

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, March 17, 1989

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

The following were present and constituted a quorum:

Lawrence E. Kennon  
Chairman

James E. Caldwell  
Roula Alakiotou  
Anthony J. Fornelli

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Chairman Kennon moved that the Board approved the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on February 17, 1989 and the special hearings held on January 13, 1989, January 27, 1989 and February 22, 1989 regarding the Paxton Landfill Corporation application for the establishment of a sanitary landfill at 11601 S. Stony Island Avenue, Calendar No. 1-89-S, (as submitted by the Secretary) as the minutes of said meetings.

The motion prevailed by yeas and nays and follows:

Yeas- Kennon, Caldwell, Alakiotou, Fornelli. 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: Emmanuel Monreal, by Seymour Goldberg  
 APPEARANCES FOR: Monte Viner  
 APPEARANCES AGAINST:

CAL. NO. 46-89-Z  
 MAP NO. 6-J  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED— 3047-59 S. Central Park 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Emmanuel Monreal, owner, on February 7, 1989, filed an application for a variation of the zoning ordinance to permit, in a C1-1 Restricted Commercial District, the erection of a one-story 25' x 125.29' addition to the north side of a one-story brick banquet hall, with no west front and north side transitional yards instead of 20 feet and 2.5 feet, respectively, as required when abutting an R3 Residence District, on premises at 3047-59 S. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1989 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, §9.8-2, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-1 Restricted Commercial District; that the subject site is improved with an existing one-story banquet hall building with a one-story 25' x 125.29' addition abutting to the north; that on October 26, 1988 the City Council rezoned the subject site from B4-1 and R3 to C1-1 expressly for the said addition; that the subject addition was erected without obtaining the necessary building permits because the previous architect thought he could expand the existing building as proposed when the district zoning was changed; that the applicant now seeks to legalize the said addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested variations are necessary for an addition to provide the capacity needed for the banquet hall activities; that the plight of the owner is due to the requirement of a 20 feet front transitional yard and 2.5 feet transitional north side yard when abutting a residence district; and that the variations, if granted, will not alter the essential character of the locality in that the said addition follows the west front building line of the existing one-story banquet hall building; it is therefore

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Cal. No. 46-89-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 25' x 125.29' addition to the north side of a one-story brick banquet hall with no west front and north side transitional yards instead of 20 feet and 2.5 feet, respectively, as required when abutting an R3 Residence District, on premises at 3047-59 S. Central Park 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: Emmanuel Monreal, by Seymour Goldberg  
 APPEARANCES FOR: Monte Viner  
 APPEARANCES AGAINST:

CAL. NO. 47-89-S  
 MAP NO. 6-J  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED-- 3054-58 S. Drake 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

RESOLUTION:

WHEREAS, Emmanuel Monreal, owner, on February 7, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a C1-1 Restricted Commercial District, on premises at 3054-58 S. Drake Avenue, to satisfy the parking requirements for a banquet hall located at 3047-59 S. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.4-1. §9.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that on October 26, 1988 the City Council rezoned the subject site from B4-1 and R3 to C1-1 expressly for the proposed use; that on March 17, 1989 the Board granted a variation to permit the erection of a one-story 25' x 125.29' addition to the north side of a one-story brick banquet hall, with no west front and north side transitional yards instead of 20 feet and 2.5 feet, respectively, as required when abutting an R3 Residence District, on premises at 3047-59 S. Central Park Avenue, Cal. No. 46-89-Z; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirements for the banquet hall located at 3047-59 S. Central Park Avenue; that the public health, safety and welfare will be adequately protected in the location, design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot will be an improvement of an existing unsightly vacant lot and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

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parking lot, on premises at 3054-58 S. Drake Avenue, to satisfy the parking requirements for a banquet hall located at 3047-59 S. Central Park Avenue, upon condition that no use shall be made of the property for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of patron private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be enclosed, excepting driveways, with a 6 feet high chain link fence; that a 20' x 20' area landscaped with grass and shrubbery shall be provided at the northeast corner of the lot; that the balance of the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that wheel stop strips shall be provided; that lighting shall be provided which shall be directed away from abutting residential properties; that ingress and egress shall be from W. 31st Street; that there shall be no ingress nor egress from the public alley abutting the site to the west; that the driveways shall be constructed in accordance with applicable ordinances; that the hours of operation of the parking lot shall be limited to the hours of operation of the banquet hall on Fridays through Sundays; that the lot shall be securely locked at all other times when not in use by the banquet hall at 3047-59 S. Central Park Avenue; 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 owner to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance.

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

APPLICANT: Emmanuel Monreal, by Seymour Goldberg  
 APPEARANCES FOR: Monte Viner  
 APPEARANCES AGAINST:

CAL. NO. 48-89-Z  
 MAP NO. 6-J  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED— 3054-58 S. Drake 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Emmanuel Monreal, owner, on February 7, 1989, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in a C1-1 Restricted Commercial District, the establishment of an accessory parking lot with no transitional north side yard instead of 2.5 feet, as required when abutting an R3 General Residence District, on premises at 3054-58 S. Drake Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1989 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, §9.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Manufacturing District; that on March 17, 1989 the Board approved a special use for the establishment of an off-site accessory parking lot for the parking of private passenger automobiles at the subject site to satisfy the parking requirements for a banquet hall located at 3047-59 S. Central Park Avenue, Calendar No. 47-89-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested variation is necessary to fully utilize the site for additional patron parking; that the plight of the owner is due to the requirement of a 20' x 20' transitional front yard at the northeast corner of the site thereby necessitating maximum utilization of the balance of the lot; and that with landscaping provided in said yard area the variation, if granted, will not materially alter the essential character of the locality; it is therefore

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

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Cal. No. 48-89-Z

zoning ordinance and that a variation be and it hereby is granted to permit the establishment of an accessory parking lot with no transitional north side yard instead of 2.5 feet as required when abutting an R3 Residence District, on premises at 3054-58 S. Drake 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: Conservative Baptist Home Mission Society, by Walter Carlson,  
 APPEARANCES FOR: R. Mathews Architect  
 APPEARANCES AGAINST:

CAL. NO. 49-89-S  
 MAP NO. 2-I  
 MINUTES OF MEETING  
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PREMISES AFFECTED-- 139 S. Albany 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

THE RESOLUTION:

WHEREAS, Conservative Baptist Home Mission Society, owner, on February 15, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a one-story community center addition to the south side of a one-story brick church building, in an R4 General Residence District, on premises at 139 S. Albany Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1989 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, §7.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; 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 March 26, 1970 the applicant was granted a special use to erect a community center and gymnasium at the subject site, Calendar No. 42-70-S, and a variation was granted permitting the erection of said community center and gymnasium with no south side yard instead of 9.6 feet, Calendar No. 43-70-Z; that the proposed community center/gymnasium addition was not built due to financial difficulties; that the applicant now seeks to go forward with the one-story addition as proposed; that the proposed community center addition is necessary for the public convenience at this location to provide recreational facilities for the youth in the area; that the public health, safety and welfare will be adequately protected in the location, design and operation of the proposed facility which will comply with all applicable building code regulations and that adequate off-street parking is available on-site; and that the proposed use is compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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March 17, 1989

