

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, December 15, 1989

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

The following members were present and constituted a quorum:

Lawrence E. Kennon
Chairman

James E. Caldwell
Roula Alakiotou
Anthony J. Fornelli

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Member Caldwell moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on November 17, 1989 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou and Fornelli. Nays- None.

* * * * *

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

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

APPLICANT: Wladyslaw & Krystyna Bukowski
 APPEARANCES FOR: Richard J. Troy
 APPEARANCES AGAINST:

CAL. NO. 304-89-Z
 MAP NO. 12-J
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 4702 S. Avers Avenue

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

ACTION OF BOARD—

Variation granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Wladyslaw & Krystyna Bukowski, for Chicago Title & Trust, Tr. #1091405, owner, on October 3, 1989, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the certification of an existing 3-story brick building as 12-dwelling units, with off-street parking for 10 instead of 12 automobiles, on premises at 4702 S. Avers Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 20 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, §7.12-2(9), §7.12(10), §11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R5 General Residence District; that the subject site is a 75' x 125' lot improved with a 3-story brick 12-dwelling unit building constructed in 1962; that the applicants purchased the building in 1984 at which time they were unaware that additional dwelling units were illegally added to the building contrary to the code requirements in effect at the time the building was erected in 1962; that the City Council rezoned the site from R4 General Residence to R5 General Residence on October 4, 1989; that the building now meets the lot area per dwelling unit requirements; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that there is insufficient lot area at the rear of the building to provide 12 parking spaces; that the plight of the owner is due to the configuration of the 12-dwelling unit building on the lot which allows only 10 parking spaces at the rear of the building; that the waiver of two parking spaces will not materially affect street parking in the block and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit an existing 3-story brick building as 12 dwelling units, with off-street parking for 10 instead of 12 automobiles, on premises at 4702 S. Avers 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 800

APPLICANT: Elmer & Rebecca Haneberg
APPEARANCES FOR: Elmer Haneberg
APPEARANCES AGAINST:

CAL NO. 305-89-Z
MAP NO. 11-J
MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 4034 N. Harding Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou

 James E. Caldwell
 Anthony J. Fornelli

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

THE RESOLUTION:

WHEREAS, Elmer & Rebecca Haneberg, owners, on October 5, 1989, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story and attached garage addition to the rear of a 2-story frame single-family residence, whose north side yard will be 3.82 feet and with no south side yard instead of 5 feet each, on premises at 4034 N. Harding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

WHEREAS, the district maps show that the premises is 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 a 50' x 133.25' lot improved with a 2-story frame single-family residence; that the applicants propose to erect a 2-story addition to the rear and an attached one-vehicle garage to the south side of the existing residential 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 meet the lifestyle needs of the applicants; that the plight of the owners is due to the need for additional living and garage space to accommodate the applicants family; that the side yard variations are necessitated by the need to follow the existing north wall line of the building and the absence of a rear alley access to the garage; that the addition as designed will be compatible with the existing residential improvements in the block and 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

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upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story and attached garage addition to the rear of a 2-story frame single-family residence whose north side yard will be 3.82 feet and with no south side yard instead of 5 feet each, on premises at 4034 N. Harding 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: Richard Greenberg & Richard Wexner
 APPEARANCES FOR: James M. Kane
 APPEARANCES AGAINST:

CAL. NO. 306-89-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 1414-24 W. Roscoe Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations denied.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou

 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon		x	
Roula Alakiotou	x		
James E. Caldwell		x	
Anthony J. Fornelli		x	

THE RESOLUTION:

WHEREAS, Richard Greenberg and Richard Wexner, for American National Bank and Trust Co., Tr. #106941-07, owner, on October 18, 1989, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story addition above a 1-story brick former commercial building all of which to contain 16-dwelling units, with no south front yard instead of 10.47 feet and no north rear yard instead of 30 feet, on premises at 1414-24 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 27, 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, §7.9-5, §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 December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

WHEREAS, the district maps show that the premises is 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 improved with a 1-story brick commercial building erected about 75 years ago and built lot line to lot line; that the applicants propose to renovate the existing building and erect a 2-story addition above for 16 residential condominium dwelling units each with interior garages; that the applicants purchased the property in December of 1988 and on November 15, 1989, the City Council rezoned the site from B4-2 Restricted Service to R5 General Residence expressly for the proposed development; that the 2-story addition will following existing building walls thus necessitating a request for front and rear yard variations, such yards required due to the now residential zoning; that each unit will contain approximately 1,400 sq. ft. and will market for about \$160,000; that the Board finds that no evidence was presented that would indicate the property in question cannot yield a reasonable return without the requested variations nor that a unique circumstance exists, as required under Section 11.7-3 of the zoning ordinance; it is therefore

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

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

APPLICANT: Edward & Susan Smolin
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 307-89-Z
 MAP NO. 5-G
 MINUTES OF MEETING
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PREMISES AFFECTED— 1857 N. Bissell Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		

THE RESOLUTION:

WHEREAS, Edward & Susan Smolin, owners, on October 25, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story single-family residence whose front yard will be 7.5 feet instead of 15 feet and whose south side yard will be 1.2 feet instead of 2.4 feet, on premises at 1857 N. Bissell Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §7.7-4, §7.8-4(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 December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

