

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, October 17, 1986
at 9:00 A.M., 10:30 A.M., 2:00 P.M. and 3:00 P.M.

The following members were present for all or part of the meeting
and constituted a quorum:

Jack Guthman
Chairman
Michael J. Howlett
Roula Alakiotou
Rafael R. Rios
Lawrence E. Kennon

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Mr. Howlett moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on September 19, 1986 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Howlett, Alakiotou, Rios and Kennon. Nays- None.

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

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

APPLICANT: Jerrold Wexler
 APPEARANCES FOR: Sidney Kaplan
 APPEARANCES AGAINST:

CAL. NO. 282-86-S
 MAP NO. 3-E
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 196 E. Delaware Place and 187 E. Walton Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

	AFFIRMATIVE	NEGATIVE	ABSENT
Abstain			
X			
X			
X			
X			

Application approved.

THE RESOLUTION:

WHEREAS, Jerrold Wexler, for LaSalle National Bank, Tr. #34702, owner, on August 18, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the continued operation of a public parking lot for the parking of private passenger automobiles, in a B6-6 Restricted Central Business District, on premises at 196 E. Delaware Place and 187 E. Walton Street, which parking lot was approved by the Board on November 13, 1981 in Calendar No. 350-81-S with a termination date of December 31, 1986; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; and

WHEREAS, the district maps show that the premises are located in a B6-6 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 said use is located in a B6-6 Restricted Central Business District; that on November 12, 1981 in Calendar No. 350-81-S, the Board approved the continued operation of a public parking lot for the parking of private passenger automobiles on the subject site under certain conditions, and with a terminal date which had been extended to December 31, 1986; that the parking lot has been operated in compliance with said conditions; that the applicant is requesting that the Board allow the continued operation of the parking lot; that 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 operated under the conditions hereinafter set forth; and that the said parking lot, with a terminal date of December 31, 1991, will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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Cal. No. 282-86-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the continued operation of a public parking lot for the parking of private passenger automobiles, on premises at 197 E. Delaware Place and 187 E. Walton Street, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the surfacing, drainage, guard rails, lighting, landscaping and driveways shall be maintained; that the use of the premises as a parking lot shall terminate on December 31, 1991; and that all applicable ordinances of the City of Chicago shall be complied with in the use and occupancy of said premises.

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

APPLICANT: Joseph P. Cacciatore

CAL. NO. 283-86-S

APPEARANCES FOR:

MAP NO. 2-F

APPEARANCES AGAINST:

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PREMISES AFFECTED— 725 S. LaSalle Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
November 14, 1986.

THE VOTE

Jack Guthman
Roula Alaklotou
Michael J. Howlett
Lawrence E. Kennon
Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Paul Lorensen
 APPEARANCES FOR: Paul Lorensen
 APPEARANCES AGAINST:

CAL. NO. 284-86-S
 MAP NO. 3-H
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 2012 W. Thomas Street
 SUBJECT— Application for the approval of a special use.
 ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Paul Lorensen, owner, on September 27, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 20 ft. by 30 ft. automobile garage at the rear of a lot, in an R4 General Residence District, on premises at 2012 W. Thomas Street, to serve a three-apartment building located at 1114 N. Damen Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 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 owns and resides in the 3-apartment building located at 1114 N. Damen Avenue, which has a vacant area at the rear of the lot for the three required parking spaces; that it is proposed to utilize this space as a recreational area for the applicant's family and to locate said required parking in a proposed 20 feet by 30 feet garage at the rear of the subject site, situated across the alley from the applicant's building; that the proposed garage is necessary for the public convenience at this location to provide the required off-street parking for the applicant's 3-apartment building at 1114 N. Damen Avenue; that the public health, safety and welfare will be adequately protected in the design and location of the garage with the balance of the lot to be improved under the conditions hereinafter set forth; and that the proposed use with provision for front yard setback and landscaping will improve an unsightly lot 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

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and the Zoning Administrator is authorized to permit the erection of a 20 feet by 30 feet automobile garage at the rear of a lot, on premises at 2012 W. Thomas Street, to provide the three required parking spaces for a three-apartment building at 1114 N. Damen Avenue, upon condition that the garage shall be for the parking of the automobiles of the applicant and other tenants of the three-apartment building at 1114 N. Damen Avenue only; that the balance of the lot shall be landscaped; that the lot shall be enclosed by fencing which shall be set back 15 feet from the front lot line to conform with other residential frontages on the block; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that it shall be the continuing responsibility of the applicant to maintain the subject site premises as required parking for the three-apartment building at 1114 N. Damen Avenue and in the event the subject site is sold separately, the area at the rear of 1114 N. Damen Avenue shall be restored as the required parking area for said building.

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

APPLICANT: Belmont National Bank of Chicago
HEARANCES FOR: David A. Weininger
APPEARANCES AGAINST:
PREMISES AFFECTED— 3211-17 N. Clark Street
SUBJECT— Application for the approval of a special use.
ACTION OF BOARD—

CAL. NO. 285-86-S
MAP NO. 9-G
MINUTES OF MEETING
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Application approved.

THE VOTE

Jack Guthman
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Belmont National Bank of Chicago, owner, on September 9, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the legalization of an existing off-site accessory parking lot for the parking of private passenger automobiles, in a B3-3 General Retail District, on premises at 3211-17 N. Clark Street, for the use of a bank located at 3179 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 8, 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, §8.3-3, §8.4-3."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B3-3 General Retail District; that the applicant has owned and operated the subject site parking lot since 1962; that said parking lot is necessary for the public convenience at this location to continue to provide parking facilities for customers and employees of the applicant bank located at 3179 N. Clark Street; 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, which relieves some of the parking congestion in the area, is compatible with the existing business 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 legalize an existing off-site accessory parking lot for the parking of private passenger automobiles, on premises at 3211-17 N. Clark Street, for the use of a bank located at 3179 N. Clark Street, upon condition that the lot shall be used solely for the parking of private passenger automobiles of the customers and employees of

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the Belmont National Bank of Chicago at 3179 N. Clark Street, during the hours of approximately 8 A.M. to 4 P.M., Monday through Thursday, 8 A.M. to 7 P.M., Friday and 8 A.M. to 1 P.M., Saturday; that existing pavement, fencing, lighting, drainage and bumper guards shall be maintained; that ingress to and egress from the parking lot shall be approved by the Bureau of Traffic Engineering and Operations. It shall be the responsibility of the applicant to maintain said parking lot in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of the resolution have been complied with.