Cal. No. 49-89-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a one-story community center addition to the south side of a one-story brick church building, on premises at 139 S. Albany 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: Conservative Baptist Home Mission Society, by Walter Carlson, CAL NO. 50-89-Z  
 APPEARANCES FOR: R. Mathews Architect MAP NO. 2-1  
 APPEARANCES AGAINST: MINUTES OF MEETING  
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PREMISES AFFECTED-- 139 S. Albany 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Conservative Baptist Home Mission Society, owner, on January 17, 1989, filed an application for a variation under the zoning ordinance to permit, in an R4 General Residence District, the erection of a one-story brick church building, with no south side yard instead of 14.4 feet and no rear yard instead of 30 feet, on premises at 139 S. Albany Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 17, 1989 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, §7.8-4, §11.7-4.1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and argument of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on March 17, 1989 in Calendar No. 49-89-S, the Board approved a special use for the erection of a one-story community center/gymnasium addition to the south side of a one-story brick church building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations are necessary to construct a building of the size requested in order to provide a minimum size gymnasium; that the plight of the owner is due to the configuration of the existing church building on the irregular subject site lot; and that the variations, if granted, will not alter the essential character of the locality in that the proposed use will be compatible with the existing uses in the area and will be an improvement in an area containing many vacant lots; it is therefore

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

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a one-story brick community center/gymnasium building with no south side yard instead of 14.4 feet and no rear yard instead of 30 feet, on premises at 139 S. Albany 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: Premier Ventures Dearborn, by Bernard I. Citron  
 APPEARANCES FOR: Bernard I. Citron  
 APPEARANCES AGAINST:

CAL. NO. 51-89-Z  
 MAP NO. 3-F  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED--- 1028 N. Dearborn Street

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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

THE RESOLUTION:

WHEREAS, Premier Ventures Dearborn, for Harris Trust and Savings Bank, Tr. No. 380-13, owner, on January 26, 1989, filed an application for a variation of the zoning ordinance to permit, in a C2-4 General Commercial District, the erection of a five-story commercial building, with no front transitional yard instead of 15 feet required when abutting an R7 General Residence District and with no provision for one loading berth, on premises at 1028 N. Dearborn Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 26, 1989 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, §8.8-1, §9.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

WHEREAS, the district maps show that the premises are located in a C2-4 General 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 C2-4 General Commercial District; that on December 21, 1988 the City Council rezoned the subject site from R7 to C2-4 expressly for the proposed building; that the subject property is currently improved with a three-story brick building and a brick garage; that the applicant proposes to demolish the existing structures and construct a five-story with high basement commercial building on the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested variations are necessary to provide the maximum square footage possible for the proposed service-type retail uses to make the project economically feasible; that the plight of the owner is due to the transitional front yard requirement when abutting an R7 Residence District; that the existing alley at the rear of the property is only 17.5 feet wide and is not maneuverable for large truck deliveries and that the inclusion of a loading berth will eliminate retail space in the building; and that the variations, if granted, will not alter the essential character of the locality in that

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the proposed building will be compatible with the majority of the improvements in the block which do not comply with the front yard requirements and loading berth requirements of the zoning ordinance; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a five-story with high basement commercial building, with no front transitional yard instead of 15 feet required when abutting an R7 General Residence District and with no provision for one loading berth, on premises at 1028 N. Dearborn 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: Steven Hurley/Mark Graczyk  
 APPEARANCES FOR: Steven Hurley  
 APPEARANCES AGAINST:

CAL. NO. 52-89-Z  
 MAP NO. 7-H  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED-- 1912 W. Wellington 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Steven Hurley/Mark Graczyk, owners, on February 15, 1989, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a one-and-a-half story addition to the front of a one-and-a-half story brick single-family residence, whose front yard will be 7.37 feet instead of 20 feet and whose west side yard will be approximately 8 inches instead of 2.5 feet, on premises at 1912 W. Wellington Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 3, 1989 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; 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 subject site is improved with an existing 1½-story brick residential building with a high basement and an enclosed brick and stone front porch; that the existing residential structure, built in 1913, is approximately 1,020 sq. ft.; that the applicants propose to renovate the existing porch space to provide a 16' x 16' 1½-story living room which will provide an additional 200 sq. ft. living space; 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 addition is necessary to meet the needs of the applicants; that the plight of the owners is due to the configuration of the existing residence on the subject site which necessitates upward expansion; and that the proposed addition will blend in with the existing building lines and that the projection of the addition into the required front yard will not materially alter the essential character of the locality; it is therefore

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Cal. No. 52-89-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-and-half story addition to the front of a one-and-a-half story single-family residence, whose front yard will be 7.37 feet instead of 20 feet and whose west side yard will be approximately 8 inches instead of 2.5 feet, on premises at 1912 W. Wellington 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: Steven D. Fifield  
 APPEARANCES FOR: Kevin J. Rielly  
 APPEARANCES AGAINST:

CAL. NO. 53-89-Z  
 MAP NO. 3-F  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED--- 920 N. Clark Street  
 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Steven D. Fifield, by Rudnick & Wolfe, for Henrotin Hospital Corporation, owner, on February 15, 1989, filed an application for a variation of the zoning ordinance to permit, in an R6 General Residence District, the erection of a four-story four-dwelling unit townhouse building, whose front yard will be 4 instead of 15 feet, whose north side yard will be 3 feet instead of 6 feet and with no rear yard instead of 30 feet, on premises at 920 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1989 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, §7.7-6, §7.8-6, §7.9-6, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R6 General Residence District; that on December 21, 1988 the City Council rezoned the subject site from C2-4 to R6 specifically for the proposed townhouse development; that the subject site is part of the former Henrotin Hospital complex and is currently improved with a two-story commercial building; that the applicant proposes to demolish the existing commercial building and erect a four-story four-dwelling unit townhouse building on the site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to construct an economically viable townhouse development with enclosed parking on this lot would require authorized variations; that the plight of the owner is due to the size of the lot, 50' x 151.4', which necessitates the requested yard variations; and that the variations, if granted, will not alter the essential character of the locality in that the proposed townhouse development will be compatible with many of the existing residential improvements in the area which do not comply

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Cal. No. 53-89-Z

with the yard requirements of the zoning ordinance; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a four-story four-dwelling unit townhouse building, whose front yard will be 4 feet instead of 15 feet, whose north side yard will be 3 feet instead of 6 feet and with no rear yard instead of 30 feet, on premises at 920 N. Clark 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: Marc Kalman Segel  
 APPEARANCES FOR: Barukh Schur  
 APPEARANCES AGAINST:

CAL. NO. 54-89-Z  
 MAP NO. 15-J  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED-- 5942 N. Drake 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Marc Kalman Segel, for David and Rosa Schur, owners, on February 17, 1989, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a two-story addition to the rear of a two-story brick single-family residence, whose north side yard will be 2.32 feet and whose south side yard will be 2.92 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 5942 N. Drake Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1989 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 March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; 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 proposed use is to be located in an R2 Single-Family Residence District; that the subject site is currently improved with a two-story brick single-family residence and a partially completed frame addition at the rear; 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 variations are necessary to provide additional living space to meet the needs of the applicant and his family; that the plight of the owner is due to the configuration of the existing two-story single-family residence on this shallow zoning lot; that the proposed two-story addition will follow the existing building lines and will not affect an adequate supply of light and air to adjacent properties; and that the variations, if granted, will be compatible with the existing residential improvements in the area and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 17, 1989

Cal. No. 54-89-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story addition to the rear of a two-story brick single-family residence, whose north side yard will be 2.32 feet and whose south side yard will be 2.92 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 5942 N. Drake 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: Thomas Neal

CAL. NO. 55-89-Z

APPEARANCES FOR:

MAP NO. 3-E

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1989

PREMISES AFFECTED— 1224 N. Astor Street

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

ACTION OF BOARD—

Case continued to  
April 21, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Brick & Mortar, an Illinois general partnership  
 APPEARANCES FOR: Rolando Acosta et al.  
 APPEARANCES AGAINST:

CAL. NO. 56-89-Z  
 MAP NO. 1-E  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED— 646 N. Michigan 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

THE RESOLUTION:

WHEREAS, Brick & Mortar, an Illinois general partnership, for American National Bank and Trust Company of Chicago, Tr. #104732-05, owner, on February 17, 1989, filed an application for a variation of the zoning ordinance to permit, in a B6-7 Restricted Central Business District, the erection of a four-story with penthouse retail sales building, with one instead of two loading berths, on premises at 646 N. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1989 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, §8.10-6(1), §11.7-\$(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District that the subject site is an 8,209 sq. ft. parcel of land at the southwest corner of E. Erie Street and N. Michigan Avenue; that the applicant proposes to erect a four-story with penthouse glass enclosed building containing about 30,000 sq. ft. of retail space to be occupied by Crate and Barrel as its flagship store for the sale of contemporary home furnishing merchandise including furniture; that the proposed use requires two 10' x 50' loading berths having a vertical clearance of at least 14 feet; that the proposed building represents about 30% of the density allowable under the subject site's B6-7 zoning; 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 smallish size of the subject lot and the proposed low-rise development, the requirement of two loading berths would result in the loss of important first floor retail space thereby rendering the project economically unfeasible; that the plight of the owner is due to unique circumstances in that provision of a second loading berth would restrict the size and flow of the most valuable first floor space; that one 10' x 50' loading berth will be sufficient to service

**MINUTES OF MEETING**

March 17, 1989

Cal. No. 56-89-Z

the small-truck deliveries expected at the site for the proposed use and that the waiver of one loading berth in this case will not substantially increase congestion in the abutting streets nor alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a four-story with penthouse retail sales building, with one instead of two loading berths, on premises at 646 N. Michigan Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Leo Oliver Mohan  
**APPEARANCES FOR:** John J. Pikarski, Jr.  
**APPEARANCES AGAINST:**

**CAL. NO.** 57-89-S  
**MAP NO.** 9-N  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED—** 6400, 6404, 6410 & 6412 W. Dakin 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Leo Oliver Mohan, for Michael Pontarelli, owner, on February 17, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of accessory residential uses on the ground floor of four proposed three-story two-dwelling unit buildings, in a B4-2 Restricted Service District, on premises at 6400, 6404, 6410 and 6412 W. Dakin Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4, §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; 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 on January 15, 1988, Calendar No. 1-88-S, the Board approved a special use application for the establishment of residential use on the first floor of a proposed three-story 11-dwelling unit building on the subject site; that said structure was not erected and that the applicant in this case proposes to erect four three-story two-dwelling unit buildings with accessory residential uses on the ground floor at the subject site; that the subject site recently received resubdivision approval by the City Council and now consists of four lots measuring about 37.5' x 68.8' each, all fronting on W. Dakin Street; that the proposed special use is necessary for the public convenience at this location to provide ground floor indoor parking garages and space for mechanical facilities for each of the proposed three-story buildings; that the public health, safety and welfare will be adequately protected in the location, design and operation of the proposed special use which merely consists of ground floor uses accessory to the proposed residential buildings; and that the entire proposed residential project, although located in a business zone, is more in character with the abutting residential uses

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Cal. No. 57-89-S

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 accessory residential uses on the ground floor of four proposed three-story two-dwelling unit buildings, on premises at 6400, 6404, 6410 and 6412 W. Dakin 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: Leo Oliver Mohan  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 58-89-Z  
 MAP NO. 9-N  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED— 6400, 6404, 6410 & 6412 W. Dakin Street  
 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Leo Oliver Mohan, for Michael Pontarelli, owner, on February 17, 1989, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of four three-story two-dwelling unit buildings, whose rear yards will each be 5.81 feet instead of 30 feet and with the building at 6400 having a west side yard of 3 feet instead of 3.76 feet, on premises at 6400, 6404, 6410 and 6412 W. Dakin Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4, §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; 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 on March 17, 1989, Calendar No. 57-89-S, the Board approved a special use application for the approval of the establishment of residential uses on the ground floor of four proposed three-story two-dwelling unit buildings on the subject site; that on January 15, 1988, Calendar No. 2-88-Z, the Board granted a variation to permit the erection of a three-story 11-dwelling unit building at the subject site whose front yard will be 7.5 feet instead of 15 feet, whose north side yard will be 3 feet instead of 6.9 feet and with no provision for one loading berth; that the said building was not erected and that the applicant in this case proposes to erect four three-story two-dwelling unit buildings whose rear yards will each be 5.81 feet instead of 30 feet and with the building at 6400 W. Dakin Street, a reversed corner lot, having a west side yard of 3 feet instead of 3.76 feet; that the subject site is composed of four lots, each measuring 37.5' x 68.8'; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested yard

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variations are necessary to erect the four three-story two-dwelling unit buildings as designed to make the project economically feasible; that the plight of the owner is due to the short depth of the subject lots; and that the proposed four three-story two-dwelling unit buildings are compatible with the existing residential improvements in the area and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon 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 four three-story two-dwelling unit buildings, whose rear yards will each be 5.81 feet instead of 30 feet and with the building at 6400 having a west side yard of 3 feet instead of 3.76 feet, on premises at 6400, 6404, 6410 and 6412 W. Dakin 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: The Human Resources Development Institute Residential Services, Inc.  
 APPEARANCES FOR: John Turner  
 APPEARANCES AGAINST:

CAL NO. 59-89-Z  
 MAP NO. 6-D  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED— 1201-05 E. Marquette Road  
 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, The Human Resources Development Institute Residential Services, Inc., owner, on February 16, 1989, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a two-story 20-dwelling unit building designed for the handicapped, with on-site parking spaces for 16 instead of 20 automobiles and of which one space will be located in the required west side yard, on premises at 1201-05 E. Marquette Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 16, 1989 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, §7.8-4, §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 March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is currently a 16,440 sq. ft. unimproved reversed corner lot; that the applicant purchased the subject property in 1988 for the purpose of erecting a two-story 20-dwelling unit residential structure for the handicapped with financing secured under Section 202 of the Housing Act of 1959; 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 configuration of the proposed building on the subject lot necessitates the requested variation in the required off-street parking spaces; that the plight of the owner is due to unique circumstances in that the residents of the proposed residential structure will be handicapped and that the operation of motor vehicles by the said tenants is unlikely; that the one parking space to be located in the required west side yard is a 14 feet wide stall for a vehicle for the handicapped; that the elimination

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of four on-site parking spaces and the location of one parking space in the required west side yard will not materially affect parking in the neighborhood and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story 20-dwelling unit building designed for the handicapped, with on-site parking spaces for 16 instead of 20 automobiles and of which one space will be located in the required west side yard, on premises at 1201-05 E. Marquette Road, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Roseland Senior Housing Corp.  
 APPEARANCES FOR: Carrie K. Huff  
 APPEARANCES AGAINST:

CAL. NO. 60-89-Z  
 MAP NO. 28-E  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED— 11717-37 S. State Street & 11 E. 117th Street  
 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Roseland Senior Housing Corp., for Catholic Bishop of Chicago, a corporation sole, on February 17, 1989, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a five-story 60-dwelling unit housing for the elderly building on a lot whose area is 22,380 sq. ft. instead of 24,000 sq. ft., whose north side yard will be 4 feet and whose south side yard will be approximately 1 foot instead of 20 feet each, whose rear yard will be 8 feet instead of 30 feet, with parking in the required front yard, with no provision for 1 loading berth, and which proposal necessitates the reduction of the rear yard of the Catholic Charities building at 11 E. 117th Street from 30 feet to 5 feet, on premises at 11717-37 S. State Street and 11 E. 117th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 15, 1989 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, §7.5-5, §7.7-5, §7-8.5, §7.9-5, §7.11-5, §7.12(1), §11.7-4(1)(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site consists of property located east of State Street between 117th Street and 117th Place and a parcel of land immediately south of 117th Place; that on June 19, 1988, the City Council rezoned the subject site from R3 to R5 specifically for the proposed development; that on February 1, 1989, the City Council passed an ordinance vacating 117th Place, which land is to be conveyed to the Catholic Bishop of Chicago, the owner of the aforesaid properties; that at the corner of E. 117th Street and S. State Street, known as 11 E. 117th Street, is a vacated parochial school; that the applicant, a secular corporation, proposes to provide low income housing for the elderly by building a five-story 60-dwelling unit building on the

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March 17, 1989

Cal. No. 60-89-Z

parcel of land at 11717 S. State Street and within the next two years convert the vacated parochial school building at 11 E. 117th Street into approximately 30 dwelling units; that the owner of the properties is obtaining bond financing to convert the school and is in the process of receiving Section 202 funds from the Department of Housing and Urban Development to finance the new 60-dwelling unit building; 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 without the requested variations, the proposed housing for the elderly building would have to have considerably fewer units or the applicant would have to construct a taller building, which would substantially increase construction costs; that the plight of the owner is due to unique circumstances in that the owner of the site, the Catholic Bishop of Chicago, must subdivide the property and convey the southern portion (11717 S. State Street) to the applicant, Roseland Senior Housing Corp (the secular corporation), in order to obtain the Section 202 funds from HUD to build the proposed 60-unit building, thus necessitating the requested variations; that the variations are necessary to fully maximize the use of all the available property; that the proposed 60-dwelling unit building with on-site parking will be compatible with the existing residential improvements in the neighborhood and that the variations, if granted, will not materially alter the essential character of the locality, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a five-story 60-dwelling unit housing for the elderly building on a lot whose area is 22,380 sq. ft. instead of 24,000 sq. ft., whose north side yard will be 4 feet and whose south side yard will be approximately 1 foot instead of 20 feet each, whose rear yard will be 8 feet instead of 30 feet, with parking in the required front yard, with no provision for 1 loading berth, and which proposal necessitates the reduction of the rear yard of the Catholic Charities building at 11 E. 117th Street from 30 feet to 5 feet, on premises at 11717-37 S. State Street and 11 E. 117th Street, upon condition that the parking area shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that densely planted shrubbery shall be provided on the south lot line to screen the parking area from the abutting residential property and on the east lot line to screen the parking area from residential property on the south side of E. 117th Place; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential properties; that ingress and egress shall be from S. State Street; that the cul de sac created by the vacation of E. 117th Place shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; 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:** Urban Partners, Ltd., as contract purchaser  
**APPEARANCES FOR:** William Singer et al.  
**APPEARANCES AGAINST:**

**CAL. NO.** 61-89-S  
**MAP NO.** 5-G  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED—** 2029-2081 N. Clybourn 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

**THE RESOLUTION:**

WHEREAS, Urban Partners, Ltd., as contract purchaser, for Forman Realty Corp., owner, on March 8, 1989, filed an application for a special use under Article 11 of the zoning ordinance and Chapter 194D for the approval of the location and the erection of a one-story shopping center building, in the Clybourn Corridor Planned Manufacturing District, on premises at 2029-2081 N. Clybourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 2, 1989 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, Chapter 194D."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

WHEREAS, the district maps show that the premises are located in the Clybourn Corridor Planned 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 subject site consists of approximately 1.7 acres fronting on N. Clybourn Avenue from N. Lakewood Avenue to N. Magnolia Avenue and is located within an overall 115 acre area recently rezoned to a Planned Manufacturing District and identified in a staff report by the Departments of Planning and Economic Development as the Clybourn Corridor Planned Manufacturing District; that the P.M.D. is a balanced approach to industrial policy and land-use planning on the city's north side, allowing for continuous and coordinated industrial investment within an overall planning context, yet being sensitive to area-wide commercial and residential needs; that the subject site is situated within a portion of the so-called "buffer area" which is designed and intended to promote development of uses compatible with the manufacturing/industrial uses existing in the "core area" somewhat distant to the west of the site; that the applicant proposes to erect a one-story shopping center building at the subject site with 94 on-site parking spaces pursuant to the provisions of the P.M.D.; that the applicant has agreed with the community to provide a 2'6" landscape planting buffer between the sidewalk and the parking area and to limit the height of signage located in the parking area to 7 feet; that the applicant proposes to lease the stores in the shopping center