WHEREAS, the district maps show that the premises is 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 subject site is a 24' x 124.88' lot improved with a delapidated 2-story frame single-family residence; that the applicants propose to demolish the existing building and erect a 2-story single-family residence at 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 the front and side yard variations are necessary to construct a residential structure with adequate living space; that the plight of the owners is due to the narrow width of the subject site lot; and that the variations, if granted, will not alter the essential character of the locality in that many of the existing improvements on the block do not comply with the front and side yard requirements of the zoning ordinance; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story single-family residence whose front yard will be 7.5 feet instead of 15 feet and whose south

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side yard will be 1.2 feet instead of 2.4 feet, on premises at 1857 N. Bissell 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: John Finnecke, by Seymour Goldberg
 APPEARANCES FOR: Monte Viner
 APPEARANCES AGAINST:

CAL. NO. 308-89-Z
 MAP NO. 9-M
 MINUTES OF MEETING
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PREMISES AFFECTED— 6135 W. Waveland Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		

THE RESOLUTION:

WHEREAS, John Finnecke, by Seymour Goldberg, for John Finnecke, owner, on October 27, 1989, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 25' x 40' 2nd floor dormer addition to a 1-story brick single-family residence, whose west side yard will be 2.65 feet instead of 4.56 feet and whose total floor area ratio will be 0.6 instead of 0.5, on premises at 6135 W. Waveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 18, 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(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

WHEREAS, the district maps show that the premises is 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 1-story brick single-family residence with basement and attic; that the applicant proposes to erect a 25' x 40' partial second floor dormer addition to the existing residential 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, consisting of a bedroom, bath and study, is necessary to meet the needs of the applicant and his family; that the plight of the owner is due to the applicant's need for additional living space; that the proposed 2nd floor dormer addition will be located on the rear 40 feet of the 54 feet long structure and will not materially affect the Waveland Avenue elevation or facade of the existing building; and that the variations, if granted, will be compatible with many existing improvements in the area having dormer additions and will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 25' x 40' 2nd floor dormer addition to a 1-story brick single-family residence, whose west side yard will be 2.65 feet instead of 4.56 feet and whose total floor area ratio will be 0.6 instead of 0.5, on premises at 6135 W. Waveland 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: The Salvation Army
 APPEARANCES FOR: Daniel Stralka
 APPEARANCES AGAINST:

CAL. NO. 309-89-S
 MAP NO. 10-L
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 5036-58 W. 47th Street
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

Application approved.

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

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

THE RESOLUTION:

WHEREAS, The Salvation Army, owner, on October 4, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 244-seat church in a proposed 1-story community center building, in a B4-1 Restricted Service District, on premises at 5036-58 W. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 22, 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, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the applicant Salvation Army Corps is presently located at 3301 W. 62nd Place; that the applicant proposes to erect a 1-story community center building at the subject site to contain gymnasium auditorium, classrooms, library and a 45' x 45' 244-seat chapel; that a community center is a permitted use in a B4-1 Restricted Service District but that the establishment of the chapel facility requires the approval of a special use under the zoning ordinance; that the proposed chapel facility is an integral component of the Salvation Army's services in the community and is necessary at this location to meet the needs of the residents of the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the subject community center and chapel facility which will provide adequate off-street parking; that the proposed chapel activity is ancilliary to the proposed community center operations and that the establishment of such a chapel at the site 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 in authorized to permit the establishment of a 244-seat church in a

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proposed 1-story community center building, on premises at 5036-58 W. 47th Street, upon condition that the parking area located directly west of the proposed community center building shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said parking area at any time; 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 2 feet high steel beam guard rails shall be erected on the periphery of the lot, excepting the driveway; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be from W. 47th Street; that there shall be no ingress nor egress via the public alley abutting the site; that the driveway shall be constructed in accordance with applicable ordinances; that the parking area shall be securely locked at all times when activities and services are not being conducted at the community center 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 806

APPLICANT: 326 South Wells Corporation

APPEARANCES FOR:

CAL. NO. 310-89-S

MAP NO. 3-E

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APPEARANCES AGAINST:

PREMISES AFFECTED-- 40-52 E. Chicago Avenue

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

ACTION OF BOARD--

Case continued to
February 16, 1990.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

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

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

APPLICANT: Michael Reese Health Plan, Inc.
 APPEARANCES FOR: Stuart H. Glicken
 APPEARANCES AGAINST:

CAL. NO. 311-89-S
 MAP NO. 7-G
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 2400-16 N. Sheffield Avenue
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		

THE RESOLUTION:

WHEREAS, Michael Reese Health Plan, Inc., for Harris Trust and Savings Bank, Tr. #39094, owner, on October 5, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a self-park public parking lot for the parking of private passenger automobiles, in a B3-2 General Retail District, on premises at 2400-16 N. Sheffield Avenue, as amended; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §8.11-1, §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-2 General Retail District; that on October 28, 1987, the City Council rezoned the subject site from M1-2 and C1-2 to B3-2 General Retail; that the subject site has been improved with a parking lot for approximately 20 years; that the applicant proposes to establish a self-park public parking lot for 113 automobiles at the subject site as indicated in amended plans dated December 4, 1989; that the proposed use is necessary for the public convenience at this location in that this is a high density area with a great need for public parking; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed self-park public parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed self-park public parking in an existing parking lot will be compatible with the existing business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a self-park public parking

