

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

---

held in Room 569 County Building on Friday, October 16, 1987

at 9:00 A.M. and 2:00 P.M.

The following were present and constituted a quorum:

Lawrence E. Kennon  
Vice Chairman

Rafael R. Rios  
Roula Alakiotou

MINUTES OF MEETING  
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Mr. Rios moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on September 18, 1987 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

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:** Patricia G. Lawrence and Walter J. Lawrence  
**APPEARANCES FOR:**  
**APPEARANCES AGAINST:**

**CAL. NO.** 206-87-Z  
**MAP NO.** 7-G  
**MINUTES OF MEETING**  
October 16, 1987

**PREMISES AFFECTED—** 2435, 2437 and 2439 N. Janssen Avenue

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

**ACTION OF BOARD—**

Case continued to  
December 11, 1987.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Michael James  
 APPEARANCES FOR: Gary Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 207-87-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED— 1237 W. Webster Avenue

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

ACTION OF BOARD—

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Michael James for Michael James and Mary Rife James, owners, on September 8, 1987, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2nd story 22.67 feet by 23.5 feet room addition to the rear of an existing brick two-story residence and above an attached garage, which addition will be located entirely within the required rear yard, on premises at 1237 W. Webster Avenue and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 8, 1987 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 16, 1987 after due notice thereof by publication in the Chicago Tribune on September 28, 1987; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the applicant proposes to erect a second-story room addition above an attached garage at the rear of an existing brick two-story residence; 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 22.67 feet by 23.5 feet room addition is necessary to meet the needs of the applicant's family and that the only suitable location for the proposed room addition is above the attached garage in the south rear yard; that the plight of the owner is due to unique circumstances in that the depth of the lot is only 74 feet; that the variation, if granted, will not alter the essential character of the locality in that the proposed addition conforms to the walls of the existing garage building and will not alter the essential character of the locality; it is therefore

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

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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 second-story 22.67 feet by 23.5 feet room addition to the rear of an existing brick two-story residence and above an attached garage, which addition will be located entirely within the required rear yard, on premises at 1237 W. Webster Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Albert M. Friedman  
 APPEARANCES FOR: Albert M. Friedman  
 APPEARANCES AGAINST:

CAL. NO. 208-87-S  
 MAP NO. 1-F  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED-- 413-21 N. Clark Street and 63-73 W. Hubbard Street  
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		

THE RESOLUTION:

WHEREAS, Albert M. Friedman, for LaSalle National Bank, Tr. #10-20094-09, owner, on September 8, 1987, filed an application for a special use for the approval of the location and the continued operation of a public parking lot for the parking of private passenger automobiles, in a C3-5 Commercial-Manufacturing District, on premises at 413-21 N. Clark Street and 63-73 W. Hubbard Street, which parking lot was approved by the Board on December 18, 1981 in Cal. No. 374-81-S with a termination date of December 18, 1986; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 29, 1987 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, §9.3-2, §9.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1987 after due notice thereof by publication in the Chicago Tribune on September 28, 1987; and

WHEREAS, the district maps show that the premises are located in a C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C3-5 Commercial-Manufacturing District; that on December 18, 1981 the Board approved the establishment of a public parking lot for the parking of private passenger automobiles on the subject site, under certain conditions and with a termination date of December 18, 1986; that the Board hereby incorporates the testimony of the original application, Cal. No. 374-81-S, into the record of this case and finds 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 facilities; 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 termination date of October 16, 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

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

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Zoning Administrator is authorized to permit the continued operation of a public parking lot for the parking of private passenger automobiles, on premises at 413-21 N. Clark Street and 63-73 W. Hubbard 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 and fencing shall be maintained; that ingress and egress shall be from W. Hubbard Street and N. Clark Street; that the alley abutting the facility shall not be used for ingress nor for egress; that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M., Mondays through Thursdays, from 8 A.M. until Midnight on Fridays, and from 7 P.M. until Midnight on Saturdays; that the lot shall be securely locked at all other times; that an attendant's booth shall be provided; that the use of the premises as a public parking lot shall terminate four years from the date hereof, on October 16, 1991; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to continue to maintain and operate said parking lot in accordance with the provisions and standards hereby established under this order and resolution 374-81-S approved by the Board of December 18, 1981.