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Cal. No. 61-89-S

building to those business uses which are permitted uses in the Business and Commercial zones, basically neighborhood service-type uses, excepting listed special uses, taverns, restaurants of any type, drive-in establishments, liquor stores, theaters, arcades, garages, and food processing of any type; that the proposed use is necessary for the public convenience at this location to provide a convenient shopping area for community residents; that the shopping center is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected in that the proposed uses will be compatible with the manufacturing/industrial uses existing in the core area while providing area residents with goods and services demanded by the marketplace and, with ample on-site parking, will not have a detrimental effect on traffic flow or street parking; that the proposed shopping center uses will be compatible with the existing manufacturing and commercial uses in the area and will not cause substantial injury to the value of other property in the neighborhood nor adversely impact real estate assessments in the core area as indicated by the city's efforts to secure a commitment from the County Assessor's Office not to re-assess property values in the core area due to new development in the buffer area; and that although the subject site is zoned manufacturing, there are no nearby manufacturing uses, and that the proposed uses will not have a deleterious effect upon the number and type of jobs in the core area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a one-story shopping center building, in the Clybourn Corridor Planned Manufacturing District, on premises at 2029-2081 N. Clybourn Avenue, upon condition that the business uses to be established at the site shall be limited to those uses which are permitted uses under the zoning ordinance in the Business and Commercial zones, excepting listed special uses, taverns, restaurants of any type, drive-in establishments, liquor stores, theaters, arcades, garages, and food processing of any type; that a 2'6" landscape planting buffer shall be erected between the sidewalk and the parking area; that signage located in the parking area shall not exceed 7 feet in height; that the parking area shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be determined by the Bureau of Traffic Engineering and Operation; that the driveways at the established ingress and egress shall be constructed in compliance with applicable ordinances; and that all applicable ordinances of the City of Chicago shall be complied with before a permit 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 and with the regulations promulgated under the Clybourn Corridor Planned Manufacturing District ordinance.

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

**APPLICANT:** Urban Partners, Ltd., as contract purchaser  
**APPEARANCES FOR:** William Singer et al.  
**APPEARANCES AGAINST:**

**CAL. NO.** 62-89-Z  
**MAP NO.** 5-G  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED—** 2029-2081 N. Clybourn 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

**THE RESOLUTION:**

WHEREAS, Urban Partners, Ltd., as contract purchaser, for Forman Realty Corp., owner, on February 3, 1989, filed an application under Article 11 of the zoning ordinance and Chapter 194D to permit, in the Clybourn Corridor Planned Manufacturing District, the erection of a one-story shopping center building, whose rear yard will be located 19 feet from the rear lot line of the property in the adjacent Residence District instead of the 30 feet required, on premises at 2029-2081 N. Clybourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 3, 1989 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, Chapter 194D, §10.13-1, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

WHEREAS, the district maps show that the premises are located in the Clybourn Corridor Planned 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 on March 17, 1989, in Calendar No. 61-89-S, the Board approved the applicant's special use application for the erection of a one-story shopping center building in the Clybourn Corridor Planned Manufacturing District, at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that although the heretofore approved one-story shopping center building represents only 20% of the allowable density at the site, the configuration of the large required parking area prevents the building from being moved forward 11 feet in compliance with the rear setback requirement and that the project cannot be built without the requested variation; that the plight of the owner is due to a recent rezoning of the abutting property to the east from manufacturing to residential; that said abutting property is presently vacant and that the variation, if granted, will be compatible with the existing improvements in the area and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 17, 1989

Cal. No. 62-89-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 shopping center building, whose rear yard will be located 19 feet from the rear lot line of the property in the adjacent Residence District instead of the 30 feet required, on premises at 2029-2081 N. Clybourn 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: Urban Partners, Ltd., as contract purchaser  
 APPEARANCES FOR: William Singer  
 APPEARANCES AGAINST:

CAL. NO. 63-89-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED--- 2028-36 N. Magnolia 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Urban Partners, Ltd., as contract purchaser, for Forman Realty Corp., owner, on February 3, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-and-a-half story single-family residence on a triangular lot, whose front yard will be 7.5 feet instead of 10.85 feet, whose north side yard will be 3 feet instead of 9.3 feet, and whose rear yard will be 1.5 feet instead of 30 feet, on premises at 2028-36 N. Magnolia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 3, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4, §7.9-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; 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 March 8, 1989, the City Council rezoned the subject site from M1-2 to R4 specifically for the proposed single-family residence building; that the applicant proposes to erect a two-and-a-half story single-family residence with attached garage on the subject 4,140 sq. ft. triangular lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested front, side and rear yard variations are necessary to construct the proposed single family residence as designed on this triangular lot; that the plight of the owner is due to unique circumstances in that locating the proposed residence on the north side of the lot is the only feasible location for construction of the proposed residential building on this irregularly shaped lot; that the proposed single-family residence will be compatible with the existing residential improvements on Magnolia Avenue and that

MINUTES OF MEETING

March 17, 1989

Cal. No, 63-89-Z

the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-and-a-half story single-family residence on a triangular lot, whose front yard will be 7.5 feet instead of 10.85 feet, whose north side yard will be 3 feet instead of 9.3 feet, and whose rear yard will be 1.5 feet instead of 30 feet, on premises at 2028-36 N. Magnolia 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:** McDonald's Corporation  
**APPEARANCES FOR:** Lawrence Parrish  
**APPEARANCES AGAINST:**

**CAL. NO.** 64-89-S  
**MAP NO.** 24-G  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED---** 9560 S. Halsted 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, McDonald's Corporation, owner, on February 17, 1989, 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 McDonald's Restaurant in a B4-1 Restricted Service District, on premises at 9560 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 16, 1989 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 March 17, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; 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 on November 9, 1984, the Board approved a special use application for the establishment of a drive-through service lane addition to an existing McDonald's Restaurant at the subject site; that the testimony presented in Calendar No. 377-84-S is hereby made part of the record in this case; that the subject site is presently improved with a one-story McDonald's Restaurant building located on the southeast corner of the lot; that the applicant proposes to demolish the existing building and erect a new restaurant building in the center of the lot and to provide drive-through facilities in conjunction with the proposed new McDonald's Restaurant; that the proposed drive-through facility is necessary for the public convenience at this location to provide an additional service prevalent in today's fast 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 which will provide lighted directional ingress and egress signs with ingress from S. Halsted Street and egress onto W. 96th Street and a 6 feet high solid wood fence along the west lot line to screen the facility from residential property across the alley; and that the proposed use is compatible with the existing

MINUTES OF MEETING

March 17, 1989  
Cal. No. 64-89-S

business uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a drive-through facility in conjunction with a proposed McDonald's Restaurant, on premises at 9560 S. Halsted Street, upon condition that the ingress to the drive-through portion of the facility shall be from S. Halsted Street and that the egress from the drive-through portion of the facility shall be onto W. 96th Street; that lighted directional signs shall be erected at the established entrances and exists to the subject site; that a 6 feet high solid wood screening fence shall be erected along the west lot line to screen the facility from residential property across the alley; that there shall be no ingress nor egress from 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 808**

**APPLICANT:** Clarence Boyd  
**APPEARANCES FOR:** Clarence Boyd  
**APPEARANCES AGAINST:**

**CAL. NO.** 65-89-A  
**MAP NO.** 10-F  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED—** 534 W. 43rd 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