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

APPLICANT: A & B Garage Corporation
 APPEARANCES FOR: Robert J. Lasky
 APPEARANCES AGAINST:

CAL. NO. 286-86-S
 MAP NO. 9-G
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 3211-17 N. Clark Street
 SUBJECT— Application for the approval of a special use.
 ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, A & B Garage Corporation, for Belmont National Bank of Chicago, owner, on September 9, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the utilization of an existing off-site accessory bank parking lot as a public fee parking lot to be operated at such times the premises are not in use by the bank, in a B3-3 General Retail District, on premises at 3211-17 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 8, 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, §8.3-3, §8.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-3 General Retail District; that on October 17, 1986 the Board legalized the use of the parking lot on the subject site for employee and customer parking for the Belmont National Bank of Chicago located at 3179 N. Clark Street; that the testimony in Calendar No. 285-86-S is hereby made part of the record in this case; that the applicant seeks to operate the subject premises as a public fee parking lot at such times when not in use by employees and customers of the Belmont National Bank of Chicago, owner; that the proposed use of the premises as a public fee parking lot is necessary for the public convenience at this location in that there is a great need for public parking facilities in this area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the parking lot to be operated under the conditions hereinafter set forth and in the resolution approved by the Board in Calendar No. 285-86-S; that the use of the premises as a public fee parking lot will be compatible with the existing business improvements in the area and will not cause substantial

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injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the utilization of an existing off-site accessory bank parking lot as a public fee parking lot to be operated at such times when the premises are not in use by the bank, on premises at 3211-17 N. Clark Street, upon condition that the parking lot shall be used for the parking of private passenger automobiles only and that no commercial vehicles shall be parked upon said lot at any time; that the hours of operation of the proposed public fee parking lot shall be from 3 P.M. to 2:30 A.M., Monday through Thursday, 7 P.M. to 2:30 A.M., Friday, 1 P.M. to 3:30 A.M., Saturday, and 1 P.M. to 12:30 A.M., Sunday; that the lot shall be securely locked after the aforesaid closing hours until such time as it is reopened for use by Belmont National Bank of Chicago; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Prairie Development, Ltd.
APPEARANCES FOR: David A. Grossberg
APPEARANCES AGAINST:

CAL. NO. 287-86-S
MAP NO. 5-F
MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 1701 N. Halsted Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Prairie Development, Ltd., for Lakeview Trust & Savings Bank, Tr. #6442, owner, on September 10, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use on the ground floor of a proposed three-story 11-dwelling unit building, in a B4-2 Restricted Service District, on premises at 1701 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 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, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 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 Service District; that the proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in the area and a growing demand for residential developments; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed development which will provide adequate off-street parking and open space; and that the proposed development will not cause substantial injury to the value of other property in the neighborhood in that the character of N. Halsted Street in this area is predominantly residential; 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 residential use on the ground floor of a proposed three-story 11-dwelling unit building, on premises at 1701 N. Halsted Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Prairie Development, Ltd.
APPEARANCES FOR: David A. Grossberg
APPEARANCES AGAINST:

CAL. NO. 288-86-Z
MAP NO. 5-F
MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 1701 N. Halsted Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Jack Guthman
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	X		
Roula Alaklotou	X		
Michael J. Howlett	X		
Lawrence E. Kennon	X		
Rafael R. Rios	X		

THE RESOLUTION:

WHEREAS, Prairie Development, Ltd, for Lakeview Trust & Savings Bank, Tr. #6442, owner, on September 10, 1986, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a three-story 11-dwelling unit building whose front yard will be 4.17 feet instead of 15 feet, whose side yards will be 8 inches instead of 9.62 feet each, with no rear yard instead of 30 feet, and with no provision for one loading berth, on premises at 1701 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 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, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 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 Service District; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that if required to comply with the yard requirements of the zoning ordinance, the townhouse dwelling units would be too small to permit comfortable occupancy and thereby less marketable; that the plight of the owner is due to the desire to provide a 50 feet by 65 feet interior court yard as a common area for all tenants; and that the variations, if granted, will not alter the essential character of the locality in that the subject site is located in a block in which the majority of the improvements do not comply with the yard requirements of the zoning ordinance and that in this instance the inclusion of a loading berth for the individually owned dwelling units is unnecessary; 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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Cal. No. 288-86-Z

zoning ordinance and that a variation be and it hereby is granted to permit the erection of a three-story 11-dwelling unit building whose front yard will be 4.17 feet instead of 15 feet, whose side yards will be 8 inches instead of 9.62 feet each, with no rear yard instead of 30 feet, and with no provision for one loading berth, on premises at 1701 N. Halsted Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: William C. Dec
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 289-86-Z
MAP NO. 5-F
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 1601-17 N. Sedgwick Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
November 14, 1986.

THE VOTE

Jack Guthman
Roula Alaklotou
Michael J. Howlett
Lawrence E. Kennon
Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Bethel New Life
 APPEARANCES FOR: Mary Nelson
 APPEARANCES AGAINST: Dorothy Ewing

CAL. NO. 290-86-Z
 MAP NO. 1-K
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 4057 and 4059 W. Carroll Avenue

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

ACTION OF BOARD—

Variation granted.

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rice

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Bethel New Life, owner, on August 14, 1986, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of two one-story two-dwelling unit party wall buildings on individual lots whose front yards will be 15 feet instead of 20 feet, with a west side yard of 1.5 feet instead of 3 feet and with no interior side yards instead of 3 feet each and whose rear yards will be 23 feet instead of 30 feet, on premises at 4057 and 4059 W. Carroll Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 30, 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, §7.7-3, §7.8-3, §7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the applicant is a not-for-profit corporation; that federal funds have been obtained for individually-owned low-cost housing; 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 due to the limitation of funds available for the project, it is proposed to erect two one-story two-dwelling unit party-wall buildings rather than more costly detached single family residences; that the plight of the owner is due to the need to restrict the development to a height of one-story, thereby necessitating greater horizontal land coverage and encroachment into the required yards; that the variations, if granted, will not alter the essential character of the locality in that many of the improvements in the block do not comply with present yard requirements and that the proposed yards are sufficient enough so as not to impair an adequate supply of light and air to adjoining property; it is therefore

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Cal. No. 290-86-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of two one-story two-dwelling unit party-wall buildings on individual lots whose front yards will be 15 feet instead of 20 feet, with a west side yard of 1.5 feet instead of 3 feet and with not interior side yards instead of 3 feet each, and whose rear yards will be 23 feet instead 30 feet, on premises at 4057 and 4059 W. Carroll 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 608

APPLICANT: Chicago Adhesive Products Company

CAL. NO. 291-86-Z

MAP NO. 14-K

APPEARANCES FOR:

MINUTES OF MEETING

APPEARANCES AGAINST:

October 17, 1986

PREMISES AFFECTED— 4658 W. 60th Street

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

ACTION OF BOARD—

THE VOTE

Jack Guthman

Roula Alakiotou

Michael J. Howlett

Lawrence E. Kennon

Rafael R. Rios

AFFIRMATIVE NEGATIVE ABSENT

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
Lawrence E. Kennon	X		
Rafael R. Rios	X		

Case continued to
November 14, 1986.

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

APPLICANT: Paul A. Rubschlager
APPEARANCES FOR: Henry Samuels
APPEARANCES AGAINST:

CAL. NO. 292-86-Z
MAP NO. 3-J
MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 3220 W. Grand Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

Variation granted.