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

APPLICANT: McDonald's Corporation  
 APPEARANCES FOR: William J. Hennessey  
 APPEARANCES AGAINST:

CAL. NO. 209-87-S  
 MAP NO. 13-L  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED— 4942-54 N. Milwaukee Avenue and 5400-10 W. Gale Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, McDonald's Corporation, for McDonlad's Corporation and Chicago Title and Trust Co., Tr. #36925, owners, on September 14, 1987, filed an application for a special use under Article 11.10-5 of the zoning ordinance for the approval of the location and the expansion of the parking area of an existing drive-through restaurant, in a B4-2 Restricted Service District, on premises at 4942-54 N. Milwaukee Avenue and 5400-10 W. Gale Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 1987 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1987 after due notice thereof by publication in the Chicago Tribune on September 28, 1987; 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 subject site is improved with an existing McDonald's Restaurant and drive-through facility; that the drive-through facility was constructed prior to an ordinance passed by the City Council of May 9, 1984 which requires a special use under the zoning ordinance for establishments of the drive-through or drive-in type in B4 districts; that the applicant seeks to expand the existing restaurant and drive-through facility by adding 10 additional parking spaces for a total of 27 parking spaces; that the proposed expansion of the parking area of the subject restaurant is necessary for the public convenience to satisfy increased patronage of the restaurant; that the public health, safety and welfare will be adequately protected in the proposed use with provision of the following: the existing driveway on N. Milwaukee Avenue, presently located 50 feet northwest from the intersection with W. Gale Street, to be relocated 50 feet further northwest, that directional ingress and egress signs shall be provided; and that the proposed expanded restaurant parking area will be an improvement in this active commercial 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. 209-87-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the expansion of the parking area of an existing drive-through restaurant, on premises at 4942-54 N. Milwaukee Avenue and 5400-10 W. Gale Street, upon condition that the expanded parking area shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material 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 proposed parking area shall be enclosed with steel beam guard rails, excepting the driveway on N. Milwaukee Avenue; that the existing driveway on N. Milwaukee Avenue shall be relocated 50 feet further northwest of the intersection of N. Milwaukee Avenue and W. Gale Street; that directional ingress and egress signs shall be erected at the established entrance and exit; that the parking stalls shall be designated by striping; that lighting shall be provided; that the driveway shall be constructed in accordance with applicable ordinances; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Gregory and Vivian Peavy  
 APPEARANCES FOR: Gregory Peavy  
 APPEARANCES AGAINST:

CAL. NO. 210-87-Z  
 MAP NO. 20-D  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED-- 8401 S. Dante Avenue

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

ACTION OF BOARD--

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Gregory and Vivian Peavy, owners, on September 18, 1987, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, a 24 feet by 40 feet dormered addition to the attic of a one-story brick single family residence, with a south side yard of approximately 1.2 feet instead of 4.8 feet and whose floor area ratio is 0.65 instead of 0.5, on premises at 8401 S. Dante Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 18, 1987 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, §7.6-2, §7.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1987 after due notice thereof by publication in the Chicago Tribune on September 28, 1987; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a corner lot improved with a one-story single family residence; 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 24 feet by 40 feet dormer addition is necessary to provide additional living space in the existing one-story residence; that the plight of the owner is due to the limited size of the subject lot; and that the variations, if granted, will not alter the essential character of the locality in that the dormer addition follows the building lines of the existing residence and will not affect an adequate supply of light and air to abutting residential property; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a 24 feet by 40 feet dormered addition to the attic of a one-story brick single family residence, with a south side yard of 1.2 feet instead of 4.8 feet and whose floor area ratio is 0.65 instead of 0.5, on premises at 8401 S. Dante Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before PAGE 10 OF MINUTES a permit is issued.