**THE RESOLUTION:**

WHEREAS, Clarence Boyd, owner, on February 15, 1989, 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 frame store and apartment building, in an R3 General Residence District, on premises at 534 W. 43rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 9, 1989 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 March 17, 1989; 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 establish a grocery store in the non-conforming store in the two-story frame store and apartment building on the subject site; that the subject store has been vacant and unoccupied 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: Francis Bulin  
 APPEARANCES FOR: Francis Bulin  
 APPEARANCES AGAINST:

CAL. NO. 66-89-A  
 MAP NO. 4-G  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED-- 1502-04 W. 19th 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Francis Bulin, owner, on February 15, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an agricultural nursery business, in an R4 General Residence District, on premises at 1502-04 W. 19th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1989 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 March 17, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a one-story brick store and apartment building on the lot at 1504 W. 19th Street and a vacant lot at 1502 W. 19th Street; that the appellant possesses an import validation license from the U.S. Department of Agriculture to import plants and trees which he grows on the vacant lot; that when the trees and plants are mature he removes them and replants them on retail buyers' property; that the appellant has operated his business at the subject site for the past 20 years; that licensing requirements have caused the case to be filed; that agricultural uses, including nurseries and truck gardens, are permitted uses in a residential district provided that no offensive odors or dust are created, pursuant to §7.3-1(2) of the zoning ordinance; that the proposed use is a permitted use under the subject site's R4 General Residence classification 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 agricultural nursery business, on premises at 1502-04 W. 19th Street, upon condition that no offensive odors or dust are created by the operation; 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: Peter P. Born  
 APPEARANCES FOR: Ralph Muentzer  
 APPEARANCES AGAINST:

CAL. NO. 67-89-A  
 MAP NO. 8-I  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED— 3107 W. 38th 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
	X	
X		

THE RESOLUTION:

WHEREAS, Peter P. Born, for American National Bank, Tr. #105089-01, owner, on January 25, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a business for the installation of anti-theft devices in automobiles in a one-story brick garage building, in an R3 General Residence District, on premises at 3107 W. 38th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 23, 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, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989; 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 subject site is improved with a non-conforming one-story brick garage building; that the subject premises has been previously occupied by business uses, the last use having been truck storage, a C1 use; that the use of the premises for a business for the installation of anti-theft devices in automobiles, a B4 use, 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 business for the installation of anti-theft devices in automobiles in a one-story brick garage building, on premises at 3107 W. 38th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Mondays through Saturdays; that all work shall be conducted entirely within the subject building; 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: Arthur Beaulieu  
 APPEARANCES FOR: Frank Beaulieu  
 APPEARANCES AGAINST:

CAL. NO. 68-89-A  
 MAP NO. 1-L  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED-- 303 N. Laramie 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Arthur Beaulieu, for Frank Klein, owner, on February 2, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a live fish market in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 303 N. Laramie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 1, 1989 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 March 17, 1989; 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 subject site is improved with a two-story brick and frame store and apartment building; that the subject store has been previously occupied by a cleaners and also by a shoe repair business, B1 uses; that the subject building also contains an existing licensed video rental business; that the appellant proposes to operate a live fish market, a B1 use, at the subject premises; that the change of use to a live fish market 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 live fish market in a two-story brick store and apartment building, on premises at 303 N. Laramie 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: Jerome Smith  
 APPEARANCES FOR: Jerome Smith  
 APPEARANCES AGAINST:

CAL NO. 69-89-A  
 MAP NO. 28-F  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED-- 11559 S. Wentworth 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Jerome Smith, for David Stokes, owner, on February 2, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a drop-off cleaners in a one and two-story brick business building, in an R3 General Residence District, on premises at 11559 S. Wentworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1989 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 March 17, 1989; 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 subject site is improved with a non-conforming one and two-story L-shaped building containing a motor vehicle repair shop and the subject drop-off dry cleaners; that the subject store was previously occupied by a drop-off dry cleaners; that the appellant leased the premises in September, 1988 as a drop-off dry cleaners; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and that 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 drop-off dry cleaners in a one and two-story brick business building, on premises at 11559 S. Wentworth Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 7 P.M., Mondays through Fridays; 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: Gerald Oguss

CAL. NO. 70-89-A

APPEARANCES FOR:

MAP NO. 3-E

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1989

PREMISES AFFECTED-- 850 N. Dewitt Place

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

ACTION OF BOARD--

Case continued to  
May 19, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

APPLICANT: Maria de Jesus Zepeda  
 APPEARANCES FOR: Delfina Perez  
 APPEARANCES AGAINST:

CAL. NO. 71-89-A  
 MAP NO. 6-I  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED--- 2659 W. Luther 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Maria de Jesus Zepeda, for Felix and Maria de Jesus Zepeda, owners, on February 7, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a one-story brick store building, in an R4 General Residence District, on premises at 2659 W. Luther Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1989 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 March 17, 1989; 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 one-story brick store building on the subject site was previously occupied by a tavern, a B4 use, which ceased operation in 1987; that the applicant purchased the subject building in April of 1988; that the change of use to a grocery and produce store, a B1 use, 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 grocery and produce store in a one-story brick store building, on premises at 2659 W. Luther Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 9 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 808**

**APPLICANT:** Willie Riley  
**APPEARANCES FOR:** Willie Riley  
**APPEARANCES AGAINST:**

**CAL. NO.** 72-89-A  
**MAP NO.** 2-K  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED--** 4103-05 W. 5th 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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
	X	

**THE RESOLUTION:**

WHEREAS, Willie Riley, owner, on February 8, 1989, 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 4103-05 W. 5th Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1989 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 March 17, 1989; 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 December 11, 1987 the Board denied an appeal for the establishment of a grocery store in the non-conforming store in the building on the subject site, Calendar No. 270-87-A; finding that the subject store had been vacant and unoccupied in excess of one year; that testimony now presented indicates that the management of the site was previously handled by a real estate office due to the mental incompetence of the former owner, but that there was never an intent to abandon the use of the subject store for business use; that the appellant now seeks to establish a grocery store at the subject site; 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 grocery store in the two-story brick store and apartment building, on premises at 4101-05 W. 5th Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 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 808**

**APPLICANT:** Harry Irgang  
**APPEARANCES FOR:** Philip Witt  
**APPEARANCES AGAINST:**

**CAL. NO.** 297-88-A  
**MAP NO.** 9-J  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED--** 3282 N. Milwaukee 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**

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Harry Irgang, owner, on October 31, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing outdoor motor vehicles sales lot, in a C1-2 Restricted Commercial District, on premises at 3282 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 15, 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, §9.3-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989; 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 said use is located in a C1-2 Restricted Commercial District; that the subject site is being used as a used car sales lot; that records of the City of Chicago indicate that the subject site had been zoned Commercial since passage of the 1923 zoning ordinance and has been classified C1-2 Restricted Commercial since the passage of the comprehensive amendment on May 29, 1957; that outdoor auto sales was a permitted use prior to the 1957 amendment, but since then it requires a C2 General Commercial classification; that testimony presented indicates that the lessee Nathan Schein has operated a used car lot at the site since January, 1984; that it was also testified to that the use has been at the site since 1957; that members Kennon and Alakiotou found the evidence to be feeble and inconclusive to establish the present use of the site as a pre-existing non-conforming use and voted to deny the appeal; that members Caldwell and Fornelli voted to sustain the appeal as presented; it is therefore