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lot for the parking of 113 private passenger automobiles, as submitted in amended plans dated December 4, 1989, on premises at 2400-16 N. Sheffield Avenue, upon condition that two feet high steel beam guard rails shall be provided along the north, east and south sides of the lot, excepting driveways; that densely planted compact hedges shall be provided between the guard rails and the sidewalk along the W. Fullerton and N. Sheffield frontages; that the existing paving shall be maintained and parking spaces striped; that lighting shall be provided; that ingress and egress shall be from N. Sheffield Avenue and W. Fullerton Avenue; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Carlos Garcia, by Seymour Goldberg
 APPEARANCES FOR: Monte Viner
 APPEARANCES AGAINST:

CAL. NO. 312-89-S
 MAP NO. 3-H
 MINUTES OF MEETING
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PREMISES AFFECTED— 817 N. Marshfield Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Carlos Garcia, by Seymour Goldberg, for Carlos Garcia, owner, on October 10, 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 B3-3 General Retail District, on premises at 817 N. Marshfield Avenue, to serve a restaurant located at 820 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 29, 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, §8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-3 General Retail District; that the proposed off-site accessory parking lot is necessary for the public convenience at this location to serve the restaurant operated by the applicant which is located directly across the alley to the east of the subject site at 820 N. Ashland Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed accessory parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed accessory parking lot will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 817 N. Marshfield Avenue, to serve a restaurant located at 820 N. Ashland Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have

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been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveway and alley-side pedestrian entrance, with 2 feet high steel beam guard rails; that striping shall be provided; that concrete wheel stops shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that the hours of operation shall be limited to the hours between 7:30 A.M. and 11:45 P.M., Mondays through Thursdays and 7:30 A.M. and 1 A.M., Fridays through Sundays; that an attendant shall be on duty during all hours of operation; that the lot shall be securely locked when not in use by the restaurant; that ingress and egress shall be from N. Marshfield Avenue; that the alley abutting the site shall not be used for vehicular ingress and 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 certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: SAS Parking Corporation
 APPEARANCES FOR: Gary A. Weintraub
 APPEARANCES AGAINST:

CAL. NO. 313-89-S
 MAP NO. 1-F
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 17-19 W. Hubbard Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, SAS Parking Corporation, for Marion O. Kane Properties, owner, on October 18, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a public parking lot, in a C3-5 Commercial-Manufacturing District, on premises at 17-19 W. Hubbard Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 6, 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, §9.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that the subject site is a 6,000 sq. ft. lot which has been used as a parking lot for approximately 18 years; that the applicant seeks to establish a public parking lot at the site; that the proposed use is necessary for the public convenience at this location in that this is a high density area with a great need for public parking facilities; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed public parking lot will be compatible with the existing commercial uses in the block 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 public parking lot, on premises at 17-19 W. Hubbard Street, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the existing surfacing, drainage, wheel stops and fencing shall be maintained; that ingress and egress shall be from W. Hubbard Street; that a two

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feet high steel beam guard rail shall be provided along the rear lot line so as to prevent ingress or egress from the alley; that the hours of operation shall be limited to the hours between 6 A.M. and 10 P.M., daily; that an attendant shall be on duty during all hours of operation; that the lot shall be securely locked at all other times; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to maintain the parking lot in conformance with the provisions hereby established under this resolution.

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

APPLICANT: Maloid Jones
 APPEARANCES FOR: James J. Siwek, Maloid Jones
 APPEARANCES AGAINST: Jerome Hunt

CAL. NO. 314-89-S
 MAP NO. 16-H
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 1634 W. 69th Street
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Maloid Jones, for Shinell Lasley, owner, on October 16, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a 2-story brick building, in a B4-1 Restricted Service, on premises at 1634 W. 69th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 29, 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 December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a 2-story brick building containing a store front; that the subject 1st floor store was previously occupied by a tavern which closed approximately 2 years ago; that the applicant proposes to establish a tavern on the 1st floor and a tavern/lounge on the 2nd floor; that the subject premises is located directly east of a packaged liquor store and that testimony presented indicates that at least two other liquor stores and three taverns are located within 3 blocks of the subject premises; that no evidence was presented to indicate that the establishment of a tavern, as proposed, is necessary for the public convenience at this location; that the patronage of the proposed tavern will encompass a wider area than that of the local neighborhood; that the applicant does not have adequate off-street parking facilities for the proposed use; that no evidence was presented that the public health, safety and welfare will be adequately protected in the establishment and operation of the proposed tavern; that no substantial evidence was presented to indicate that the establishment of the proposed tavern would not cause injury to the value of other property in the neighborhood; that the proposed use is not in the public interest; it is therefore

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

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

APPLICANT: American National Bank & Trust Company of Chicago
Trust No. 109615-09

CAL. NO. 315-89-S

APPEARANCES FOR: David W. Norton

MAP NO. 2-F

APPEARANCES AGAINST:

MINUTES OF MEETING

December 15, 1989

PREMISES AFFECTED— 700 W. Van Buren Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

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

THE RESOLUTION:

WHEREAS, American National Bank & Trust Company of Chicago, Tr. #109615-09, for American National Bank & Trust Company of Chicago, Tr. #39774, owner, on October 18, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a public parking lot, in a C3-5 Commercial-Manufacturing District, on premises at 700 W. Van Buren Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 10, 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, §9.4-3(5), §9.11-4(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that on September 13, 1962, the Board approved the issuance of a certificate of occupancy for an off-site parking lot for the storage of private passenger automobiles at the subject site for the use of a factory located at 300-12 S. DesPlaines Street, Calendar No. 413-62-S; that the subject site is a 100' x 110' parcel of land improved with a one-story automobile garage building on the northern portion of the lot; that the applicant proposes to establish a public parking lot on the vacant portion of the lot; that in the future, based upon market demands for additional parking spaces, the existing 1-story garage building will be demolished and the subject parking lot expanded to the north; that the proposed parking lot is necessary for the public convenience at this location in that this is a high density area with a great need for public parking; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot is a continuation of the prior use of the subject site and will not cause substantial injury to the

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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 public parking lot, on premises at 700 W. Van Buren Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveway, with chain link fencing; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from W. Van Buren Street; that the driveway shall be constructed in accordance with applicable ordinances; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the hours of operation of the parking lot shall be limited to the hours between 6 A.M. and 6 P.M., Mondays through Fridays; that the lot shall be securely locked at all other times; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order; and be it further

RESOLVED, that should the applicant find it necessary to demolish the existing building on the subject site for the expansion of parking space it may do so, without need for any further action by the Board.

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

APPLICANT: State/Delaware Associates, Ltd.
 APPEARANCES FOR: Langdon D. Neal
 APPEARANCES AGAINST:

CAL. NO. 316-89-S
 MAP NO. 3-E
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— One East Delaware Place
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, State/Delaware Associates, Ltd, owner, on October 25, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of public parking within the garage portion of a 37-story business and residential building, in a B7-6 General Central Business District, on premises at One East Delaware Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 19, 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, §8.3-7, §8.4-7(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-6 General Central Business District; that the subject site is improved with a 37-story business and residential building; that the subject building contains garage parking for 407 automobiles of which 169 spaces are required parking for the building tenants; that the applicant proposes to avail the excess 238 spaces for public parking; that the proposed use is necessary for the public convenience at this location in that this is an high density area with a great need for public parking facilities; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed public parking facility which is located in an existing parking garage; and that the proposed 238-space public parking facility, located in an existing parking garage, will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of public parking within the garage portion of a 37-story business and residential building, on premises at One East Delaware Place, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. PAGE 24 OF MINUTES

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

APPLICANT: Zanies Comedy Clubs, Inc.
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 317-89-S
 MAP NO. 3-F
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED--- 1554 N. Wells Street
 SUBJECT--- Application for the approval of a special use.

ACTION OF BOARD---

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Zanies Comedy Clubs, Inc., for American National Bank & Trust Company of Chicago, Tr. #38070, owner, on October 10, 1989, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the leasing of 10 parking spaces within an existing parking lot, in a B4-4 Restricted Service District, on premises at 1554 N. Wells Street, to satisfy the parking requirement for a public place of amusement at 1548 N. Wells Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 28, 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(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

WHEREAS, the district maps show that the premises is located in a B4-4 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-4 Restricted Service District; that a public parking lot has been located at the subject site for approximately 20 years; that the applicant proposes to lease 10 parking spaces within the existing parking lot for a period of 5 years commencing October 1, 1989 and terminating on September 30, 1994, with a 5-year renewable option; that the proposed leasing of 10 parking spaces at the subject site is necessary for the public convenience to satisfy the parking requirement for Zanies Comedy Club, a public place of amusement, located at 1548 N. Wells Street; that the public health, safety and welfare will be adequately protected in the location and operation of the proposed use in an existing operating parking lot located only a few doors north of Zanies Comedy Club; that the proposed leasing of 10 parking spaces by the applicant in an existing public parking lot will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of 10 parking spaces within an existing parking lot, on premises at 1554 N. Wells Street, to satisfy the parking requirement for a public place of amusement at 1548 N. Wells 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: American National Bank & Trust Co., Tr. #108941-03
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 318-89-S
 MAP NO. 5-F
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 1625 N. Halsted Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, American National Bank & Trust Co., Tr. #108941-03, owner, on October 25, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 1625 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §8.3-4, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and the 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 on a lot improved with a non-conforming 1-story with basement former single-family residence; that the lessee, O'Rourke's Public House, has been established in the area for many years; that the lessee proposes to renovate the existing residential building on the site and relocate the tavern to the subject site; that no restaurant service or live entertainment will be provide in the operation; that the proposed tavern is necessary for the public convenience at this location to continue to serve its patrons, the majority of which reside in the area; that the lessee proposes to operate the proposed tavern in a manner to insure that the public health, safety and welfare will be adequately protected; that adequate off-street parking facilities are available in the area; and that the establishment of a tavern at the subject site 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 tavern in a 1-story brick building, on premises at 1625 N. Halsted Street, upon condition that no restaurant service or live entertainment shall be provided in 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: Rafael R. Rios
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST: Roman C. Pucinski, at al.