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

**APPLICANT:** Bernard I. Citron, Schain, Firsell, Brown & Burney, Ltd.

**CAL. NO.** 211-87-Z

**APPEARANCES FOR:**

**MAP NO.** 9-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**  
October 16, 1987

**PREMISES AFFECTED—** 1103 W. Newport Avenue

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

**ACTION OF BOARD—**

Case continued to  
December 11, 1987.

**THE VOTE**

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

Rafael R. Rios

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

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

APPLICANT: Bernard I. Citron, Schain, Firsell, Brown & Burney, Ltd.

CAL. NO. 212-87-S

APPEARANCES FOR:

MAP NO. 4-I

APPEARANCES AGAINST:

MINUTES OF MEETING

October 16, 1987

PREMISES AFFECTED— 1434-56 S. Western Avenue and 2400-46 W. 15th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
December 11, 1987.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Bernard I. Citron, Schain, Firsell, Brown & Burney, Ltd.

CAL. NO. 213-87-S

APPEARANCES FOR:

MAP NO. 19-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1987

PREMISES AFFECTED— 1612-20 W. Chase Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
December 11, 1987.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Bernard I. Citron, Schain, Firsell, Brown & Burney, Ltd.

CAL. NO. 214-87-Z

APPEARANCES FOR:

MAP NO. 19-H

APPEARANCES AGAINST:

MINUTES OF MEETING

October 16, 1987

PREMISES AFFECTED— 1612-20 W. Chase Avenue

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

ACTION OF BOARD—

Case continued to  
December 11, 1987.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Rev. Aaron L. Royster  
 APPEARANCES FOR: Louis Baskin  
 APPEARANCES AGAINST: Joseph P. Meegan

CAL. NO. 215-87-S  
 MAP NO. 12-H  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED-- 5117 S. Damen Avenue  
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application denied.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Rev. Aaron L. Royster, for Judith Kozora and Sonya Forey, owners, on September 18, 1987, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church on the 1st floor of a two-story brick store and apartment building, in a B4-1 Restricted Service District, on premises at 5117 S. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 11, 1987 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 16, 1987 after due notice thereof by publication in the Chicago Tribune on September 28, 1987; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is located within 100 feet of a grocery and package liquor store in a C1-1 zone and which is a permitted use in that zone; that the Board takes judicial notice of statutes in effect under which the rights of a permitted business in the area would be jeopardized by the establishment of a church at the subject site and finds that a church at this location is not compatible with the active business character of this area of S. Damen Avenue and W. 51st Street; and that the economic viability and future development of permitted business uses in the immediate area would be restricted by the establishment of a church at this location; it is therefore

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

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

APPLICANT: University of Chicago  
 APPEARANCES FOR: Catherine McMahon  
 APPEARANCES AGAINST:

CAL NO. 216-87-S  
 MAP NO. 14-D  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED— 5700 S. Stony Island Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, University of Chicago, owner, on September 18, 1987, filed an application for a special use for the approval of the location and the establishment of a dwelling unit on the 1st floor of a proposed five-story 21-dwelling unit building, in a B4-4 Restricted Service District, on premises at 5700 S. Stony Island Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 17, 1987 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 16, 1987 after due notice thereof by publication in the Chicago Tribune on September 28, 1987; and

WHEREAS, the district maps show that the premises are located in a B4-4 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 B4-4 Restricted Service District; that the proposed use is necessary for the public convenience at this location in that the proposed five-story 21-dwelling unit building is necessary to provide needed housing for faculty and students of the University of Chicago; that there is no demand for business improvements in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the building which will provide adequate off-street parking and open space; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that S. Stony Island Avenue in this area is predominantly improved with residential and University of Chicago uses; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a dwelling unit on the 1st floor of a proposed five-story 21-dwelling unit building, on premises at 5700 S. Stony Island 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: Scrap Management Corporation  
 APPEARANCES FOR: Richard L. Wexler  
 APPEARANCES AGAINST:

CAL. NO. 217-87-S  
 MAP NO. 1-I  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED-- 350 N. Artesian Avenue  
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Scrap Management Corporation, for Chicago and North Western Transportation Company, owner, on September 17, 1987, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a scrap metal recycling facility (junk yard), in an M2-2 General Manufacturing District, on premises at 350 N. Artesian Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 15, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1987 after due notice thereof by publication in the Chicago Tribune on September 28, 1987; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-2 General Manufacturing District; that the subject site, formerly Chicago and North Western railroad tracks, is approximately 5.7 acres surrounded by Chicago and North Western railroad tracks and Metra transportation system tracks to the north, railroad tracks and other manufacturing uses to the south, railroad tracks to the west, and metal manufacturing uses to the southwest; that the applicant proposes to collect and process primarily scrap steel and new unused steel materials; that the scrap metal recycling process includes collecting, shearing, baling, compacting and storage pending shipment by railroad to mills in Sterling, Illinois; that the hours of operation of the proposed recycling facility will be limited to the hours between 7 A.M. and 6 P.M.; that ingress and egress to the subject site will be from N. Artesian Avenue; that no materials will remain on the premises longer than one week; that the proposed use is necessary for the public convenience at this location in that it will return an otherwise dormant railroad site to productive use, thereby creating employment, and will continue to support the Chicago and North Western railroad by providing cartage business and also enable the railroad to serve the surrounding heavy industrial uses in the area; that the public health, safety and welfare will be

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Cal. No. 217-87-S

adequately protected in the proposed use which will utilize state-of-the-art recycling equipment and methods and which will be operated in compliance with the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency, the City of Chicago Environmental Protection Division of the Department of Consumer Services, and in compliance with the performance standards established in Article 10 of the zoning ordinance; and that the subject site is located in an M2-2 General Manufacturing District in an area which is surrounded on all sides by industrial and transportation uses and that the establishment of the proposed scrap metal recycling facility will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a scrap metal recycling facility (junk yard), on premises at 350 N. Artesian Avenue, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 6 P.M., that ingress and egress shall be from N. Artesian Avenue; that the proposed use shall be conducted in compliance with the requirements of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency, the City of Chicago Environmental Protection Division of the Department of Consumer Services, and the performance standards established under Article 10 of the zoning ordinance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Nickolas Angelatos

CAL. NO. 218-87-A

APPEARANCES FOR:

MAP NO. 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING

October 16, 1987

PREMISES AFFECTED— 6643 S. Kedzie Avenue

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

ACTION OF BOARD—

Case continued to  
December 11, 1987.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

Rafael R. Rios

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

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

APPLICANT: Allen Case  
 APPEARANCES FOR: Bryan J. O'Connor  
 APPEARANCES AGAINST:

CAL. NO. 219-87-A  
 MAP NO. 8-F  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED-- 3235 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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Allen Case, for Anthony Pusateri, owner, on September 11, 1987, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant in a two-story brick store and apartment building, in a B1-2 Local Retail District, on premises at 3235 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 8, 1987 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 16, 1987; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B1-2 Local Retail District; that on February 15, 1984 the City Council rezoned the subject site from B5-2 to B1-2 making the use of the premises as a grocery store at that time non-conforming; that on August 21, 1987, the Board permitted the appellant to establish a florist and hardware business, a B2 use, in the two-story brick store and apartment building on the subject site, Cal. No. 173-87-A; that the appellant contends that the said florist and hardware business is primarily a spring and summer operation and that he now seeks to establish a snack shop in the premises during the period of time when the existing florist and hardware business is not in operation; that a snack shop is a B2 use; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a restaurant in a two-story brick store and apartment building, on premises at 3235 S. Halsted Street, upon condition that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be served on the premises; that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Willie Harris  
 APPEARANCES FOR: Willie Harris  
 APPEARANCES AGAINST:

CAL. NO. 220-87-A  
 MAP NO. 20-F  
 MINUTES OF MEETING  
 October 16, 1987

PREMISES AFFECTED— 535 W. 80th 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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Willie Harris, for Hannah Casey, owner, on September 16, 1987, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a school supply and candy store in a one-story frame store and apartment building, in an R3 General Residence District, on premises at 535 W. 80th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 15, 1987 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 16, 1987; 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 store in the building on the subject site has been vacant and unoccupied by business uses in excess of one year; that under §6.4-5 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

**APPLICANT:** Walter Gaskey & Terry Willis  
**APPEARANCES FOR:** Terry Willis  
**APPEARANCES AGAINST:**

**CAL. NO.** 221-87-A  
**MAP NO.** 13-G  
**MINUTES OF MEETING**  
 October 16, 1987

**PREMISES AFFECTED—** 1515 W. Summerdale 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**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, Walter Gaskey & Terry Willis, for John Cresham, owner, on September 17, 1987, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an automobile repair shop and storage of a tow-truck in a two-story brick garage building on the rear of a lot improved additionally with a two-story brick store and apartment building, in a B3-2 General Retail District, on premises at 1515 W. Summerdale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 1988 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 16, 1987; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-2 General Retail District; that the two-story brick garage building on the rear of the lot has been occupied by an automobile repair shop since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

WHEREAS, 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 an automobile repair shop and storage of a tow-truck in a two-story brick garage building on the rear of a lot improved additionally with a two-story brick store and apartment building, on premises at 1515 W. Summerdale Avenue, upon condition that there shall be no automobile body or fender work, spray painting or engine rebuilding on the premises; that no vehicles which have been repaired or are awaiting repairs shall be parked on the city streets and sidewalks; that repair work and vehicle storage shall take place inside the building; that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 608**

**APPLICANT:** 3 Circles School of Karate & Physical Fitness, Inc.  
**APPEARANCES FOR:** Benjamin J. Peacock  
**APPEARANCES AGAINST:**

**CAL. NO.** 222-87-A  
**MAP NO.** 7-K  
**MINUTES OF MEETING**  
 October 16, 1987

**PREMISES AFFECTED—** 4141 W. Belmont 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**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, 3 Circles School of Karate & Physical Fitness, Inc., for Bella Heifetz, owner, on September 9, 1987, filed an appeal from the decision of the office of the Zoning Administrator in refusing to permit a martial arts training business on the 3rd floor of a four-story building, in an M1-1 Restricted Manufacturing District, on premises at 4141 W. Belmont Avenue, which is alleged is a trade school and therefore a permitted use; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 8, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1987; and

WHEREAS, the district maps show that the premises are located in M1-1 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 M1-1 Restricted Manufacturing District on the 3rd floor of a four-story building formerly occupied by DeVry Technical Institute; that the appellant proposes to establish a Karate training school and mini-health club at the subject site; that the mini-health club will contain physical fitness equipment for use by the karate school students; that there is no swimming pool, sauna or similar health club services at the subject site; that a curriculum has been developed for the students who receive certification upon completion of the prescribed course of instruction; that 80 percent of the students will later open their own karate and physical fitness schools; that the Board finds that the proposed operation constitutes a trade school which is a permitted use in the M1-1 Restricted Manufacturing District; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a martial arts training business on the 3rd floor of a four-story building, on premises at 4141 W. Belmont 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:** Michael Lustig  
**APPEARANCES FOR:** Marc Schulman, Atul Karkhanis  
**APPEARANCES AGAINST:**