RESOLVED, that the appeal be and it hereby is denied for lack of three affirmative votes and that 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: Patrick T. Duquette

CAL. NO. 21-89-A

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1989

PREMISES AFFECTED— 957 W. Webster Avenue

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

ACTION OF BOARD—

Case continued to  
May 19, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

**APPLICANT:** Stelian & Marie Petrisor  
**APPEARANCES FOR:** Stelian Petrisor  
**APPEARANCES AGAINST:**

**CAL NO.** 23-89-Z  
**MAP NO.** 11-L  
**MINUTES OF MEETING**  
 March 17, 1989

**PREMISES AFFECTED—** 4815-19 W. Hutchinson Street  
**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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

**THE RESOLUTION:**

WHEREAS, Stelian & Marie Petrisor, owners, on December 23, 1988, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the enclosure of four existing four-story porches of a four-story brick 12-dwelling unit building, which porches are located within required side and rear yards and which enclosures will result in a 9.7% (1,802 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 4815-19 W. Hutchinson Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 14, 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, §7.6-3, §7.8-3, §7.9-3, §11.7-4(7)(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; 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 applicant hired a contractor who enclosed four existing four-story porches of the four-story brick 12-dwelling unit building on the subject site without obtaining necessary building permits; that the applicants now seek to legalize the porch enclosures in order to secure the necessary building permits; that on October 30, 1986 the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-1(1)"; that the enclosure of the said porches will exceed by 9.7% (1,802 sq. ft.) the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning

MINUTES OF MEETING

March 17, 1989

Cal. No. 23-89-Z

ordinance; that the said enclosed porches are located in the required side and rear yards; 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 prior existing porches were in a dangerous and deteriorated condition; that the plight of the owners is due to unique circumstances in that the contractor erected the said enclosed porches without obtaining necessary building permits and that the applicants now find themselves in a fait accompli situation; that no one appeared in opposition to the granting of the requested variations; and that the variations, if granted, will not alter the essential character of the locality in that the enclosed porches are compatible with the existing improvements in the block; 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 enclosure of four existing four-story porches of a four-story brick 12-dwelling unit building, which porches are located within required side and rear yards and which enclosures will result in a 9.7% (1,802 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 4815-19 W. Hutchinson Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Stephen M. Karesh  
 APPEARANCES FOR: Stephen M. Karesh  
 APPEARANCES AGAINST: Sherwin Bender

CAL. NO. 27-89-Z  
 MAP NO. 17-I  
 MINUTES OF MEETING  
 March 17, 1989

PREMISES AFFECTED--- 2910 W. Estes 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  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell		X	
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Stephen M. Karesh, for LaSalle National Bank, Tr. #103139, owner, on January 13, 1989, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a two-story addition to the rear of a two-story brick single-family residence, whose total floor area ratio will be 0.65 instead of 0.50, on premises at 2910 W. Estes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 19, 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, §7.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; 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 argument of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a two-story brick single-family residence; that the applicant proposes to erect a two-story addition to the rear of the existing building; 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 addition is necessary to provide additional bedrooms on the second floor and to expand the existing kitchen on the first floor; that the plight of the owner is due to the need of the applicant to provide expanded living accommodations for his family and the desire to remain at the site due to the proximity of the applicant's synagogue; that an agreement between the applicant and Sherwin Bender, owner of the adjacent property at 2914 W. Estes Avenue, provides for offsetting the west and east sides of the second floor construction by approximately 1.5 feet rather than offsetting only one side by approximately 3 feet as originally indicated in architect's plans; that a new plan, dated March 27, 1989, was submitted indicating the aforesaid changes; that the proposed two-story single-family residence, with the revised second floor construction, will not seriously affect an adequate supply of light

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Cal. No. 27-89-Z

and air to the adjacent properties; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story addition to the rear of a two-story brick single family residence whose total floor area ratio will be 0.65 instead of 0.50, on premises at 2910 W. Estes Avenue, upon condition that the total floor area ratio shall not exceed 0.65; that the 2nd story portion of the addition shall be setback 4 feet 8 inches from each side lot line, as agreed upon by the applicant and the owner of the property at 2914 W. Estes Avenue and delineated in new plans, dated March 27, 1989, as submitted; 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: Tarnovia Lounge

CAL. NO. 29-89-S

APPEARANCES FOR:

MAP NO. 12-I

APPEARANCES AGAINST:

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March 17, 1989

PREMISES AFFECTED-- 5201 S. Sacramento Avenue

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

ACTION OF BOARD--

Application withdrawn upon motion of applicant.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

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

APPLICANT: Lawrence D'Antignac and Marvita M. D'Antignac  
 APPEARANCES FOR: Anthony Ferguson  
 APPEARANCES AGAINST: Stacey Brownlee  
 PREMISES AFFECTED-- 8150 S. Michigan Avenue  
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

CAL. NO. 32-89-Z  
 MAP NO. 20-E  
 MINUTES OF MEETING  
 February 17, 1989 and  
 March 17, 1989

ACTION OF BOARD--

Variations granted.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Lawrence D'Antignac and Marvita M. D'Antignac, owners, on January 20, 1989, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family-Residence District, the erection of a two-story single-family residence on the front of a lot improved with a two-story frame residence at the rear, whose side yards will each be 3 feet instead of 4.5 feet and whose floor area ratio will be 0.65 instead of 0.50, on premises at 8150 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 22, 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, §5.5, §7.6-2, §7.8-2, §11.7-4(1)(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 and on March 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; 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 proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a one and two-story frame residential building located on the rear portion of the lot; that the applicants have resided in the existing 75 year-old residence for the past 22 years and are now seeking to erect a new two-story residence on the front of the lot and to demolish the existing one and two-story building upon completion of the proposed structure; 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 present 75 year-old residential building is termite infested and is no longer suitable for habitation; that the plight of the owners is due to the desire to erect a new dwelling of sufficient size to meet the needs of the applicants; and that the variations, if granted, will not alter the essential character of the neighborhood in that the location of the proposed building on the front portion of the lot and the removal

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March 17, 1989

Cal. No. 32-89-Z

of the existing building on the rear of the lot will bring the improvement of the subject property more in conformance with the location of the existing residential buildings in the block, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story single-family residence on the front of a lot, improved with a two-story frame residence at the rear, whose side yards will each be 3 feet instead of 4.5 feet each and whose floor area ratio will be 0.65 instead of 0.50, on premises at 8150 S. Michigan Avenue, upon condition that a 33 feet front yard shall be provided; that upon completion and occupancy of the proposed single-family residence building, the existing residential building on the rear of the lot shall be completely demolished; 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 conditions imposed in the companion resolution, Calendar No. 33-89-A, shall hereby be incorporated as conditions in the resolution of this case.