CAL. NO. 319-89-Z
 MAP NO. 15-L
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 6216 N. Livermore Street

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

ACTION OF BOARD--

Variations granted,
 in part.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Rafael R. Rios, for American National Bank & Trust Company of Chicago, Tr. #108698-08, owner, on November 13, 1989, filed an application for a variation of the zoning ordinance to permit, in an R1 Single-Family Residence District, the erection of a 2-story single-family residence, whose side yards will be 5 feet each instead of combined side yards of 15 feet, on premises at 6216 N. Livermore Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 13, 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, §11.7A-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989 after due notice thereof by publication in the Chicago Tribune on November 27, 1989; and

WHEREAS, the district maps show that the premises is located in an R1 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 R1 Single-Family Residence District; that the subject site is a 50' x 158.05' vacant lot located in an area of the City known as the Old Edgebrook Community; that the said area was granted Landmark status by the City Council on December 6, 1989; that the applicant proposes to erect a 40 feet-wide 2-story single-family residence containing approximately 3,500 sq. ft. on the subject 7,903 sq. ft. lot; that on September 7, 1988, the neighbor to the north at 6224 N. Livermore Street was granted an Exception by the Zoning Administrator permitting certain additions to a 2-story single-family residence with a north side yard of 2.13 feet and a south side yard of 3.16 feet instead of combined side yards of 15 feet; that on October 3, 1989, the applicant was granted an Exception by the Zoning Administrator to permit the erection of the proposed building with side yards of 5 feet each instead of combined side yards of 15 feet, as requested, but on November 2, 1989, he recinded said approval based on a review of the concerns of the local community and the significant Landmark value of the Old Edgebrook Community and that the action to recind was consistent with his findings that the granting of the Exception may be detrimental to the public welfare and may be injurious to other properties and improvements

MINUTES OF MEETING

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in the neighborhood; that the applicant had commissioned the architect to design the proposed residence with a circulatory concept providing large kitchen and dining areas for formal entertaining; that the area is characterized by woods and large lots improved with single-family dwellings of various sizes and styles situated differently as they relate to their lot lines; that most of the side yards of the existing improvements in the block do not meet the side yard requirements of the zoning ordinance; that although a front yard of only 20 feet is required, the applicant's proposal provides for a 35 foot front yard in keeping with the existing front yard character of the block; 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 side yard variations the proposed residence can not be designed with room sizes sufficient to meet the lifestyle requirements of the applicant; that the plight of the owner is due to the need of providing adequate building width to accomplish a design that will allow for formal entertaining; that the area is improved with dwellings of contrasting styles and that the proposed dwelling, with provision of a 35 foot front yard, will not alter the essential character of the neighborhood nor diminish an adequate supply of light and air to adjoining property; that Chairman Kennon found that although the facts support the granting of the requested variations, in deference to the objections of the neighbor to the north and the community, a reduction in the width of the proposed building to 39 feet with provision of a 6 feet north side yard in lieu of 5 feet will not make for any appreciable loss in room size and is reasonable in this case, and moved that the application be so granted; Members Alakiotou and Caldwell concurred; Member Fornelli felt that a 38 feet wide building would be sufficient to meet the needs of the applicant and voted against the motion; 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 39 feet wide 2-story single-family residence whose north side yard will be 6 feet and whose south side yard will be 5 feet instead of combined side yards of 15 feet, on premises at 6216 N. Livermore Street, upon condition that a 35 feet front yard shall be provided; 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: Maria Cazares

CAL. NO. 320-89-A

APPEARANCES FOR: Maria Cazares

MAP NO. 6-J

APPEARANCES AGAINST:

MINUTES OF MEETING

December 15, 1989

PREMISES AFFECTED— 3058 S. Avers 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

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		

THE RESOLUTION:

WHEREAS, Maria Cazares, for Elisa Romo, owner, on October 30, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing beauty salon in a 1-story brick store and apartment building, in an R3 General Residence District, on premises at 3058 S. Avers Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 30, 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 December 15, 1989; and

WHEREAS, the district maps show that the premises is 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 in a non-conforming store in a 1-story brick store and apartment building on the subject site; that the appellant has operated a beauty salon in the subject premises since December of 1988; that the subject store was previously occupied by business uses, the last use having been a dry cleaning receiving store, a B1 use; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing beauty salon in a 1-story brick store and apartment building, on premises at 3058 S. Avers Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Guillermina Lopez
 APPEARANCES FOR: Guillermina Lopez
 APPEARANCES AGAINST:

CAL. NO. 321-89-A
 MAP NO. 10-I
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 4609 S. California 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
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Guillermina Lopez, for Roman Lopez, owner, on October 30, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 1-story brick store building, in an R3 General Residence District, on premises at 4609 S. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 December 15, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming 1-story brick store building on the subject site has been previously occupied by business uses, including a beauty shop; that the premises was last used as a fisherman's supply business which ceased operation in October, 1989; that the premises has been used for storage purposes during the interim period, the fixtures having remained intact; that the use of the non-conforming 1-story store building as a beauty salon is a proper 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 beauty salon in a 1-story brick store building, on premises at 4609 S. California Avenue, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 7 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Herman Winston
 APPEARANCES FOR: Herman Winston
 APPEARANCES AGAINST:

CAL. NO. 322-89-A
 MAP NO. 3-K
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED--- 1022 N. Pulaski Road