**CAL. NO.** 176-87-A  
**MAP NO.** 3-E  
**MINUTES OF MEETING**  
 October 16, 1987

**PREMISES AFFECTED—** 34 E. Elm 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**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, Michael Lustig, for Cosmopolitan Bank, Tr. #6688, owner, on June 23, 1987, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the basement dwelling unit in a three-story brick four-dwelling unit building with on-site parking space for three instead of four automobiles, in an R5 General Residence District, on premises at 34 E. Elm Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 29, 1988 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(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1987; 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 on September 12, 1979 the district was rezoned from R7 to R5 General Residence; that the three-story building on the subject site, built in 1910, was originally a boarding house and was later deconverted to four dwelling units; that architectural details indicates that the building contained a basement dwelling unit prior to July 21, 1971; that prior to that time the three on-site parking spaces complied with code requirements; that no additional parking is now required; that the appellant has a right to continue the occupancy of the building as four dwelling units with on-site parking space for three instead of four automobiles, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the basement dwelling unit in a three-story brick four-dwelling unit building with on-site parking space for three instead of four automobiles, on premises at 34 E. Elm Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Butternut Square Associates

CAL. NO. 120-87-Z

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1987

PREMISES AFFECTED— 1435-71 W. Webster Avenue and 1406-62 W. Shakespeare Avenue

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

ACTION OF BOARD—

Case continued to  
December 11, 1987.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

Rafael R. Rios

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

**APPLICANT:** D.L.G. Development, Inc.  
**APPEARANCES FOR:**  
**APPEARANCES AGAINST:**

**CAL NO.** 198-87-Z  
**MAP NO.** 2-G  
**MINUTES OF MEETING**  
October 16, 1987

**PREMISES AFFECTED—** 1526-28 W. Jackson Boulevard

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

**ACTION OF BOARD—**

Application withdrawn upon motion of applicant.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

MINUTES OF MEETING

October 16, 1987

Cal. No. 185-87-S and  
186-87-Z

Mr. John J. Pikarski, Jr., for Michael Pontarelli, presented a request for permission to file a new application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use on the 1st floor of a proposed 3-story 11-dwelling unit building, in a B4-2 Restricted Service District, and an application for a variation of the zoning ordinance to permit the erection of the said building whose north side yard will be 3 feet instead of 6.9 feet and with no provision for one loading berth, on premises at 3926-30 N. Narragansett Avenue, which applications were denied by the Zoning Board of Appeals on September 18, 1987 in Cal. Nos. 185-87-S and 186-87-Z.

Mr. Pikarski presented a new drawing which now positions the proposed building nearer the front lot line with a new rear yard parking configuration which he believes will be acceptable to the Board and stated further that he believes the on-site parking was the sole source of question on the previous special use and variation requests denied by the Board on September 18, 1987.

Vice Chairman Kennon moved that the request to file new special use and variation applications for the property located at 3926-30 N. Narragansett Avenue be granted. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

October 16, 1987

Cal. No. 320-85-Z

Mr. Patrick Fitzgerald presented a request for an extension of time in which to obtain the necessary building permits for the erection of a two-story five-dwelling unit townhouse building on an irregularly shaped lot whose south front yard will be 2 instead of 12 feet, whose north rear yard will be 3 instead of 30 feet and whose west side yard will be 2 instead of 6 feet, on premises at 1905 N. Seminary Avenue and 1900 N. Kenmore Avenue, which variations were granted by the Zoning Board of Appeals on October 18, 1985 in Cal. No. 330-85-Z and for which an extension of time until October 18, 1986 was granted by the Board on July 18, 1986.

Mr. Fitzgerald stated that the property has been sold to another developer who wishes to proceed with the development of the parcel of land. The new developer has retained Mr. Fitzgerald to design a building for the site and on investigating the matter, Mr. Fitzgerald discovered that the original extension had expired.

Mr. Fitzgerald also stated that the new developer has indicated that small units of the type originally intended for the subject site are not in great demand and that larger units would be more marketable. He therefore has requested that the number of units be reduced from 5 to 4 units and that a building be designed that would meet or exceed all of the original yard variations.