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
Lawrence E. Kennon	X		
Rafael R. Rios	X		

THE RESOLUTION:

WHEREAS, Paul A. Rubschlager, for LaSalle National Bank, Tr. Nos. 103400 and 111011, owners, on September 2, 1986, filed an application for a variation of the zoning ordinance to permit, in an M1-2 Restricted Manufacturing District, the erection of a one-story 5,000 sq. ft. addition to the east side and a one-story 11,435 sq. ft. addition to the west side of a one-story wholesale bakery building, with no north front yard and no east side yard instead of the 20 feet required when located across the street from a residential district, on premises at 3220 W. Grand Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 12, 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, §10.13-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the applicant proposes to construct a one-story 5,000 square feet addition to the east side and a one-story 11,435 square feet addition to the west side of an existing one-story wholesale bakery building; that the existing wholesale bakery building has been at the site since prior to the passage of the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are necessary to provide additional space for the efficient operation of the existing wholesale bakery operation; that the plight of the owner is due to the subject site being located directly across W. Augusta Street and N. Kedzie Street from residential districts; that the variations, if granted, will not alter the essential character of the locality in that the proposed additions will be extensions of the existing building which is situated on the north lot line; it is therefore

MINUTES OF MEETING

October 17, 1986

Cal. No. 292-86-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one-story 5,000 square feet addition to the east side and a one-story 11,435 square feet addition to the west side of a one-story wholesale bakery building, with no north front yard and no east side yard instead of the 20 feet required when located across the street from a residential district, on premises at 3220 W. Grand Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: KFC National Management Co.
 APPEARANCES FOR: Richard Saltzman
 APPEARANCES AGAINST:

CAL. NO. 293-86-S
 MAP NO. 11-I
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 4701-21 N. Kedzie Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, KFC Management Co., for the City of Chicago, owner, on August 20, 1986, 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 a proposed Kentucky Fried Chicken restaurant, in a B4-2 Restricted Service District, on premises at 4701-21 N. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 14, 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(6)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 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 Service District; that it is proposed to construct a Kentucky Fried Chicken restaurant on the subject site and to provide drive-through service in conjunction with said use; 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 food 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 W. Leland Avenue at the southeast and southwest corners of the subject site and egress from the drive-through portion of the facility from the northwest corner of the subject site onto N. Kedzie Avenue, no ingress to nor egress from the drive-through facility via the alley, and a 6 feet high cedar stockade fence along the east lot line to screen the facility from residential property across the alley; and that the proposed use will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

MINUTES OF MEETING

October 17, 1986

Cal. No. 293-86-S

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 a proposed Kentucky Fried Chicken restaurant, on premises at 4701-21 N. Kedzie Avenue, upon condition that the ingress and egress of the proposed drive-through facility shall be approved by the Bureau of Traffic Engineering and Operations of the City of Chicago; that lighted directional signs shall be erected at the established entrances and exits to the subject site; that a 6 feet high cedar stockade fence shall be erected along the east lot line to screen the facility from residential property across the alley; that there shall be no ingress to nor egress from the facility via the alley; 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: Greater Rosehill Missionary Baptist Church
 APPEARANCES FOR: Alfred Jefferson
 APPEARANCES AGAINST:

CAL. NO. 294-86-S
 MAP NO. 4-I
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 3137-39 W. Roosevelt Road
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Greater Rosehill Missionary Baptist Church, owner, on September 12, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the legalization of a church in a two-story brick building, in a B5-3 General Service District, on premises at 3137-39 W. Roosevelt Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 12, 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, :8.3-5, §8.11-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B5-3 General Service District; that the applicant church as been at the subject site for the past 21 years; that on March 23, 1984, the Board, in Calendar No. 69-84-S, denied the approval of the establishment of the applicant church at the subject site, finding that the subject church was located within 100 feet of a permitted tavern use which could be jeopardized by the establishment of the church at the subject site and that the establishment of the proposed church at the subject site would restrict the economic viability and future development of permitted uses in the area; that in the interim period since the denial in Calendar No. 69-84-S, the said tavern has ceased operation and the business activity on W. Roosevelt Road in this area has decreased; that the public health, safety and welfare will be adequately protected in the design and operation of the applicant church which will provide adequate off-street parking; and that the legalization of the applicant church at the subject site will not affect the existing business improvements on W. Roosevelt Road in this area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

October 17, 1986

Cal. No. 294-86-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to legalize a church in a two-story brick building, on premises at 3137-39 W. Roosevelt Road, upon condition that off-street parking shall be located at 1214-18 S. Troy Street; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Greater Rosehill Missionary Baptist Church
 APPEARANCES FOR: Alfred Jefferson
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1214-18 S. Troy Street
 SUBJECT— Application for the approval of a special use.
 ACTION OF BOARD—

CAL. NO. 295-86-S
 MAP NO. 4-I
 MINUTES OF MEETING
 October 17, 1986

Application approved.

THE VOTE

Jack Guthman
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Greater Rosehill Missionary Baptist Church, for Jim Belcastory, owner, on September 12, 1986, 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 on leased land for the parking of private passenger automobiles, in an R5 General Residence District, on premises at 1214-18 S. Troy Street, to fulfill the parking requirements for a church located at 3137-39 W. Roosevelt Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 12, 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, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; 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 on October 17, 1986, the Board approved the legalization of the applicant church at 3137-39 W. Roosevelt Road in Calendar No. 294-86-S; that the applicant church seeks to establish an accessory off-site parking lot at the subject site; that the proposed parking lot is necessary for the public convenience at this location to fulfill the parking requirements for the church at 3137-39 W. Roosevelt Road; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that the parking lot, with a 15 feet setback on S. Troy Avenue, will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be 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 an off-site accessory parking

MINUTES OF MEETING

October 17, 1986

Cal. No. 295-86-S

lot on leased land for the parking of private passenger automobiles, on premises at 1214-18 S. Troy Street, to fulfill the parking requirements for a church located at 3137-39 W. Roosevelt Road, upon condition that no use shall be made of the site for the purpose requested until the following conditions shall have been complied with: that the lot shall be for the parking of private passenger automobiles only and that no commercial vehicles shall be parked upon said lot at any time; that the parking lot shall be set back 15 feet from the east property line on S.Troy Avenue; that the 15 feet setback shall be landscapped; that the balance of the lot, with the exception of the portion used as a driveway, shall be enclosed with a 6 feet high chain link fence on the west, north and east property lines and with a 6 feet high solid wood fence on the south property line to screen the parking lot from abutting residential property; that the parking area shall be improved with a compacted macadam base, not less than four inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that bumper guards shall be erected along the north and south lot lines; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be approved by the Bureau of Traffic Engineering and Operations of the City of Chicago; that the driveway shall be constructed in conformance with all applicable ordinances; that the lot shall be securely locked at all times when not in use by the applicant church; and that all other 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 the property continuously in conformance with §5.8-5 of the zoning ordinance and 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 states 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 shall have been complied with.

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

APPLICANT: Josephine Bass and Neopolitan Lighthouse
 HEARANCES FOR: Robert Grossinger, Josephine Bass
 APPEARANCES AGAINST:
 PREMISES AFFECTED-- 864 N. Christiana Avenue
 SUBJECT-- Application for the approval of a special use.
 ACTION OF BOARD--

CAL. NO. 296-86-S
 MAP NO. 3-J
 MINUTES OF MEETING
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Application approved.

