 11.5 feet instead of 30 feet, on premises at 631 W. Arlington Place, 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: Systems Control, Inc.
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST: Pamela Maloney

CAL. NO. 402-85-A
 MAP NO. 5-N
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED-- 2130-2206 N. Natchez Avenue
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Systems Control, Inc., for LaSalle National Bank, Tr. #10-229-4208, on November 19, 1985, filed an application for a special use and subsequently amended by motion to an appeal from the decision of the Office of the Zoning Administrator for the approval of the location and the erection of a Motor Vehicle Emissions Inspection Station, in an M2-2 General Manufacturing District, on premises at 2130-2206 N. Natchez Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 19, 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, §10.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on November 25, 1985; and

WHEREAS, the district maps show that the premises are located in an M2-2 General Manufacturing District; and

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

MINUTES OF MEETING

February 28, 1986

Cal. No. 402-85-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a Motor Vehicle Emissions Inspection Station, on premises at 2130-2206 N. Natchez Avenue, upon condition that the use shall at all times be conducted in compliance with the provisions of the State of Illinois Vehicle Emissions Inspection Law and all applicable ordinances of the City of Chicago.

CORRECTED RESOLUTION

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

APPLICANT: Lawrence J. Suffredin, Jr.
 APPEARANCES FOR: Lawrence J. Suffredin, Jr.
 APPEARANCES AGAINST: David A. Weininger

CAL. NO. 7-86-S
 MAP NO. 9-G
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED-- 3214-18 N. Wilton 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, Lawrence J. Suffredin, Jr., for Lakeview Bank, Tr. #6561 and Cosmopolitan National Bank, Tr. #16594, owners, on December 10, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R5 General Residence District, on premises at 3214-18 N. Wilton Avenue, for the use of a restaurant located at 3215 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §7.3-5, §7.4-5, §7.12(8)d and §7.12(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986, after due notice thereof by publication in the Chicago Tribune on December 26, 1985; and

WHEREAS, the district maps show that the premises are located in 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, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the accessory parking lot at this location is necessary for the public convenience to provide off-street accessory parking for the delivery automobiles utilized by Leona's Pizzeria Restaurant at 3215 N. Sheffield Avenue; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that although the proposed use is located in an R5 General Residence District, it will not cause substantial injury to the value of other property in the neighborhood in which it is located in that the subject site abuts commercially zoned property and C.T.A. elevated tracks and is compatible with the existing improvements in the area; it is therefore

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

CORRECTED RESOLUTION

MINUTES OF MEETING

February 28, 1986

Cal. No. 7-86-S

lot for the parking of private passenger automobiles, on premises at 3214-18 N. Wilton Avenue, for use of a restaurant located at 3215 N. Sheffield Avenue, upon condition that no use shall be made of the premises for the use requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles used in the delivery service of Leona's Pizzeria Restaurant and that no commercial vehicles of any kind shall be parked upon said lot at any time; that there shall be supervision of drivers and delivery vehicles at the subject parkinglot by an on-site supervisor; that a 6 feet high wooden stockade fence shall be erected on the east Wilton Avenue lot line; that the lot shall be improved with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that ingress and egress shall be from the alley abutting the site to the west; that the parking lot shall be locked nightly after 10 P.M., Sundays through Thursdays and after Midnight on Fridays and Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain said parking lot in accordance with the provisions and standards hereby established under this order. 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.