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

ACTION OF BOARD---

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Herman Winston, owner, on October 30, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a carry-out restaurant in a 1 and 2-story brick store and apartment building, in an R3 General Residence District, on premises at 1022 N. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 30, 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 December 15, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming store in the 1 and 2-story brick store and apartment building on the subject site has been previously occupied by business uses, the last use having been a snack shop, a B2 use; that the appellant proposes to establish a carry-out restaurant, a B2 use, at the subject site; 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 reversed and he is authorized to permit the establishment of a carry-out restaurant in a 1 and 2-story brick store and apartment building, on premises at 1022 N. Pulaski Road, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 10 P.M. Mondays through Thursdays and 7 A.M. and 12 P.M., Fridays and Saturdays; that no alcoholic beverages shall be served on the premises; that the public areas shall be kept neat and clean at all times; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Hana Hovorka & Zaheer Razvi
APPEARANCES FOR: Thomas Johnson
APPEARANCES AGAINST: Dolores M. Collins

CAL. NO. 323-89-A
MAP NO. 17-G
MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 6501-07 N. Ashland Avenue

SUBJECT— Appeal from the decision of 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

 James E. Caldwell
 Anthony J. Fornelli

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

THE RESOLUTION:

WHEREAS, Hana Hovorka & Zaheer Razvi, owners, on October 24, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant in a 3-story brick store and apartment building, in an R4 General Residence District, on premises at 6501-07 N. Ashland Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

WHEREAS, the district maps show that the premises is 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 subject site is improved with a 3-story brick two-store and apartment building; that the non-conforming store has been continuously occupied by business uses since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance, the last use of the store at 6501 N. Ashland Avenue having been a mail order herb and spice business, a C use, which use ceased operation when the premises was purchased by the appellants in August of 1989; that the change of use to a restaurant, including incidental liquor service, a B2 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 restaurant in the corner store in a 3-story brick store and apartment building, on premises at 6501-07 N. Ashland Avenue, upon condition that the dispensing of alcoholic beverages shall be limited only to table service as an incidental use to the serving of food as the principal activity; that the hours of operation shall be limited to the hours between 5 P.M. and 10 P.M. on weekdays and 5 P.M. to 11 P.M. on weekends; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Walter Michniak
 APPEARANCES FOR: Walter Michniak
 APPEARANCES AGAINST:

CAL. NO. 324-89-A
 MAP NO. 12-I
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 2415-17 W. 47th 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
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Walter Michniak, owner, on October 3, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize an existing parking lot, in a B4-1 Restricted Service District, on premises at 2415-17 W. 47th Street, as an off-site accessory parking lot to serve a grocery store located at 2414-16 W. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 28, 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, §5.10, §8.3-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

WHEREAS, the district maps show that the premises is 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 said use is located in a B4-1 Restricted Service District; that the subject site is a partially improved parking lot serving a grocery store located at 2414-16 W. 47th Street; that the evidence presented indicates that the subject site has been so used since prior to May, 1960; 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 legalize an existing parking lot, on premises at 2415-17 W. 47th Street, as an off-site accessory parking lot to serve a grocery store located at 2414-16 W. 47th Street, upon condition that 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; that steel beam guard rails 2 feet high shall be erected on the periphery of the lot, excepting the driveway; that ingress and egress shall be from W. 47th Street; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the public alleys; 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 standards hereby established under this order.

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

APPLICANT: Norbert Maday
 APPEARANCES FOR: Norbert Maday
 APPEARANCES AGAINST:

CAL. NO. 325-89-A
 MAP NO. 17-G
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED--- 6415 N. Bosworth 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
 James E. Caldwell
 Anthony J. Fornelli

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

THE RESOLUTION:

WHEREAS, Norbert Maday, owner, on October 4, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a machine shop license for an existing auto parts store in a 1-story brick commercial building, in a B4-2 Restricted Service District, on premises at 6415 N. Bosworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the appellant has operated an auto parts store specializing in brake and clutch parts in the 1-story brick store building at the subject site for the past eight years; that the applicant offers the service of resurfacing brake drums, rotors and clutch flywheels by machining them on a lathe; that the principal retail operation occupies approximately 3,800 sq. ft., of which approximately 200 sq. ft. is used for the resurfacing of brake drums, rotors and clutch flywheels; that the resurfacing activity is subordinate in operation and accessory to the principal retail auto parts business; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a machine shop license for an existing auto parts store in a 1-story brick commercial building, on premises at 6415 N. Bosworth Avenue, upon condition that said license shall be construed only as a license for the accessory service of resurfacing brake drums, rotors and clutch flywheels in conjunction with the retail auto parts store; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: James Love
 APPEARANCES FOR: James Love
 APPEARANCES AGAINST:

CAL. NO. 326-89-A
 MAP NO. 14-F
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 340-42 W. 59th Street

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, James Love, for J. Lenz and Son, owner, on October 4, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a tire repair operation from a vacant lot, in an R3 General Residence District, on premises at 340-42 W. 59th Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

WHEREAS, the district maps show that the premises is 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 on July 27, 1984 the Board sustained an appeal by the appellant, James Love, for issuance of a motor vehicle repair license for an existing tire repair shop in the non-conforming pre-existent store portion of a 3-story brick store and apartment building at 334 W. 59th Street, Calendar No. 265-84-A; that the appellant subsequently moved his business to the subject 75' x 125' vacant lot; that the appellant conducts the tire repair business at the subject site from the rear of a truck; that tire repair is first permitted in a Commercial zoning district; that under Section 7.3-3 of the zoning ordinance the Board has no authority to permit the establishment of a tire repair business at the residentially zoned subject site; it is therefore

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

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

APPLICANT: Rogelio Duran
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 327-89-A
MAP NO. 6-J
MINUTES OF MEETING
December 15, 1989

PREMISES AFFECTED-- 2759 S. Spaulding Avenue
SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal dismissed for want of prosecution.