Vice Chairman Kennon moved that the request for an extension of time be denied and that Mr. Fitzgerald may file a new application for variations of the zoning ordinance due to the fact that there has been too long a time lapse and that the plans for the development have changed. The motion prevailed by yeas and nays as follows:

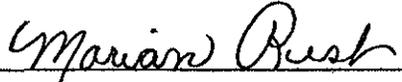
Yeas- Kennon, Rios and Alakiotou. Nays- None. Absent- Howlett.

MINUTES OF MEETING

October 16, 1987

Ms. Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on October 23, 1987.

  
Secretary

MINUTES OF THE SPECIAL MEETING OF THE  
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, October 23, 1987

at 1:00 P.M.

The following were present and constituted a quorum:

Lawrence E. Kennon

Vice Chairman

Rafael R. Rios

Roula Alakiotou

MINUTES OF MEETING  
October 23, 1987

Mr. Rios moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on October 16, 1987 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

The Board thereupon held the special meeting, taking action designated on the face of the resolution.

APPLICANT: Charles Ifergan  
 APPEARANCES FOR: Lawrence J. Suffredin  
 APPEARANCES AGAINST: Frank J. Scarpelli, Stephen Alport

CAL. NO. 94-87-Z  
 MAP NO. 3-E  
 MINUTES OF MEETING  
 October 23, 1987

PREMISES AFFECTED— 38 E. Schiller Street

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

**ACTION OF BOARD—**

Application approved.

**THE VOTE**

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

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

**THE RESOLUTION:**

WHEREAS, Charles Ifergan, for LaSalle National Bank, Tr. #103852, owner, on March 23, 1987, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the addition of a 2nd and 3rd floor above the one-story portion of a one and three-story brick single family residence and a partial 8 feet long 2nd story addition above the proposed garage to the rear thereof, with no side yards instead of 2 feet each and whose rear yard will be 8.98 feet instead of 30 feet, on premises at 38 E. Schiller Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 25, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-5, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on October 23, 1987 after due notice thereof by publication in the Chicago Tribune on March 30, 1987; 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 in a Landmark Preservation Area; that the subject site is improved with an existing one and three-story brick single family rowhouse dwelling on the front of the lot with a permitted attached accessory one-story garage at the rear; that the subject parcel of land is 20.5 feet by 105 feet; that approximately 8 feet of the rear of the lot is a private alley easement; that the existing garage extends to said easement; that the applicant seeks to erect a 2nd and 3rd floor above the existing one-story portion of the residential building and a partial 2nd story addition above a proposed new garage; that the new garage structure will be sited in the same location as the existing garage; that the proposed 2nd story addition over the garage will extend approximately 8 feet from the north wall of the proposed 2nd floor of the addition be constructed at the rear of the existing residential building; that the balance of the area above the garage will be utilized as an open deck area; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the

MINUTES OF MEETING

October 23, 1987

Cal. No. 94-87-Z

conditions allowed by the regulations in this district in that the additions as proposed are necessary to expand the existing living space in the residence to meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that the 20.5 feet by 105 feet lot with an 8 foot rear easement limits the space available for a practical addition to meet the needs of the applicant; and that the variations, if granted, will not alter the essential character of the locality in that the subject site is one unit of an eight-unit rowhouse, none of which comply with side or rear yard requirements of the zoning ordinance and which have various building heights in the rear yards and abut a five and six-story building to the north, and that the proposed additions will not adversely affect an adequate supply of light and air to abutting properties; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the addition of a 2nd and 3rd floor above the one-story portion of a one and three-story brick single family residence and a partial 8 feet long 2nd story addition above the proposed garage to the rear thereof, with no side yards instead of 2 feet each and whose rear yard will be 8.98 feet instead of 30 feet, on premises at 38 E. Schiller Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING  
October 23, 1987

Ms. Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on November 13, 1987.

*Marvin Reeb*

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Secretary