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Josephine Bass and Neopolitan Lighthouse, for Josephine Bass, owner, on September 17, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional shelter facility for women and children in a two-story brick apartment building, in an R3 General Residence District, on premises at 864 N. Christiana Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.3-3, §7.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on September 29, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the applicant proposes to establish a transitional shelter facility for battered women and their children in the two-story apartment building on the subject site; that the shelter will provide a maximum of 25 beds for battered women and their children for a period of 30 days with extensions based on individual need up to the maximum 120 days permitted under Chapter 78:3-4 of the Municipal Code of the City of Chicago; that the clients to be served by the proposed facility will be referred by other city and social welfare agencies and will be screened for admittance to the transitional shelter facility through the applicant's walk-in program; that no persons with drug, alcohol or mental problems will be accepted as clients by the facility; that the shelter will be operational 24 hours a day; that professional staff members will be on the premises at all times to monitor the shelter's activities; that the shelter will provide crisis intervention programs, counselling services, legal and vocational assistance and other services to its clients; that the establishment of a transitional shelter facility for battered women and their children is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design and

MINUTES OF MEETING

October 17, 1986

Cal. No. 296-86-S

operation of the proposed facility which will meet all building code regulations and all applicable provisions of the municipal ordinance governing the establishment and operation of transitional shelter facilities; that the proposed use of the building on the subject site as a transitional shelter facility fulfills a need in the community and is consistent with the prior use of the premises as an apartment building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a transitional shelter facility limited to 25 beds for battered women and their children in a two-story brick apartment building, on premises at 864 N. Christiana Avenue, upon condition that the building is brought into compliance with all applicable building code regulations; that the premises shall not be used as a shelter facility until the building complies with all applicable code regulations; that no persons with drug, alcohol or mental problems shall be accepted as clients by the shelter; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional shelter activity to another group or association, the special use at the subject site granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a transitional shelter facility for battered women and their children or any increase in beds or the number of clients to be served, as stated herein by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: Julie A. Whitehead
 APPEARANCES FOR: John J. Pikarski, Jr., Julie A. Whitehead
 APPEARANCES AGAINST:

CAL. NO. 297-86-A
 MAP NO. 5-G
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 1901 N. Dayton 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
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Julie A. Whitehead, owner, on September 25, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a ceramics business in a two-story brick store and apartment building, in an R4 General Residence District, on premises at 1901 N. Dayton Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 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, §7.3-4, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 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 on August 15, 1986, the Board denied an appeal filed by the appellant for the establishment of a custom ceramic tile business in the non-conforming store in the two-story brick store and apartment building on the subject site, in Calendar No. 219-86-A, finding that the proposed use was a more intensive use of the site than the prior use of a day care center, and that under §6.4-7 of the zoning ordinance the Board had no authority to permit the establishment of the proposed use at the site; that on September 19, 1986 the Board granted a motion requesting permission to refile the appeal so that the appellant could be represented by counsel; that the appellant operates a custom ceramic tile business at the subject site employing five artists and three baking kilns; that the Board finds that the said operation constitutes a manufacturing business which is a more intensive use at the subject site than the prior day care center and which requires a commercial zone; that no further evidence was presented to cause the Board to alter its decision previously rendered in Calendar No. 219-86-A; and that pursuant to §6.4-7 of the zoning ordinance the proposed use is not a proper substitution of non-conforming use; 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: Hong Sook Koh
APPEARANCES FOR: Thomas I. Matyas
APPEARANCES AGAINST:

CAL. NO. 298-86-A
MAP NO. 5-F
MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 1805 N. Cleveland 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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Hong Sook Koh, for Jack Ringer, owner, on August 13, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing drop-off cleaners (processing done elsewhere) in a four-story brick store and apartment building, in an R5 General Residence District, on premises at 1805 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 8, 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, §7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; 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 said use is located in an R5 General Residence District; that the drop-off cleaners, a B1 use, has been in operation since 1982 in the subject non-conforming store in the building on the subject site, which also contains an art studio, a B2 use; that licensing requirements have caused the case to be filed; that the expansion of the non-conforming use throughout the building is permitted under §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 certify an existing drop-off cleaners only in a four-story brick store and apartment building, on premises at 1805 N. Cleveland Avenue, upon condition that no dry cleaning machines or equipment shall be used at the site; that the hours of operation shall be limited to the hours between 7:30 A.M. and 6:30 P.M., Mondays through Thursdays, 7:30 A.M. and 12 Noon, Fridays, and 8:30 A.M. and 5:30 P.M., Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Kil S. O
APPEARANCES FOR: Kil S. O
APPEARANCES AGAINST:

CAL. NO. 299-86-A
MAP NO. 5-G
MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 1906 N. Halsted 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
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Kil S. O, for Tom Quinlan, owner, on August 20, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a dry cleaning store in a one-story brick commercial building, in an R4 General Residence District, on premises at 1906 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 14, 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, §7.3-4, §11.8-1."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 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 th 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 proposes to establish a dry cleaning store in the non-conforming one-story brick commercial building on the subject site; that the proposed dry cleaning operation will consist of cleaning clothes brought to the site by walk-in customers and clothes brought to the site from another dry cleaning drop-off store operated by the appellant; that the non-conforming commercial building on the subject site has been occupied by business uses, the last use having been a wholesale distribution center for cleaning supplies, a commercial use, which recently ceased operation; that the Board finds that the proposed dry cleaning business compared to the prior wholesale distribution center operation is more intensive in terms of the number of people that will be attracted to the premises and the vehicular traffic generated by the proposed use; that under §6.4-7 of the zoning ordinance the proposed dry cleaning business is not a proper substitution of non-conforming use of the premises; 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: Raymond Bailey
APPEARANCES FOR: Raymond Bailey
APPEARANCES AGAINST:

CAL. NO. 300-86-A
MAP NO. 1-G
MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 4200 W. Augusta Boulevard

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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Raymond Bailey, for Maria Hernandez, owner, on August 26, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a carry-out restaurant in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 4200 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 2, 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 October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming store in the building on the subject site was previously occupied by a grocery store, which ceased operation in 1984; that the appellant took over the premises in 1985 but did not open for business until approximately 3 months ago; that the Board finds that the intensity of the proposed carry-out restaurant operation, a B2 use, is greater than the previous use of the premises as a grocery store, a B1 use, and therefore is not a proper substitution of use of the non-conforming store under §6.4-7 of the zoning ordinance; it is therefore

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

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

APPLICANT: Cecilio Lugo

CAL. NO. 301-86-A

APPEARANCES FOR:

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING

October 17, 1986

PREMISES AFFECTED-- 1200 W. Huron Street

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

ACTION OF BOARD--

Case continued to
November 14, 1986.

THE VOTE

Jack Guthman

Roula Alakiotou

Michael J. Howlett

Lawrence E. Kennon

Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Odie Albert

CAL. NO. 302-86-A

APPEARANCES FOR:

MAP NO. 12-F

APPEARANCES AGAINST:

MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 4811 S. Shields Avenue

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

ACTION OF BOARD—

Case continued to
November 14, 1986.