THE VOTE

Lawrence E. Kennon
Roula Alakiotou

James E. Caldwell
Anthony J. Fornelli

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

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

APPLICANT: J & J Speaker Repair
 APPEARANCES FOR: Michael Mrowiec
 APPEARANCES AGAINST:

CAL. NO. 328-89-A
 MAP NO. 7-N
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 7006 W. Diversey Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, J & J Speaker Repair, for John Falco, owner, on October 16, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing speaker repair business in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 7006 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 6, 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, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District in a 1-story brick store building; that the appellant has been located at the subject site store since 1981; that the prior business use at the subject site was an insurance company office, a B2 use; that the appellant sells new and repaired audio speakers, a B2 use; that the speaker repair operation is subordinate and accessory to the principal retail sales activity; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing speaker repair business in a 1-story brick store building, on premises at 7006 W. Diversey 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: Elvira Zauala
 APPEARANCES FOR: Carmen Rodriguez
 APPEARANCES AGAINST:

CAL. NO. 329-89-A
 MAP NO. 6-J
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 2857 S. St. Louis 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

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		

THE RESOLUTION:

WHEREAS, Elvira Zauala, for Martin Zauala, owner, on October 16, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a fruit store in a 1-story brick store building, in an R3 General Residence District, on premises at 2857 S. St. Louis Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 13, 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 December 15, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming 1-story brick store building on the subject site was previously occupied by business uses, the last use having been a candy store, a B2 use; that there has been no intent to abandon the use of the premises for business purposes, the fixtures and store equipment having remained intact during the interim period before the premises was purchased approximately 3 months ago by the appellant's brother-in-law; that the change of use to a fruit store, a B1 use, is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a fruit store in a 1-story brick store building, on premises at 2857 S. St. Louis Avenue, upon condition that the hours of operation shall be limited to the hours between 9:00 A.M. and 9:00 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Denise Ostrowski
 APPEARANCES FOR: Warren Spitz, Denise Ostrowski
 APPEARANCES AGAINST:

CAL. NO. 330-89-A
 MAP NO. 26-A
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 10806 S. Avenue G

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
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Denise Ostrowski, owner, on October 20, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building as two dwelling units, in an R2 Single-Family Residence District, on premises at 10806 S. Avenue G; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 §7.3-2, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the said use is located in an R2 Single-Family Residence District; that testimony presented indicates that the 2-story frame building on the subject site has been occupied as 2 dwelling units since prior to the passage of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the 2-story building on the subject site as 2-dwelling units, provided the building is brought into compliance with all applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2-story frame building, on premises at 10806 S. Avenue G, as two dwelling units, upon condition that the building is brought into compliance with applicable code regulations with plans and permits indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: J. Crawford Erickson & Catherine M. Tauber
 APPEARANCES FOR: J. Crawford Erickson
 APPEARANCES AGAINST:

CAL. NO. 331-89-A
 MAP NO. 3-H
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED-- 1425 N. Leavitt Street

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, J. Crawford Erickson and Catherine M. Tauber, for Louis G. Burgess, owner, on October 24, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a furniture business consisting of custom design, handcraft production and retail sales in the store on the first floor of a 2-story brick store and apartment building, in an R4 General Residence District, on premises at 1425 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.5-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the non-conforming store on the first floor of the 2-story brick store and apartment building has been previously occupied by business uses, the last use having been for construction material storage, miscellaneous woodworking and property maintenance repair, which recently ceased operation; that the appellants propose to establish a custom furniture design, production and retail sales operation at the subject site; that the proposed business will employ no more than 2 persons in the operation; that the change of use to a custom furniture design, production and sales business is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a furniture business consisting of custom design, handcraft production and retail sales in the store on the first floor of a 2-story brick store and apartment building, on premises at 1425 N. Leavitt Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Mondays through Fridays; 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: Paula Cotto

CAL. NO. 332-89-A

APPEARANCES FOR: None

MAP NO. 7-H

APPEARANCES AGAINST:

MINUTES OF MEETING

December 15, 1989

PREMISES AFFECTED— 2822 N. Ashland Avenue

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

ACTION OF BOARD—

Appeal dismissed for want of prosecution.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

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

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

APPLICANT: Awad Itayem
 APPEARANCES FOR: Awad Itayem
 APPEARANCES AGAINST:

CAL. NO. 198-89-A
 MAP NO. 16-F
 MINUTES OF MEETING
 December 15, 1989

PREMISES AFFECTED— 516 W. 71st Street

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Awad Itayem, owner, on July 18, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a fast food restaurant in a 1-story brick multi-store building, in an R4 General Residence District, on premises at 516 W. 71st Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1989; and

WHEREAS, the district maps show that the premises is 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 subject site is improved with a 1-story brick multi-store building containing a non-conforming grocery store and a non-conforming packaged liquor store; that the appellant proposes to establish a carry-out submarine sandwich shop in the store in the subject building; that under Section 6.4-6 of the zoning ordinance the non-conforming use may be extended throughout the building; 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 fast food restaurant in a 1-story brick multi-store building, on premises at 516 W. 71st Street, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 11 P.M., daily; that there shall be no table service of food on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Raymond S. Cahnman

CAL. NO. 200-89-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING

December 15, 1989

PREMISES AFFECTED-- 1933-35 N. Howe Street

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

ACTION OF BOARD--

Application withdrawn
upon motion of applicant.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

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

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

APPLICANT: Lower Link, Inc.