CORRECTED RESOLUTION

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

APPLICANT: Lawrence J. Suffredin, Jr.
 APPEARANCES FOR: Lawrence J. Suffredin, Jr.
 APPEARANCES AGAINST: David A. Weininger

CAL. NO. 8-86-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 February 28, 1986

PREMISES AFFECTED— 3214-18 N. Wilton 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, Lawrence J. Suffredin, Jr., for Lakeview Bank, Tr. #6561 and Cosmopolitan National Bank, Tr. #16594, owners, on October 10, 1985, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the operation and illumination of a proposed accessory parking lot beyond the hour of 10:00 P.M. and to permit parking in the required 9 foot front yard, on premises at 3214-18 N. Wilton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §7.7-5 and §7.12(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 28, 1986 after due notice thereof by publication in the Chicago Tribune on December 26, 1985; and

WHEREAS, the district maps show that the premises are located in 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, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that Leona's Pizzeria Restaurant located at 3215 N. Sheffield Avenue desires to use the subject property as a parking lot for the automobiles used in delivery of pizzas and other menu items, which use was approved by the Board in Calendar No. 7-86-S on February 28, 1986, and is seeking a variation to permit the parking lot to be open and illuminated beyond the hour of 10 P.M., and to permit parking in the required 9 foot east front yard; that the said restaurant employs between 50 and 150 drivers on an independent contractor basis to deliver food and that the hours between 5:30 P.M. and 9:30 P.M. are heavy delivery hours; 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 in order to provide adequate parking spaces and aisles it is necessary to construct a portion of the parking lot in the required front yard; that the extension of hours of operation of the parking lot beyond 10 P.M. is necessary on Fridays and Saturdays which are days when delivery service is most requested but is not necessary on Sundays through Thursdays; that the plight of the owner is due to the need for a well-lighted parking lot and adequate

CORRECTED RESOLUTION

MINUTES OF MEETING

February 28, 1986

Cal. No. 8-86-Z

sized parking spaces and to the C.T.A. elevated tracks and buttresses abutting the site to the west; and that the parking in the required 9 feet east front yard and illumination and use after 10 P.M. Fridays and Saturdays will remove some traffic congestion from N. Wilton Avenue and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted, in part, to permit the operation and illumination of an accessory parking lot beyond the hour of 10 P.M. and to permit parking in the required 9 foot front yard, on premises at 3214-18 N. Wilton Avenue, upon condition that the parking lot shall be locked nightly after 10 P.M. Sundays through Thursdays and after Midnight on Fridays and Saturdays.

MINUTES OF MEETING

February 28, 1986
Cal. No. 244-84-Z

Mr. Robert C. Kenny, for James D. Little, presented a request for an extension of time in which to commence construction of a three-story 25 feet by 25 feet garage and room addition to the rear of a three-story two-dwelling unit building with no rear yard instead of 30 feet, on premises at 817 S. Bishop Street, for which a variation was granted by the Zoning Board of Appeals on July 27, 1984 in Cal. No. 244-84-Z.

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

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

MINUTES OF MEETING

February 28, 1986

Cal. No. 408-84-Z and

Cal. No. 98-85-Z

Mr. Gregory H. Furda, for Stephen P. Durchslag, presented a request for an extension of time in which to prepare building permit drawings for the erection of a four-story single family residence on an L-shaped through lot, on premises at 2474-76 N. Lakeview Avenue and 411 W. Roslyn Place for which a variation was granted by the Zoning Board of Appeals on December 14, 1984 in Calendar No. 408-84-Z and on March 15, 1985 in Calendar No. 98-85-Z, which resolution was amended on September 13, 1985 and the time for securing building permits extended until March 15, 1986.

Mr. Furda's request is for a further extension of time in which to prepare building permit drawings.

Member Keane moved that the request be granted and the time for securing all necessary building permits for the erection of a four-story single family residence approved by the Board on December 14, 1984, Calendar No. 408-84-Z and on March 15, 1985, Calendar No. 98-85-Z, as amended by the Board on September 13, 1985, be extended until September 15, 1986. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

February 28, 1986

Cal. No. 194-85-Z

Mr. Martin Reinheimer presented a request for an 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 October 18, 1985, the Board granted requests to extend the time for securing necessary permits to February 15, 1986 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 they hope to start construction within 120 days.

Chairman Guthman moved that the request be granted and that the time be extended to August 15, 1986. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
February 28, 1986

Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on March 21, 1986.

Marwan Rest
Secretary