THE VOTE

Jack Guthman

Roula Alakiotou

Michael J. Howlett

Lawrence E. Kennon

Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Ruben Ramirez
HEARINGS FOR: Ruben Ramirez
APPEARANCES AGAINST:

CAL. NO. 303-86-A
MAP NO. 6-I
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 3101 W. 25th 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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Ruben Ramirez, for Layton Shultz and Bob Nolter, owners, on September 16, 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 two-story brick store and apartment building, in an R4 General Residence District, on premises at 3101 W. 25th Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 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 non-conforming store in the building on the subject site was occupied by a grocery store, which use was recently discontinued upon the death of the proprietor; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal and has a right to re-establish a grocery store in the store on the subject site; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a two-story brick store and apartment building, on premises at 3101 W. 25th Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 10 P.M., daily; that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Otis Williams
HEARANCES FOR: Thornton Williams
HEARANCES AGAINST:

CAL. NO. 304-86-A
MAP NO. 22-H
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED-- 1739 W. 91st 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
Roula Alaklotou
Michael J. Howlett
Lawrence E. Kennon
Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Otis Williams, for Burrell Realty, owner, on September 5, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a thrift shop in a three-story brick store and apartment building, in a B1-1 Local Retail District, on premises at 1739 W. 91st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 25, 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, §8.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B1-1 Local Retail District; that the appellant proposes to sell bicycles and bicycle accessories, a B2 use, in the subject store in the three-story brick store and apartment building on the subject site, which also contains non-conforming contractor's office and cosmetic supply business; that the extension of the non-conforming use throughout the building is permitted under §6.4-6 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a bicycle sales and accessories shop in a three-story brick store and apartment building, on premises at 1739 W. 91st Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Shiandel Farekas
APPEARANCES FOR: Shiandel Farekas
APPEARANCES AGAINST:

CAL. NO. 305-86-A
MAP NO. 17-I
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 2819 W. Touhy 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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Shiandel Farekas, for Louis G. Atsaves, owner, on September 18, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a children's second-hand merchandise store in a one-story brick multi-store building, in a B2-1 Restricted Retail District, on premises at 2819 W. Touhy Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the appellant proposes to sell children's merchandise, a B2 use, along with some accessory second-hand items; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a children's merchandise store including limited second-hand sales, as an accessory use only, in a one-story brick multi-store building, on premises at 2819 W. Touhy Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Sadiq H. Bohri
 APPEARANCES FOR: Sadiq H. Bohri
 APPEARANCES AGAINST:

CAL. NO. 306-86-A
 MAP NO. 11-L
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 4421 N. Milwaukee 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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Sadiq H. Bohri, owner, on August 14, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing printing shop in a two-story brick store and bowling alley building, in a B2-1 Restricted Retail District, on premises at 4421 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 14, 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 October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District; that the existing printing shop has been in operation for three-and-a-half years in the subject store in the building on the subject site, which also contains a bowling alley, a B4 use; that the expansion of the non-conforming use throughout the building is permitted under §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 certify an existing printing shop in a two-story brick store and bowling alley building, on premises at 4421 N. Milwaukee Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John Stallworth
 APPEARANCES FOR: John Stallworth
 APPEARANCES AGAINST:

CAL. NO. 307-86-A
 MAP NO. 18-F
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 7335-39 S. Halsted Street

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

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, John Stallworth, for P.B.C. Multi-Purpose Center, owner, on September 17, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a hand car wash in a one-story brick commercial building, in a B2-2 Restricted Retail District, on premises at 7335-39 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 25, 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 October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the non-conforming one-story brick commercial building on the subject site has been previously occupied by a welding supply company, a C use, which use recently ceased operation; that the appellant proposes to establish a hand car wash operation in the building on the subject site; that the proposed operation utilizes no automatic equipment; that the change of use to a hand-car wash is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a hand-car wash in a one-story brick commercial building, on premises at 7335-39 S. Halsted Street, upon condition that no production line methods are used in the hand wash operation, such as chain conveyor, blower, 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 808

APPLICANT: Gina M. Cantave and Gary M. Esrig

CAL NO. 308-86-A

PEARANCES FOR:

MAP NO. 12-C

PEARANCES AGAINST:

MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 1645 E. 53rd Street

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

ACTION OF BOARD—

Case continued to
December 12, 1986.

THE VOTE

Jack Guthman

Roula Alaklotou

Michael J. Howlett

Lawrence E. Kennon

Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Earl W. King
APPEARANCES FOR: Earl W. King
APPEARANCES AGAINST:

CAL. NO. 309-86-A
MAP NO. 18-E
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 7700 S. Langley 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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
Lawrence E. Kennon	X		
Rafael R. Rios	X		

THE RESOLUTION:

WHEREAS, Earl W. King, owner, on September 17, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a non-conforming store into a dwelling unit in a two-story brick store and three-dwelling unit building, in an R3 General Residence District, on premises at 7700 S. Langley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 12, 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, §7.5-3."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the building on the subject site has been occupied as a store and three dwelling units since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the conversion of a non-conforming store to a dwelling unit is a proper substitution of use under §6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming store into a dwelling unit, with no additional parking required, in a two-story brick store and three apartment building, for a total of four dwelling units, on premises at 7700 S. Langley Avenue, upon condition that plans and permits are obtained indicating compliance with building code regulations; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Maureen L. Turner
 APPEARANCES FOR: Maureen L. Turner
 APPEARANCES AGAINST:

CAL. NO. 310-86-A
 MAP NO. 28-E
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 223 E. 116th 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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Maureen L. Turner, owner, on September 9, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a non-conforming store into a dwelling unit in a two-story brick store and one dwelling unit building on a lot improved additionally with a one-story frame single family residence at the rear, in an R3 General Residence District, on premises at 223 E. 116th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the two-story brick building on the front of the subject lot improved additionally with a one-story frame single family residence at the rear, has been occupied as a store and one-dwelling unit since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the conversion of a non-conforming store to a dwelling unit is a proper substitution of use under §6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming store into a dwelling unit, with no additional parking required, in a two-story brick store and apartment building, for a total of two dwelling units, on a lot improved additionally with a one-story single family residence at the rear, on premises at 223 E. 116th Street, upon condition that plans and permits are obtained indicating compliance with building code regulations; and that all applicable ordinances of the City of Chicago are complied with before a permit is issued.

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

APPLICANT: Seymour Goldberg
 APPEARANCES FOR: Leon Teichner
 APPEARANCES AGAINST:

CAL. NO. 311-86-A
 MAP NO. 7-G
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 2749 N. Magnolia 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
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Seymour Goldberg, for Jeff Gerber, owner, on September 11, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a two-story frame single family residence to be raised 3 feet, in an R3 General Residence District, on premises at 2749 N. Magnolia Street, which is alleged will not increase the existing floor area ratio; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 12, 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, §3.2, §7.6-3, §7.8-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, 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 raise the existing two-story frame single family residence structure three feet; that the first story of the subject building is 6 inches below grade with a ceiling height of 7 feet 6 inches; that 50 per cent of the first floor area is above grade level and thereby is included in the existing floor area of the building; that the appellant is not adding any additional horizontal space to the existing floor plan of the building; that the raising of the subject building 3 feet will not increase the existing floor area ratio; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a two-story single family residence to be raised 3 feet, on premises at 2749 N. Magnolia Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Arambula Gregorió d/b/a Durango Auto Trim & Supplies
PEARANCES FOR: Arambula Gregorio
PEARANCES AGAINST:

CAL. NO. 312-86-A
MAP NO. 5-J
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 3952 W. Wabansia Avenue and 1701 N. Pulaski Road
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Arambula Gregorio d/b/a Durango Auto Trim & Supplies, for Fidel Casaras, owner, on August 26, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile vinyl and convertible top repair business in a brick garage at the rear of a lot improved with a two-story brick store and apartment building, in a B5-1 General Service District, on premises at 3952 W. Wabansia Avenue and 1701 N. Pulaski Road; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

WHEREAS, the district maps show that the premises are located in a B5-1 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-1 General Service District; that the appellant has a current motor vehicle repair license to do auto repair work at the subject site; that the appellant proposes to install and repair automobile vinyl and convertible tops in the brick garage at the rear of the subject site improved with a two-story brick store and apartment building; that the proposed use is equivalent to ordinary automobile mechanical repair and servicing which is permitted in the subject site B5 zoning; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an automobile vinyl and convertible top repair business in a brick garage at the rear of a lot improved with a two-story brick store and apartment building, on premises at 3952 W. Wabansia Avenue and 1701 N. Pulaski Road, upon condition that no body and fender work, spray painting or engine rebuilding shall be done on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Rafael Castro
 APPEARANCES FOR: Rafael Castro
 APPEARANCES AGAINST:

CAL. NO. 313-86-A
 MAP NO. 22-B
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 8801 S. Houston 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
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Rafael Castro, for Richard Cerrillos, owner, on September 17, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile repair shop including body and fender work in a one-story brick garage at the rear of a lot improved with a two-story brick store and apartment building, in an R3 General Residence District, on premises at 8801 S. Houston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the one-story brick garage structure at the rear of the lot improved with a two-story brick store and apartment building has been occupied by an automobile repair shop, including body and fender repair, since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an automobile repair shop, including body and fender work, in a one-story brick garage at the rear of the lot improved with a two-story brick store and apartment building, on premises at 8801 S. Houston Avenue, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 8 P.M., Mondays through Saturdays; that all repair work and storage of vehicles that have been repaired or are awaiting repairs shall be done on the premises; that no vehicles which have been repaired or are awaiting repairs shall be parked on city streets, public alleys or sidewalks; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Elena Stan
 HEARANCES FOR: Elena Stan
 APPEARANCES AGAINST:

CAL. NO. 314-86-A
 MAP NO. 15-H
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 6011 N. Ridge Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Elena Stan, owner, on September 18, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a video arcade business in a three-story brick store and apartment building due to insufficient off-street parking, in a C1-2 Restricted Commercial District, on premises at 6011 N. Ridge Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §9.11-1(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 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 appellant proposes to establish a video arcade business comprising 15 video amusement machines in the store in the three-story brick store and apartment building on the subject site additionally improved with a one-story frame two-car garage at the rear; that the proposed arcade is a permitted use at the site; that although no parking requirements for an arcade are specifically set forth in the zoning ordinance, the Office of the Zoning Administrator contends that five parking spaces are required at the site - three for the apartments and 2 for the proposed arcade use, and that the arcade use is similar to the amusement uses and places of assembly described in §9.11-1(7) of the zoning ordinance, which require parking spaces equal in number to 10 per cent of the capacity in persons; that the Board finds that the proposed use will attract many patrons and that there is insufficient off-street parking to accommodate these patrons; and that it concurs with the opinion of the Zoning Administrator; 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: Barbara J. Slay

CAL. NO. 315-86-A

APPEARANCES FOR:

MAP NO. 26-G

APPEARANCES AGAINST:

MINUTES OF MEETING

October 17, 1986

PREMISES AFFECTED— 10710 S. Morgan Street

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

ACTION OF BOARD—

Case continued to
November 14, 1986.

THE VOTE

Jack Guthman

Roula Alakiotou

Michael J. Howlett

Lawrence E. Kennon

Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Big Apple Finer Foods, Inc.

CAL NO. 265-86-A

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 2345 N. Clark Street

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

ACTION OF BOARD—

Case continued to
November 14, 1986.

THE VOTE

Jack Guthman
Roula Alakiotou
Michael J. Howlett
Lawrence E. Kennon
Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Tom Pellegrini
APPEARANCES FOR: Donald M. McIntyre, Tom Pellegrini
APPEARANCES AGAINST: Dan Crowe

CAL. NO. 271-86-A
MAP NO. 9-G
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 1500 W. School 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
Roula Alaklotou
Michael J. Howlett
Lawrence E. Kennon
Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Tom Pellegrini, for Mildred Molinari, owner, on August 6, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a second-hand dealer's license for a non-profit cultural and social service facility in a three-story brick and frame building, in an R4 General Residence District, on premises at 1500 W. School Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 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 non-conforming store in the building on the subject site has been continuously occupied by business uses including a grocery store, a B1 use and a musical instrument retail sales shop, a B2 use, since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that since 1980, the premises has been occupied by a community and social service center along with the continuation of the musical instrument sale activity; that a second-hand dealer's license for the sale of second-hand merchandise requires a minimum of B4 zoning; that the Board has no authority to certify a second-hand dealer's license for the facility at 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: Michael J. Ficenec
HEARANCES FOR: Michael J. Ficenec
APPEARANCES AGAINST:

CAL. NO. 272-86-A
MAP NO. 3-M
MINUTES OF MEETING
October 17, 1986

PREMISES AFFECTED— 5737 W. North 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
Roula Alakiotou
Michael J. Howlett
Lawrence E. Kennon
Rafael R. Rios

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	X		
Roula Alakiotou	X		
Michael J. Howlett			X
Lawrence E. Kennon	X		
Rafael R. Rios	X		

THE RESOLUTION:

WHEREAS, Michael J. Ficenec, for St. Anne's Hospital, owner, on July 28, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an automobile window tinting business in a one-story brick store building, in a B1-1 Local Retail District, on premises at 5737 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 2, 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, §8.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B1-1 Local Retail District; that the building on the subject site has been occupied by motor vehicle related uses, the last use having been an auto parts and repair shop until 1984 when the appellant took over the premises; that the appellant proposes to establish an automobile window tinting business at the site with occasional minor mechanical repair work; that the change of use to an automobile window tinting business including minor auto repair is a proper substitution of use under §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 certify an automobile window tinting business including minor automobile mechanical repair work only, in a one-story brick building, on premises at 5737 W. North Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Sheldon T. Friedman
 APPEARANCES FOR: Daniel L. Houlihan
 APPEARANCES AGAINST:

CAL. NO. 249-86-S
 MAP NO. 11-H
 MINUTES OF MEETING
 September 19, 1986

PREMISES AFFECTED— 1600-10 W. Irving Park Road and 4000-08 N. Ashland Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 Roula Alaklotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Sheldon T. Friedman, for Amoco Oil Company, owner, on July 25, 1986, 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 a proposed Popeye's restaurant, in a B4-2 Restricted Service District, on premises at 1600-10 W. Irving Park Road and 4000-08 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on August 25, 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 it is proposed to construct a Popeye's restaurant on the subject site and to provide drive-through service in conjunction with said use; that counsel for the applicant testified that this application for a special use was an agreed matter arrived at as a result of meetings held by the applicant and the neighborhood community; that it was stipulated on the record that the proposed drive-through facility is necessary for the public convenience at the subject site; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility to be improved and operated under the conditions agreed to by the applicant and the community and hereinafter set forth; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be 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 drive-through facility in conjunction with a proposed Popeye's restaurant, on premises at 1600-10 W. Irving