CAL. NO. 258-89-S

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING

December 15, 1989

PREMISES AFFECTED-- 3431 N. Clark Street

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

James E. Caldwell

Anthony J. Fornelli

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

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

APPLICANT: A Deal Pawn & Loan, Gold & Diamond Exchange, Inc.,
an Illinois Corporation

CAL. NO. 260-89-S

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING
December 15, 1989

PREMISES AFFECTED— 3900 N. Broadway

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 16, 1990.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

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

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

APPLICANT: Ron Vila

CAL. NO. 266-89-A

APPEARANCES FOR:

MAP NO. 8-F

APPEARANCES AGAINST:

MINUTES OF MEETING

December 15, 1989

PREMISES AFFECTED— 3420 S. Parnell Avenue

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

ACTION OF BOARD—

Case continued to
February 16, 1990.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

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

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

APPLICANT: Howard G. Krane & Janys A. Harvey

CAL. NO. 271-89-A

APPEARANCES FOR:

MAP NO. 5-F

MINUTES OF MEETING
December 15, 1989

APPEARANCES AGAINST:

PREMISES AFFECTED-- 321-23 W. Menomonee Street

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

ACTION OF BOARD--

Appeal dismissed for
want of prosecution.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

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

MINUTES OF MEETING

December 15, 1989

Cal. No. 128-89-Z

Mr. Bernard I. Citron, for Midwest Real Estate Investment Company, presented a written request for an extension of time in which to obtain necessary building permits for the erection of two 2-story 6-dwelling unit townhouse buildings, whose front yards will be 9.67 feet instead of 13.8 feet and whose rear yards will be 8.67 feet instead of 30 feet, on premises at 2813-19 and 2821-27 S. Farrell Street, which variations were approved by the Zoning Board of Appeals on June 16, 1989, in Calendar No. 128-89-Z.

Mr. Citron stated that due to certain constraints on the development of the property the owner has not be able to start construction until now and that the six month time period in which a variation is valid will have expired before issuance of the necessary building permits.

Chairman Kennon moved that the request be granted and the time extended to June 16, 1990. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou, and Fornelli. Nays- None.

MINUTES OF MEETING

December 15, 1989

Cal. No. 11-88-S

Mr. Timothy L. Rowells, for Auburn Park Congregation of Jehovah's Witnesses, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a one-story 240-seat church building, on premises at 8131-39 S. Western Avenue, approved by the Zoning Board of Appeals on January 15, 1988, in Calendar No. 11-88-S.

Mr. Rowells stated that the applicant has experienced unforeseen difficulties in obtaining financing to purchase the property, a delay in the closing on the property and changes in the electrical and plumbing schemes which required changes in the plans for the proposed church building.

Chairman Kennon moved that the request be granted and the time in which to obtain necessary building permits be extended to January 15, 1990. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou, and Fornelli. Nays- None.

MINUTES OF MEETING

December 15, 1989

Cal. No. 299-88-S

Rev. Arnold L. Stewart, for Grace Mission Church, presented a request for an extension of time in which to obtain necessary building permits for the establishment of a temporary overnight shelter facility in a 2-story brick church building, on premises at 400 N. St. Louis Avenue, approved by the Zoning Board of Appeals on December 16, 1988, in Calendar No. 288-88-S.

Rev. Stewart stated that the necessary building permits have not yet been obtained because of building repairs that needed to be done that required no permits and because of a lack of funds.

Chairman Kennon moved that the request be granted and the time extended to December 16, 1990 in which to obtain the necessary building permits. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou and Fornelli. Nays- None.

MINUTES OF MEETING

December 15, 1989

Cal. No. 248-89-Z

Mr. Richard J. Troy, for Jeffery Bowles and Paul McHugh, presented a written Petition for Rehearing of an application for a variation of the zoning ordinance for the erection of a U-shaped 3-story 16-dwelling unit townhouse building, with no front yard instead of 12 feet, with no side yards instead of 17.5 feet each, and with no rear yard instead of 30 feet, on premises at 923-35 N. Racine Avenue, which application was denied by the Zoning Board of Appeals on October 20, 1989, in Calendar No. 248-89-Z.

Chairman Kennon stated that the Board has no authority to allow a rehearing of the prior denied application, but that the applicants have submitted revised drawings which now show setbacks from the north and south property lines and an additional set back from the rear property line.

Chairman Kennon moved that due to the change in plans the applicants be allowed to file a new variation application for the new proposal. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou and Fornelli. Nays- None.

MINUTES OF MEETING

December 15, 1989

Member Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on January 19, 1990.

Marion Rest
Secretary