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

APPLICANT: Lawrence D'Antignac & Marvita M. D'Antignac  
 APPEARANCES FOR: Anthony Ferguson  
 APPEARANCES AGAINST: Stacey Brownlee  
 PREMISES AFFECTED— 8150 S. Michigan Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 33-89-A  
 MAP NO. 20-E  
 MINUTES OF MEETING  
 February 17, 1989 and  
 March 17, 1989

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  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Lawrence D. Antignac and Marvita M. D'Antignac, owners, on January 23, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to allow a two-story frame residence on the rear of the lot to remain until completion of a proposed two-story single-family residence on the front of the lot, in an R2 Single-Family Residence District, on premises at 8150 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 22, 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, §5-5, §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 March 17, 1989; 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 district, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that on March 17, 1989, in Calendar No. 32-89-Z, the Board granted a variation permitting the erection of a two-story single-family residence on the front of the subject site lot, improved with a two-story frame residence at the rear, whose side yards will each be 3 feet instead of 4.5 feet and whose floor area ratio will be 0.65 instead of 0.50; that the appellants seek permission to allow the existing two-story single-family residence on the rear of the lot to remain until completion of the proposed two-story single-family residence on the front of the lot; that relocation during the construction of the proposed single-family residence would constitute an economic burden on the appellants and cause disruption and displacement of the appellants and their family during construction; that allowing the existing structure to remain until completion of the new building would also allow use of some of the materials from the existing building in the new construction; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

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

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March 17, 1989  
Cal. No. 33-89-A

Office of the Zoning Administrator be and it hereby is reversed and he is authorized to allow a two-story frame single-family residence on the rear of the lot to remain until completion of a proposed two-story single-family residence on the front of the lot, on premises at 8150 S. Michigan Avenue, upon condition that the existing two-story building on the rear of the lot shall be completely demolished upon completion and occupancy of said building; that the Zoning Administrator shall note said condition on the permit application for the proposed building; that it shall be the responsibility of the appellants to timely comply with this condition upon completion of the proposed building and that to not do so shall constitute a violation of this order and Sections 5.5 and 7.3-1(1) of the zoning ordinance.

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Cal. No. 211-87-Z

Cornell S. Bar, owner, presented a request for an extension of time in which to obtain necessary building permits in the subdivision of an improved zoning lot into two zoning lots, retaining the existing three-story brick six-apartment building on the proposed west zoning lot with no north front or south rear yards and the erection of a two-story single-family residence on the proposed east zoning lot whose west rear yard will be 4 feet instead of 30 feet, on premises at 1103 W. Newport Avenue, granted by the Zoning Board of Appeals on December 11, 1987, Calendar No. 211-87-Z.

Mr. Bar stated that architectural plans have been finalized and that he now wishes to proceed with the construction of the two-story single family residence.

Chairman Kennon moved that the request for an extension of time in which to obtain necessary building permits be extended to September 17, 1989. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou, Fornelli. Nays- None. Absent- Howlett.

## MINUTES OF MEETING

March 17, 1989

Cal. No. 64-78-S

Melrose Park National Bank, Trust No. 2320, as Trustee, and on behalf of the beneficial owner of said trust, Waste Management of Illinois, Inc., by its attorneys, Daniel L. Houlihan & Associates, Ltd., presented a motion to toll the commencement date of a sanitary landfill at 13050-13250 S. Torrence Avenue, Calendar No. 64-78-S, approved by the Board on January 18, 1980, stated as follows:

1. That the commencement of use date of the previously authorized special use for the subject property under the reference calendar number has been extended by prior resolutions of this Board to and including April 1, 1989.
2. That the Board founded its decision to extend the commencement of use date to April 1, 1989, upon the fact of adoption by the City Council of the City of Chicago of an extension of moratorium ordinance which prevented applicant from implementing its use.
3. That said moratorium ordinance was scheduled to expire as of February 1, 1989, but that the City Council on January 18, 1989, adopted an ordinance extending said moratorium to February 1, 1990.
4. That said moratorium, as extended, again prevents applicant from implementing the prior commencement of use date resolution of the Board before April 1, 1989 and for a subsequent period of time thereafter in order to allow reasonable review by the municipal authorities of a permit application for the authorized special use.
5. That the Board has the authority to toll the commencement of use date.
6. That the said tolling will maintain the status quo during the moratorium imposed by the City of Chicago.

That the petitioner requests the Zoning Board of Appeals to enter an order in Calendar No. 64-78-S tolling the current commencement of use date during the pendency of the moratorium ordinance to and including April 1, 1990.

That in a letter received by the Board from the Office of the Corporation Counsel of the City of Chicago, dated March 27, 1989, the Corporation Counsel questioned the authority of the Board to repeatedly extend the special use granted in 1980 by means of a tolling of the commencement of use date. The Corporation Counsel stated that "the Zoning Ordinance provides that the Board may, at its discretion and upon adequate showing of cause, extend the period of validity of a variation in the nature of a special use for a period not to exceed twelve months (Section 11.10-5). The clear intent of this provision is to limit to two years the time from the Board's granting of the special use. The time from the granting of the special use in this case has greatly exceeded the two year period .....and it is, in our opinion, inappropriate to avoid the effect of Section 11.10-5 of the Ordinance by granting the applicant's Motion to Toll repeatedly for years."

The Corporation Counsel also stated that "there have been important changes since the 1978 hearing and grant of the special use to the applicant. New standards for the siting of landfills have been enacted in the Zoning Ordinance, at Sections 11.10-7.1 et seq. since the original grant of the special use....In addition to the changed standards governing the issuance of a special use since the original grant of the special use in this

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March 17, 1989

Cal. No. 64-78-S

case, the facts relating to the property under consideration here have changed as well. New information about groundwater, leachate contamination and control, air-born toxics, and environmental engineering techniques relating to landfills have been developed, and should be considered by the Board with regard to this special use.

Chairman Kennon finds that the new landfill regulations and guidelines passed in 1987 now make it inappropriate to continue to toll the commencement of use date in the subject matter and moved that the applicant's request to toll the current commencement of use date to April 1, 1990, be denied.

The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Alakiotou and Caldwell. Nays- Fornelli. Absent- Howlett.

Therefore, the Board's ruling of March 20, 1987 establishing April 1, 1989 as the commencement of use date is final, and that the applicant in Calendar No. 64-78-S has until March 31, 1990 to commence the previously approved sanitary landfill operation at the subject site, subject to all of the conditions specified in the resolution, except that the use shall terminate on April 1, 1992 in lieu of January 18, 1983 as stated in said resolution. If the applicant is unable to commence the sanitary landfill operation at the subject site by March 31, 1990, the special use approval for said use granted in Calendar No. 64-78-S shall become null and void and any subsequent reinstatement of the special use shall be subject to the procedures for application, hearing, review and approval by the Zoning Board of Appeals as provided in Article 11 of the zoning ordinance.

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Mr. Caldwell moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on April 21, 1989.

*Marian Rest*  
\_\_\_\_\_  
Secretary