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Cal. No. 249-86-S

Park Road and 4000-08 N. Ashland Avenue, upon condition that a 6 feet high solid wood fence shall be erected on the north lot line to screen the facility from residential property; that the balance of the lot, excepting the portion used as driveways, shall be fenced; that landscaping shall be provided; that ingress and egress from the drive-through facility shall be from W. Irving Park Road; that there shall be no ingress to nor egress from the drive-through facility via N. Ashland Avenue; that a speed bump shall be installed at the exit driveway; that a stop sign shall be erected at the exit driveway; that lighting shall be provided which shall be directed away from residential property; that all refuse collection bins shall be placed along the west property line and that said refuse collection area shall be enclosed; that pylon signage shall be restricted to a single pylon and shall consist of a size of approximately 7 feet by 11 feet and shall be placed at a height of 10 feet above curb level; that illuminated directional ingress and egress signs shall be erected at the established entrances and exits; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Progressive Holy Trinity M.B. Church, Rev. J. Joseph
 HEARANCES FOR: Anthony Bass
 APPEARANCES AGAINST:

CAL. NO. 259-86-S
 MAP NO. 3-J
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED-- 3654 W. Chicago Avenue
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Progressive Holy Trinity M.B. Church, Rev. J. Joseph, for John Ancona, owner, on July 22, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a two-story brick store and apartment building, in a B4-2 Restricted Service District, on premises at 3654 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on August 25, 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 said use is located in a B4-2 Restricted Service District; that the applicant church has been located in the two-story brick store and apartment building on the subject site for many years; that the said church at this location is necessary to meet the needs of the congregation who reside in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the said 44-seat church which provides adequate on-site parking; and that the said church is compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a church in a two-story brick store and apartment building, on premises at 3654 W. Chicago Avenue, upon condition that the parking area at the rear of the building on the subject site shall be surfaced with asphaltic concrete or some comparable all-weather dustless material; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: DePaul University, an Illinois Not-for-Profit Corporation
 APPEARANCES FOR: Paul R. Diamond
 APPEARANCES AGAINST:

CAL. NO. 175-86-S
 MAP NO. 5-G
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED— 1135-47 W. Fullerton Avenue and 2338-48 N. Clifton Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

Application approved.

THE RESOLUTION:

WHEREAS, DePaul University, an Illinois Not-for-Profit Corporation, owner, on May 29, 1986, 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, partly in an M1-2 Restricted Manufacturing District and partly in an R4 General Residence District, on premises at 1135-47 W. Fullerton Avenue and 2338-48 N. Clifton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 29, 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, §7.12(7), §10.4-1(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 17, 1986 after due notice thereof by publication in the Chicago Tribune on June 23, 1986; and

WHEREAS, the district maps show that the premises are located partly in an M1-2 Restricted Manufacturing District and partly 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 partly in an M1-2 Restricted Manufacturing District and partly in an R4 General Residence District; that the applicant is erecting a 300-bedroom dormitory facility across N. Clifton Avenue from the subject site; that the erection of said structure will eliminate 84 existing parking spaces from the university's main parking lot; that the subject site consists of two parcels of land at N. Clifton Avenue and W. Fullerton Avenue that are bisected by the east half of an east-west alley; that the said east half of the alley has been vacated by the City; that the applicant has submitted revised site plans indicating that the applicant has granted a perpetual north-south access easement over the west edge of the subject site to the owner of the property at 1157 W. Fullerton Avenue whose loading dock off the west half of the east-west alley had been reached via the portion of the alley that was vacated; that the parking lot at this location is necessary for the public convenience to replace needed parking spaces displaced by the erection of the dormitory structure on N. Clifton Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the parking lot

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Cal. No. 175-86-S

to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot will replace parking spaces from a previous university parking lot and will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood 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 an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1135-47 W. Fullerton Avenue and 2338-48 N. Clifton Avenue, to serve nearby DePaul University facilities, upon condition that no use shall be made of the lot for the purpose requested until the following conditions have been complied with: that the parking lot shall be for the parking of those private passenger automobiles of DePaul University personnel displaying parking stickers issued by DePaul University; that no commercial vehicles shall be parked upon said lot at any time; that the parking area shall be improved with a compacted macadam base not less than 4 inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot, excepting the portion used as a driveway, shall be enclosed with a corrugated steel guard rail approximately 2 feet high which shall be set-back 10 feet from the south property line; that a 15 feet front yard shall be provided along the east lot line or that portion of the lot which is located in the R4 General Residence District; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be from W. Fullerton Avenue; that the alley shall not be used for ingress nor for egress; that the driveway shall be constructed in conformance with all applicable ordinances; that the lot shall be periodically patrolled by DePaul University security personnel; and that all other 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 the property continuously in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution shall have been complied with.

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

APPLICANT: Patricia Scott Albrecht and Irene Rago
 APPEARANCES FOR: Robert A. Novelle
 APPEARANCES AGAINST: John K. Kneafsey, et al.

CAL. NO. 315-84-A
 MAP NO. 1-I
 MINUTES OF MEETING
 October 17, 1986

PREMISES AFFECTED-- 2419 W. Erie Street

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

ACTION OF BOARD--

UPON REMAND:
 Appeal denied and the
 Resolution of September 21, 1984
 reversed and the decision of the
 Office of the Zoning Administrator
 affirmed.

THE RESOLUTION:

WHEREAS, Patricia Scott Albrecht and Irene Rago, owners, on July 11, 1984, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit, in an R3 General Residence District, the installation of a cremation chamber in a one-story brick building used as accessory storage for a funeral home at 624 N. Western Avenue, on premises at 2419 W. Erie Street; and

WHEREAS, the Zoning Board of Appeals heard said case on September 21, 1984 and entered a resolution sustaining the appeal in its Calendar No. 315-84-A, finding that the pre-existing non-conforming use of the subject site building as that of casket warehousing and motor vehicle storage uses are first permitted in a C1 Restricted Commercial District, §9.3-1B(14A) and (31); that §6.4-7 provides that the non-conforming use of a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, may be changed to a use permitted in the same district as the non-conforming use which presently occupies the building or structure or to a use permitted in a more restrictive district and that the R1 District shall be considered the most restrictive and the M3 District the least restrictive; that crematories are first permitted in a B4 Restricted Service District, §8.3-4B(11); that the change from a non-conforming Commercial use to that of a non-conforming Business use is permitted under §6.4-7; and

WHEREAS, the Board's decision reached in said resolution was in reliance of the ruling in Furlong v. City of Chicago, Circuit Court of Cook County No. 83 L 52139, which interpreted §6.4-7 of the zoning ordinance as allowing the Board no discretion to consider any factor other than the zoning classification of the present and proposed non-conforming uses in determining whether a proposed substituted use should be allowed; that Furlong held that the Board was limited to determining whether the proposed non-conforming use was permitted in the same zoning district as the existing non-conforming use or in a more restrictive district; and that if the proposed use was permitted in the same or a more restrictive classification, then the substituted use had to be allowed; and

WHEREAS, the Pros Neighborhood Organization filed suit in the Circuit Court of Cook County, No. 84 CH 9114, asking the Court to judicially review the record and reverse the order of the Board entered on September 21, 1984; and

WHEREAS, on November 8, 1985, Judge Harold Siegan issued an order affirming the Board's decision; and

THE VOTE

Jack Guthman
 Roula Alakiotou
 Michael J. Howlett
 Lawrence E. Kennon
 Rafael R. Rios

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
	X	
X		

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Cal. No. 315-84-A

WHEREAS, on February 27, 1985 the City Council amended §6.4-7 of the zoning ordinance to provide that in the determination of whether to grant a substitution of non-conforming use

".....there shall be an evaluation of the hours of operation, vehicular traffic and noise levels generated by the use, the number of people reasonably expected to be attracted to the premises and other factors affecting other property or uses in the neighborhood in which it is located...."; and

WHEREAS, on November 11, 1985, the Pros Neighborhood Organization filed suit in the Appellate Court of Illinois, First Judicial District, asking the Court to reverse the order of the Circuit Court entered November 8, 1985; and

WHEREAS, that subsequent to the filing of the Pros appeal, the Appellate Court of Illinois on March 31, 1986 reversed the trial court's ruling in Furlong v. City of Chicago, finding, in part, that

".....when a change in non-conforming use is sought pursuant to §6.4-7, the Zoning Board, consistent with its duties to administer the zoning ordinance (Municipal Code of Chicago, Zoning Ordinance, Ch. 194A, Art. 11), has the authority to determine if the proposed use would unfairly infringe upon the health, safety and welfare of the public...that in making this determination, the Zoning Board may look at the particular proposed non-conforming use, and not just its general classification. Such scrutiny is especially appropriate where, as here, the district is zoned for residential use."; and

WHEREAS, on June 16, 1986, the Appellate Court issued an order remanding the case to the Zoning Board of Appeals with directions to reconsider its previous decision in Calendar No. 315-84-A in light of the reversal by the Appellate Court of the trial court's ruling in Furlong v. City of Chicago; and

WHEREAS, pursuant to said court remand, a further hearing was held by the Zoning Board of Appeals on October 17, 1986; 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 non-conforming one-story brick building on the subject site has been in existence for over 50 years, prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, and continuously used for casket warehousing and funeral vehicle and automobile storage by a funeral home located directly east and across the public alley at 624 N. Western Avenue; that the appellant seeks to establish a cremation chamber in a portion of the non-conforming building on the subject site occupied by casket and motor vehicle storage; that evidence presented indicates that said casket storage will remain on the subject site; that there will be up to four cremations daily at the subject site; that remains for cremation will be accepted by the proposed facility from other locations, in addition to those remains brought to the facility from the funeral home at 624 N. Western Avenue; that the proposed cremation facility will be controlled and operated by leasees of the premises who are not associated with the funeral home; that the Board finds that, comparatively, the requested additional use of

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Cal. No. 315-85-A

the subject premises as a cremation facility operated by leasees of the premises and to be used by the funeral home at 624 N. Western Avenue and other clients, and which will be located in a non-conforming building occupied by casket storage, is a more active, intense use of the premises than the existing, passive casket storage use; that the establishment of a crematorium in a portion of a non-conforming building occupied by casket storage, and to be operated by leasees, is an expansion of the non-conforming use at the site; and that the proposed use is not a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the Resolution of September 21, 1984 be and it hereby is reversed and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

MINUTES OF MEETING

October 17, 1986

Cal. No. 6-85-Z

Mr. Rufus Scarborough, for John Scarborough, owner, presented a request to amend the resolution adopted by the Zoning Board of Appeals on January 18, 1986 which approved the erection of a two-story addition to the rear of a two-story brick single family residence with no north side yard instead of 5 feet and with no rear yard instead of 30 feet, on premises at 1322-24 S. Spaulding Avenue, Cal. No. 6-85-Z.

The amendment requested is to correct the designation of the building to that of a two-story 3-dwelling unit building rather than a two-story single family residence. Mr. Scarborough stated that it was his understanding that the structure at 1322-24 S. Spaulding Avenue was a single family residence in that only one family resides in the building although there has always been 3-dwelling units in the building (basement, 1st and 2nd floors). Mr. Scarborough further stated that the applicant in Cal. No. 6-85-Z, Mr. John Scarborough and his wife live in the 1st floor dwelling unit and their daughter occupies the 2nd floor dwelling unit.

Chairman Guthman stated that the subject site building is located in an R4 District on a lot containing 6,250 square feet which is ample area to permit 3-dwelling units and moved that the request to amend resolution No. 6-85-Z to classify the subject site building as a 3-dwelling unit building in lieu of a single family residence, be granted. The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Alakiotou, Rios and Kennon. Nays- None. Absent-Howlett.

MINUTES OF MEETING

October 17, 1986

Cal. No. 288-83-Z

Barbara Belletini Fields, for Esperanza School, owner, presented a request for an extension of time in which to begin construction of a one-story gymnasium and auditorium addition to the south side of a three-story school which exceeds the allowable floor area ratio, at 520 N. Marshfield Avenue, which variation was granted by the Zoning Board of Appeals on October 21, 1983, Calendar No. 288-83-Z.

Chairman Guthman moved that the request be granted and the time extended until April 21, 1987. The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Alakiotou, Rios and Kennon. Nays- None. Absent- Howlett.

MINUTES OF MEETING
October 17, 1986
Cal. No. 252-86-S

Mr. John T. Conroy, for Monarch Air Service, Inc., presented a request to amend the resolution adopted by the Zoning Board of Appeals on September 19, 1986 which approved the location and the expansion of a previously approved off-site accessory parking lot for the parking of private passenger automobiles, on premises at 5928-30 S. Central Avenue, for the use of a business located at 5943 S. Central Avenue in Midway Airport, Calendar No. 252-86-S.

The amendment requested is to delete the conditions that read: ".....with the exception that ingress and egress for the said expanded accessory parking lot shall be from S. Central Avenue only; that a "Right Turn Only" sign shall be erected at the established entrance and exit on S. Central Avenue; that there shall be no ingress nor egress from the expanded parking lot into the residential community to the west via the roadway abutting the site approved by the Board in Calendar No. 16-86-S; that there shall be no ingress nor egress from S. Central Avenue via the aforesaid roadway." and to insert in lieu thereof the following condition: that ingress to the said expanded accessory parking lot shall be from S. Central Avenue only; that egress from the parking lot shall be onto S. Central Avenue via 59th Street; that a "Right Turn Only" sign shall be erected at the 59th Street exit."

Chairman Guthman moved that the request be granted. The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Alakiotou, Rios and Kennon. Nays- None. Absent- Howlett.

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October 17, 1986

Mr. Kennon moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on November 14, 1986.

Marian Rest
Secretary